

Liberty Counsel Sues GuideStar Over False “Hate Group” Label

Liberty Counsel filed a federal lawsuit against GuideStar over the false and defamatory “hate group” label it placed on GuideStar’s Liberty Counsel page. The lawsuit charges GuideStar with violating the federal Lanham Act, along with state law violations of Interference with Business Expectancy and Defamation. The suit seeks a permanent injunction, damages, and attorney’s fees and costs. The case of Liberty Counsel, Inc. v. GuideStar USA, Inc. was filed in the Federal District Court for the Eastern District of Virginia in the Newport News Division.

“GuideStar and its political ally, the Southern Poverty Law Center (SPLC), are intent on destroying pro-family organizations. The ‘hate group’ label is false and dangerous,” said Mat Staver, Founder and Chairman of Liberty Counsel. “GuideStar’s CEO, Jacob Harold, is using GuideStar as a weapon to defame, harm and promote his liberal agenda by using the SPLC to falsely label good nonprofit organizations as ‘hate groups.’ The only purpose of providing the SPLC false and dangerous ‘hate group’ label is to inflict reputational and financial harm to Liberty Counsel. GuideStar has lost all credibility. GuideStar will now have to answer for its reckless, defamatory and harmful political labeling,” said Staver.

GuideStar’s website states it is the “world’s largest source of information on nonprofit organizations.” It further claims “we gather and disseminate information about every single IRS-registered nonprofit organization. We provide as much information as we can about each nonprofit’s mission, legitimacy, impact, reputation, finances, programs,

transparency, governance and so much more.”

GuideStar used the SPLC false and dangerous “hate group” designation by placing its logo and rhetoric, which states “This organization was flagged as a hate group by the Southern Poverty Law Center,” on Liberty Counsel’s page. GuideStar placed the same ‘hate group’ label on 46 nonprofit organizations, including Alliance Defending Freedom, the American Family Association, the Family Research Council and others.

After receiving a letter last week from 41 nonprofit organizations, most of which GuideStar falsely labeled, GuideStar issued a statement and temporarily removed the label from the pages of the nonprofit groups, but the statement said that GuideStar would continue to provide the SPLC “hate group” information upon request, and further declared that GuideStar is considering other ways to provide the information to the public.

Staver continued: “GuideStar has not retracted its ‘hate group’ label and continues to provide false, defamatory and harmful information it pushes as fact to the public. The damage by GuideStar is far reaching because this false and defamatory labeling has been spread through scores of media sources and the internet. It also appears on the GuideStar Wikipedia page.”

Harold, GuideStar’s president and chief executive officer, is a liberal activist like the SPLC.

According to his bio, Harold has written extensively on climate change and has further training in grassroots organizing from Green Corps. He has also worked for Rainforest Action Network, Greenpeace USA and Citizen Works. In addition, Harold’s Twitter account shows he is a climate change advocate, and he retweeted a GuideStar-published piece that uses pro-LGBT and pro-transgender language. Harold

was a host for a NARAL Pro-Choice D.C. men's event in 2014, and he blogged for Huffington Post. He also donated to the Obama campaign in 2011 before joining GuideStar in 2012. His wife is also a pro-abortion advocate. Harold tweeted a picture of himself at the so-called "Women's March" in January 2017, holding a protest sign obviously directed against President Donald Trump. This march overtly promoted abortion.

The SPLC's caustic and false rhetoric is dangerous because it creates a "Hate Map" listing so-called "hate groups." Mark Potok with the SPLC admitted in an interview: "Our criteria for a 'hate group,' first of all, have nothing to do with criminality or violence or any kind of guess we're making about 'this group could be dangerous.' It's strictly ideological." Mark Potok is on video in a public meeting stating, "Sometimes the press will describe us as monitoring hate crimes and so on. I want to say plainly that our aim in life is to destroy these groups, to completely destroy them ..."

The SPLC has now admitted James Hodgkinson, the D.C. shooter who gunned down Rep. Steve Scalise, two staff members and two U.S. Capitol Police officers, "liked" the SPLC on Facebook. In 2015, the SPLC wrote an article pushing the idea that Rep. Scalise promoted white supremacy and supported a "hate group" founded by former KKK member David Duke. The SPLC article clearly tries to infer that Rep. Scalise is a so-called "hater" and supporter of a "hate group."

The SPLC is also linked to the attempted mass murder in the 2012 shooting at the Washington, D.C. office of the Family Research Council (FRC). Floyd Corkins II was stopped by the FRC security guard, who was shot in the process. Corkins confessed to the FBI that he intended to commit mass murder and was motivated by the so-called "Hate Map" on the SPLC website that listed FRC as a "hate group."

Laird Wilcox, founder of the Wilcox Collection on Contemporary Political Movements at the University of Kansas's Kenneth

Spencer Research Library and a leading expert on “extremist” organizations, has identified the false, misleading and destructive nature of the SPLC’s “hate group” designations.

