

## Understanding and Beating Back Opposition Attacks

Opposition attacks on social change organizations are not new. But what is new is that these attacks are on the increase and some have been successful in side-tracking, damaging, and weakening the organizations under attack. And, in a few instances, these attacks have resulted in the demise of social change organizations --think ACORN.

These attacks take many forms. The purpose of this memo is to name the various types of attacks and to share some stories/examples of these attacks.

### Types of Attacks

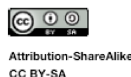
Type of Attack	Some Examples
<p>1. Accusations, complaints and/or investigations pertaining to violations of 501(c) 3 tax exempt status re: partisan activities, extensive lobbying/ exceeding lobbying limits), or unlicensed practice of law; or claims of misclassification of tax status e.g. are a union or a c(4)</p>	<p><b>-Casa de Maryland.</b> Disgruntled politician caused highly trumped up “expose” of Casa leading to numerous investigations related to their tax-exempt status and nonpartisan civic activities.</p> <p><b>-Workers right group in a southern state.</b> State attorney general inquiry regarding unlicensed practice of law because they provide workers’ rights education and help workers who have experienced wage theft make claims against their employers.</p>
<p>2. Accusations, complaints and/or investigations related to misuse of government funding</p>	<p><b>-Restaurant Opportunity Center’s (ROC United)</b> use of a Department of Labor grant was challenged, no doubt, because ROC has effectively targeted the 3<sup>rd</sup> largest US industry.</p> <p><b>-NTIC (now National People’s Action),</b> following an action by them on Karl Rove, extensive audit of Department of Justice grant. NPA has spent significant dollars and countless hours of staff time &amp; 6 years defending themselves. Investigation still ongoing. Former director served prison time &amp; house arrest.</p>

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<p>3. Accusations, complaints and/or investigations of voter registration violations/fraud</p>	<p><b>-Center for Civic Policy &amp; South West Organizing Project</b> (NM) following an earth-shaking election that unseated that 4 long-time incumbents.  <b>-Most recently, Florida New Majority</b> after FL went for Obama in 2012</p> <p>-also <b>ACORN, One Arizona</b> &amp; many others</p>
<p>4. Law suit(s) intended to censor, intimidate, financially burden or silence your organization or allies (strategic lawsuit against public participation=SLAPP suits)</p>	<p>--<b>Jobs with Justice (JwJ)</b> and faith leaders for supporting of workers in the Smithfield Food meatpacking plant. Smithfield Foods used the courts to intimidate &amp; silence those publicizing dangerous conditions at Smithfield's packing plant in Tar Heel, North Carolina. They charged the union (UFCW) and JwJ with racketeering and other criminal charges. Included among the activities which Smithfield alleged criminal were: publishing a report about bad working conditions, passing resolutions calling on Smithfield to change, and speaking to the press. One such "threatening statement" was "We've come here to send a message to Smithfield Foods while their board of directors and top executives gather to talk about their success and growth of the multibillion-dollar company.</p> <p>We want to remind them that there are people suffering every day in the largest meatpacking plant in the world."</p>
<p>5. Attempted entrapment/secret videotaping or audio recording</p>	<p><b>-ACORN</b> (undercover sting operation/video-taping at several offices)</p> <p><b>-Voces de la Frontera</b> (WI). FAIR, the well known anti immigrant group, sent plants wearing wires to try to illegally register to vote</p> <p><b>- Coalition for Humane Immigrants Rights</b>. Highly edited secret taping made it appear that CHIRLA director was laughing during the pledge of allegiance.</p>

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<p>6. Threats of physical intimidation, violence, hate calls/mail/stalking</p>	<p>- <b>Coalition for Humane Immigrants Rights</b> (CHIRLA) office has received bomb threats, has had white powder mailed to the director. A conservative talk radio station publicized the personal phone number of an employee asking viewers to call him. Director has been stalked/heckled, threatened by anti-immigrant activists.</p> <p>-<b>Voces de la Frontera</b> director has received threatening calls to her home and hate mail. Youth leaders doing “get out the vote” video-taped, harassed with intent to provoke.</p> <p>-<b>Southern Poverty Law Center</b>-threats of all sorts</p>
<p>7. Using “influence” to cut off support from friendly public &amp; elected officials, allies, donors and foundation funders through misinformation, bullying, bribes, intimidation, and “divide and conquer tactics.”</p>	<p>-<b>LA Alliance for a New Economy</b> was the subject of a massive public records request to local &amp; state elected &amp; office. The request came from a PR firm often hired by Karl Rove, Sarah Palin requiring hundreds of officials to turn over any &amp; all communications they had had with LAANE.</p> <p>-<b>Sunflower Community Action</b> (KS) lost a large grant &amp; many allies were “talked to” &amp; harassed after they took action on their Secretary of State who is trying to move voter ID &amp; makes many anti-immigrant statements</p>
<p>8. Character assassinations</p>	<p>-<b>Casa de Maryland, Voces de la Frontera</b> and others called “terrorist organizations”, red-baited.</p>
<p>9. Attempts to access or delete confidential or important information such a donor lists, membership lists, data bases, strategy documents.</p>	<p>-<b>America Comes Together</b> (the largest progressive Get Out the Vote organization operating in many swing states), had volunteers planted in the offices who successfully deleted their data bases &amp; employee payroll records just prior to the 2004 national election</p> <p>-<b>A key, large national funder of ROC</b> had its email hacked; important information about ROC was obtained</p>

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## Renewed Attacks on Worker Centers

Recently numerous worker centers including ROC United, The Korean Immigrant Worker's Alliance (KIWA) and others came under attack by the organization "The Center for Union Facts." The Center for Union Facts claims that worker centers are quasi union/fronts for unions and therefore should not be classified at 501© 3 tax exempt organizations and should instead be classified at 501 © 5 organizations. C5 is the IRS designation for unions. As such, worker centers would also be subject to the same cumbersome reporting requirements placed on unions.

## Increased Likelihood of Attack—Five Characteristics

We need to take these attacks or the potential of attacks very seriously. Social change/social justice groups with the following five characteristics are more likely to be targets of opposition attacks:

- 1) Is effective; having an impact
- 2) Is engaged in civic engagement/electoral work including nonpartisan voter registration, voter access issues, voter education and get out the vote efforts.
- 3) Is working in a swing state or on highly contested key national, state or local races
- 4) Is actively engaged on hot button issues such as voting rights, reproductive justice, LGBTQ, labor/worker rights, immigration, health care reform.
- 5) Receives government funding (federal, state, or local)

## Getting & Keeping the Organization's House in Order

One thing you will note which all these forms and examples of attacks have in common. *None of the attacks are about the substance of the issues the social change groups are working on.* The issues they are effectively working on are the reason for the attacks, but the attacks are all about finding or trying to find their vulnerabilities. And these vulnerabilities are most often internal to the organization. Thus it is especially important that groups get and keep their internal house in order so as to minimize their risk and to minimize the damage potentially from these kind of below the belt opposition attacks. RoadMap's "Weathering the Storms " project is helping groups identify and address their vulnerabilities as well as helping them to create a crisis management plan that they can put into action when attacked. This way, with an "ounce of prevention," social change groups are better able to keep the focus of their work on the issues. And they are also ready and in a better position to confidently defend the actions and integrity of their organizations, when attacked.

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