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ACORN "Not Guilty"



By [Peter Dreier](#) - December 8, 2009, 5:21AM

ACORN is getting a bum rap -- in the news media, among politicians, and even by some foundations.

That's the conclusion of an independent report released Monday, which acknowledged that ACORN needs to improve its management structure, but that it did not engage in illegal activities when two videographers, one posing as a prostitute, showed up at 10 ACORN offices, tried to entrap low-level staff members into providing tax and housing advice for their illegal prostitution ring, and secretly videotaped the encounters.

ACORN has found itself embroiled in controversy after some of its employees in different offices were recorded (with hidden video cameras) talking to a couple posing as a prostitute and her boyfriend.

Since last year, ACORN has been under attack by conservative media outlets like Fox News, Republican Party operatives, and business groups. First they accused ACORN of engaging in widespread "voter fraud," a bogus accusation which nevertheless got repeated so often -- by the mainstream media as well as ACORN's enemies -- that many Americans believe it is true. In recent months, ACORN has been under scrutiny for the actions of several staffers who listened -- and in some cases provided advice -- to the couple seeking to "sting" and embarrass ACORN.

The accusations put ACORN in a situation similar to a man who is asked, "when did you stop beating your wife?" Even though the accusations weren't true, ACORN was put on the defensive, and lacked the resources to respond effectively to the onslaught of negative publicity.

The controversy caught ACORN off-guard, trapped in a web of false accusations that has led some philanthropic foundations to cut off ACORN's funding. Congress, too, voted to cut off federal funding for ACORN, which had used federal funds to counsel families facing foreclosure and seeking to purchase homes.

In October, ACORN asked Scott Harshbarger -- former Massachusetts Attorney General and former president of Common Cause - to review ACORN's situation and make recommendations. In his 47-page [report](#), Harshbarger said: "While some of the advice and counsel given by ACORN employees and volunteers was clearly inappropriate and unprofessional, we did not find a pattern of intentional, illegal conduct by ACORN staff; in fact, there is no evidence that action, illegal or otherwise, was taken by any ACORN employee on behalf of the videographers."

Harshbarger's report concluded that ACORN grew too quickly and did not create a management structure necessary to oversee its large operation, which involved both community organizing and the provision of free homeownership and tax counseling for low-income residents, with chapters in over 70 cities. Harshbarger said the ACORN's decentralized structure and lack of centralized training and oversight of local offices, left it "vulnerable to public embarrassment."

Harshbarger noted that the videos, made by two conservative videographers under the guidance of right-wing activist Andrew Breitbart, were doctored and distorted, making it difficult to determine what actually occurred. The videographers refused to provide Harshbarger with the original videos or to talk with him for his report.

ACORN's CEO Bertha Lewis said that "The report is part vindication, part constructive criticism and 100% roadmap to the future." She said that the organization intends to implement Harshbarger's recommendations, although it must first find the financing resources to do so.

ACORN admits that in the past it devoted too few resources to management. But since Lewis took over as chief executive a year ago, she began to improve staff accountability, financial safeguards, and internal communications. With foundation support, she brought in management experts, accountants, and lawyers to help ACORN establish new management practices.

It is likely that ACORN's right-wing critics -- including John Fund at the Wall Street Journal, Glenn Beck and his colleagues at FOX News, and others -- will use the Harshbarger report to expand their attacks on ACORN by taking quotes from the report out of context and/or interviewing ACORN's critics, who will distort Harshbarger's findings.

However, the initial reaction by the mainstream media to Harshbarger's report was somewhat positive, as reflected in these headlines: "ACORN prober finds no illegal pattern on videos" (*Washington Post*), "ACORN Review: No Illegality" (*Politico*), and "ACORN Review Finds ACORN Not Guilty" (*NY Daily News*).

The report suggests that the rush-to-judgement by some funders, as well as some of ACORN's political allies, was premature.

The attacks on ACORN are worrisome not only because they have harmed an effective grassroots organization but also because they show how the nation's increasingly polarized political environment, exacerbated by the news media, can threaten any group that challenges big business and conservative politicians.

Until recently, ACORN was well known primarily among progressive activists and the low-income people it has organized since it began in Little Rock in 1970. By mobilizing poor people and their middle-class allies, it has won major victories -- at the local, state, and national levels -- to improve the living and working conditions of everyday people.

With chapters in more than 70 cities, it has successfully fought banks that engaged in predatory lending, employers that paid poverty wages, and developers that gentrified low-income neighborhoods. It has also registered more than a million Americans to vote.

ACORN is now well known, but what most Americans know about it is wrong, based on controversies manufactured by the group's long-time enemies.

A new national survey revealed shocking public misperceptions about ACORN: More than half of Americans have an unfavorable opinion of the organization, and 52 percent of Republicans, 18 percent of Independents, and 9 percent of Democrats think ACORN stole the election for Obama.

How is it that after working in relative obscurity for almost 40 years, ACORN was so falsely framed in news stories that many Americans believed the absurd and alarming notion that it stole a presidential election?