Mr. Wilcox has noted that the SPLC has gone into “ideological overdrive and has developed many of the destructive traits that characterize moral crusaders, including the demonization of critics and dissenters.” Mr. Wilcox stated that the “hate group” designations reflect a “kind of selective attention and biased reporting” that “simply illustrates [the SPLC’s] unscrupulousness.”

He continued that it is “pretty hard to deny that the SPLC is a political operation that is trying to tar right-wingers and conservative Republicans” (emphasis added). Wilcox also noted that “[t]he dirty little secret behind the SPLC is that they actually need racial violence, growing ‘hate groups,’ and more racial crime to justify their existence and promote their agenda.”

Wilcox concluded, “When you get right down to it, all the SPLC does is call people names. It’s specialized a highly developed and ritualized form of defamation, however—a way of harming and isolating people by denying their humanity and trying to convert them into something that deserves to be hated and eliminated.” He also noted that the SPLC’s “victims are usually ordinary people expressing their values, opinions and beliefs—and they’re up against a very talented and articulate defamation machine.” Laird Wilcox has observed of the SPLC that “[m]oralizing crusades that demonize and stereotype the opposition can be very damaging, even when they claim to be working on behalf of what objectively seems to be a ‘good’ cause—and the more venerated the cause the more excessive and extreme tactics are seen to be justified. Movements to right wrongs are very dangerous when they let the end justify the means.”

Alexander Cockburn, a columnist for the liberal

publication The Nation, has labeled the SPLC and its leaders as “the archsalesmen of hatemongering.”

Cockburn noted that the SPLC represents nothing more than “hate-seekers scour[ing] the landscape for hate like the arms manufacturers inventing new threats, and for the same reason: it’s their staple.” Other commentators researching the SPLC’s “hate group” label have found that there is a “serious objection to the SPLC’s hate list” because of “the loosey-goosey criteria by which the [SPLC] decides which organizations qualify as hate groups.”

The SPLC has been charged with “being willing to slap the hate label on groups that may merely interpret data differently from the SPLC.”

Foreign Policy Magazine has been harshly critical of SPLC’s “hate group” label, noting, “The problem is that the SPLC and the ADL (Anti-Defamation League) are not objective purveyors of data. They’re anti-hate activists.” Foreign Policy concluded that the methodology used by the SPLC is fundamentally flawed, and that “[i]f there is any lesson in all of this [hate group labeling], it’s that the study of domestic American extremism shouldn’t be the exclusive province of activists.”

Other commentators have noted that “[w]hen an organization as prominent and powerful as the SPLC turns its guns on you, it can cost you your job, your livelihood—even your standing in the community. Not because you have done anything wrong. Not because what they say about you is true, but because a focused vilification campaign forces others to avoid you out of fear. You become what they call ‘radioactive.’”

The Philanthropy Roundtable has noted the SPLC’s “hate group” designation is “not a Consumer Reports Guide. It’s a political tool.” The Philanthropy Roundtable also noted that the SPLC is a “notoriously partisan attack group” and that its “hate

group” designations are intended solely as a fundraising tool and that the “hate group” designations “spread stigmas just by innuendo” and that the SPLC has an “utter lack of any reasonable criteria for who goes on its lists.” The Philanthropy Roundtable concluded that “[i]t is entirely fair to disagree with any of these charities or individuals—but utterly unfair to insist they are hate criminals” merely because the SPLC disagrees with them. It also concluded that the SPLC is a “bullying organization that aims to intimidate and even criminalize philosophical opponents” and that “the SPLC’s tactics lead directly to hate and violence.”

In 2016, the United States Department of Justice’s Disciplinary Counsel for the Executive Office for Immigration Review (the “DOJ Disciplinary Counsel”) sharply rebuked and reprimanded attorneys representing the SPLC and its allies for employing the SPLC’s “hate group” label to denigrate a conservative advocacy group and its attorneys engaged in advocacy in front of the Executive Office for Immigration Review. The DOJ Disciplinary Counsel concluded that employing the SPLC’s “hate group” designation to denigrate attorneys and public interest groups engaged in advocacy on issues with which the SPLC disagrees “overstepped the bounds of zealous advocacy and was unprofessional.” According to the DOJ Disciplinary Counsel, employing the SPLC’s “hate group” designation to denigrate conservative public interest groups and their attorneys is “uncivil” and “constitutes frivolous behavior and does not aid the administration of justice” *Id.* (emphasis added).

“Despite serious concerns about the false labeling by the SPLC, GuideStar has used this harmful rhetoric for the purpose of causing financial and reputational injury to Liberty Counsel and other nonprofit organizations,” said Mat Staver, Founder and Chairman of Liberty Counsel. “GuideStar is playing with fire. There are unhinged people who have relied upon this

reckless rhetoric to threaten and even cause physical harm and death because a person or organization was falsely labeled as a 'hater' or 'hate group.' This is not a game," said Staver.
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