The answer is a tale not only of how the Republican Party and conservative news media framed ACORN but also of how most mainstream journalism organizations were negligent by repeating rather than fact-checking the allegations.

After the 2000 presidential election, Karl Rove (President Bush's top political adviser) and conservative Republicans orchestrated an attack on ACORN for alleged "voter fraud," as part of a campaign to suppress the voting of minorities and the poor. As part of this effort, a U.S. Attorney was asked to investigate ACORN.

The investigation came up empty-handed, but the GOP operatives persisted. The allegations of "voter fraud" hit a peak in October 2008, aided by Arizona Sen. John McCain's charge in a presidential debate with Barack Obama that ACORN "is now on the

verge of maybe perpetrating one of the greatest frauds in voter history in this country, maybe destroying the fabric of democracy."

He demanded that Mr. Obama disclose his ties to ACORN. Senator McCain frequently repeated those accusations on the campaign trail. Soon, according to a national survey by the Pew Research Center for the People and the Press, 82 percent of Americans reported they had heard about ACORN.

Although the voter fraud never materialized, the stories planted during the election season yielded a bountiful crop of misinformation.

In recent months, the organization's notoriety was compounded after Fox News broadcast the video clips. The tapes were heavily edited before they were released, failing to reveal that some ACORN offices turned the pair away or refused to provide them any aid. In no ACORN office did employees file any paperwork on the duo's behalf.

Nonetheless, Fox News broadcast those videos on a virtual round-the-clock basis, causing a controversy far out of proportion to its news value. Almost every major TV station and newspaper reported the controversy, allowing Fox News to set the agenda. Since Beck began his show on Fox News in January, he has mentioned ACORN 1,224 times, but mentioned the Taliban only 38 times, Al Qaeda only 50 times and Iraq only 95 times, according to Politico's [Ben Smith](#).

The attack on ACORN is not really about a few bogus names on voter forms or about a few staff members providing advice to a phony prostitute with a video camera. Rather, it is part of a broader conservative effort to attack progressive organizations -- including labor unions, environmental groups, activist religious organizations, and community organizers.

The attacks on ACORN began years ago. Its corporate enemies paid a Washington public-relations firm to create the Web site RottenAcorn.com, where many of the attacks on ACORN were first rehearsed. Then the right-wing echo chamber orchestrated its war on ACORN, and the mainstream news media joined the chorus.

Although ACORN has received positive news coverage about its organizing work in many local news outlets, the national media (with some exceptions) have acted more like stenographers than journalists, repeating the lies and half-truths by ACORN's critics without trying to verify them, put them in context, or provide ACORN with an opportunity to rebut them.

We expect this from the right-wing echo chamber -- Beck, Rush Limbaugh, Bill O'Reilly, and their ilk. More troubling is the mainstream news media's unwitting complicity in the conservative campaign to frame ACORN.

For example, 80.3 percent of the print and broadcast stories about ACORN alleged voter fraud failed to mention that ACORN itself was reporting voter-registration irregularities

to authorities, as required by law. This was one of the key findings of my [report](#) (with Prof. Christopher Martin), released in September, *Manipulating the Public Agenda: Why Acorn Was the News, and What the News Got Wrong*.

U.S. Rep. Darrell Issa, ranking Republican on the House Oversight and Government Reform Committee, has been ACORN's most persistent critic in Congress, repeating the lies and half-truths about the organization that then get reported on right-wing blog sites, in the conservative media, and even in the mainstream media.

Unfortunately, the Republican-manufactured controversies have scared some of ACORN's longtime supporters. Even many Democrats in Congress voted to condemn ACORN and demand that the federal government pull its financial support.

Some foundations also pulled the plug. The Catholic Campaign for Human Development, the United States Conference of Catholic Bishops' antipoverty charity, praised ACORN for its work "preventing home foreclosures, creating job opportunities, raising wages, addressing crime, and improving education." But under pressure from conservatives, it, too, cut off ACORN money. Other grant makers are sticking by ACORN but want to see the organization improve its day-to-day management.

If foundations retreat in the face of the current war against ACORN, it will not only embolden right-wing extremists but will also raise questions about grant makers' commitment to a robust democracy.

After Harshbarger released his report, various progressive groups -- including [SEIU People for the American Way](#), the Alliance of Justice, the Campaign for America's Future, NAACP, U.S. Action, and [others](#) -- expressed support for ACORN and for the recommendations in the Harshbarger report.

ACORN is hoping that Harshbarger's report will help it regain the support of its philanthropic funders and its allies in Congress.

People concerned about poverty and inequality in the United States can ill afford to lose ACORN. Its organizing -- door-knocking in poor neighborhoods to identify problems and mobilize residents -- not only helps the poor but is also one of the best training grounds for new young organizers.

Most of its budget goes into (relatively low) salaries for organizers, researchers, and counselors. By any measure, ACORN has been remarkably successful as a voice for low-income Americans on a wide range of issues.

This is no time for ACORN's philanthropic and political allies to abandon the organization. Particularly during a deep recession -- when poor Americans desperately need a voice in the corridors of power -- we need ACORN now more than ever.

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