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October 19, 2015

Via E-Mail (BBarrett@ap.org)

Brian Barrett
Assistant General Counsel
The Associated Press
450 West 33rd Street
New York, NY 10001

RE: False Light Portrayal of Liberty Counsel by the Associated Press

Dear Mr. Barrett:

Thank you for your email communication of October 7, 2015, and your stated willingness to discuss, and hopefully resolve, Liberty Counsel's concerns before they escalate.

The October 4, 2015, AP article titled "Law firm labeled hate group leading Kim Davis' crusade" is defamatory and presents Liberty Counsel and me in a false light. The words and the way the article is written as a whole present a clear and unmistakable message to a reasonable person – Mat Staver and Liberty Counsel are liars and haters, and the organization is a "hate group." These false assertions are very damaging and place lives in danger. Claire Galofaro and her editor knew these assertions were false and that they were dangerous. This article was timed for maximum distribution (and thus harm) by being released on Sunday, the beginning of the news week following the typically slow Friday afternoon and Saturday cycle.

The article irresponsibly repeats the "hate group" label of the Southern Poverty Law Center ("SPLC") regarding Liberty Counsel. And worse, the title of the article contained the false assertion ("Law firm labeled hate group"). I personally spent a lot of time talking with Claire regarding various aspects of the Kim Davis case. And we spoke quite a long time regarding the so-called "profile" that Claire said she was writing. During our conversation at the end of a lengthy discussion, Claire briefly raised the question about the SPLC calling Liberty Counsel a "hate group." I explained to Claire that the assertion was false and dangerous. I explained to her about how Family Research Council was targeted by Floyd Corkins, who obtained information from the SPLC website and then went to the FRC office in Washington, D.C., intending to commit mass murder.

I also sent her a detailed rebuttal of SPLC's defamatory and false allegations. Yet, despite having all this information and knowledge of the dangerous and false label, Claire titled her article "Law firm labeled hate group" and then proceeded to paint Liberty Counsel and me as liars, haters, and Liberty Counsel as a hate group.

I explained to Claire that neither I nor Liberty Counsel hate anyone, and that we hold and advocate traditional Christian views on human sexuality and marriage, which views have been shared by virtually every society through millennia of human history. Claire knew that Kim Davis had received death threats. She knew that people threatened to kill her and her husband and burn down their house after raping her. She knew that people had threatened to kill her and her staff at the Clerk's office. She knew that I had received death threats and that our staff at Liberty Counsel received death threats. She knew that the "hate group" label against Family Research Council resulted in an attempted mass murder by Floyd Corkins using the SPLC website. She knew that Floyd Corkins is now in prison for attempted murder. She knew he intended to kill FRC staff and that he also intended to inflict carnage against other pro-family organizations in Washington, D.C., listed on the SPLC website. See <https://www.youtube.com/watch?v=nl9BQISv8Fg>. Yet, despite this knowledge, Claire wrote this article. Her editor approved it. And the AP released this article at a calculated time to achieve the widest distribution. On the day it was released, I complained to Claire. She responded to me by copying her editor. I replied to both Claire and her editor. Yet, neither Claire, her editor, nor the AP did anything to correct the harm. This article is below the professional journalism that one would expect of such a respected news organization, and it puts lives in danger in addition to defaming good people and a respectable organization.

By printing a story containing a false and dangerous "hate group" label, and by giving top billing to the "hate group" label in the headline of the AP article, the AP has now painted a target on Liberty Counsel and me. Why would the AP want to even remotely be a part of this unconscionable tactic?

The AP article paints Liberty Counsel in a false light, which is highly offensive to any reasonable person. The article gives the false impression that Liberty Counsel is a racist, hateful, and dishonest organization. Nothing could be further from the truth.

The article emphasized, at its beginning and end, the mistaken photograph of the Peruvian rally for Kim Davis and strongly implied that Liberty Counsel lied about that rally. What the article did not mention – and what we told Ms. Galofaro in painstaking detail – was that Liberty Counsel reasonably relied on information and a photograph it received from Congressman Julio Rosas, a sitting member of the Peruvian Congress. See <https://lc.org/newsroom/details/peruvian-prayer-meeting-for-kim-davis-1>, Cong. Rosas presented the photograph to me in the presence of about a dozen witnesses and specifically explained (multiple times) that the rally was a prayer meeting for Kim Davis in a Peruvian soccer stadium. Cong. Rosas and his daughter, Dorcas, repeated this story multiple times to a group gathered with them on Thursday, September 24. And, this same member of Congress had participated in and/or helped organize a number of mass rallies in Peru with over 100,000 people on other occasions. Indeed, I personally attended such

a rally in November 2013 in Lima, Peru, in which between 70,000 and 100,000 Christians were gathered in a soccer stadium, and in which I was escorted to the front of the stadium through a tunnel in a security vehicle as a special guest. I was an invited guest of Cong. Rosas, and prior to this Christian gathering I addressed a packed Senate room filled with top Peruvian leaders, met with the head of their Supreme Court and judiciary, the head of the lawyers bar association, the heads of the academic accrediting institution, and received honorary awards from each one. Thus, there was no reason to disbelieve his story. Whether Cong. Rosas was mistaken or whether his daughter horribly mistranslated him on multiple occasions, I do not know. What I do know is when I could not independently verify the story, I issued a statement acknowledging that it was a mistake.

Claire knew this information, yet she intentionally began and (strangely) ended the article with the same message – the Peruvian story was wrong, thus leading the reader to conclude that Mat Staver and Liberty Counsel are liars and untrustworthy. The only reason to begin with the Peru story, to isolate in its own paragraph the words “It wasn’t true,” and then to end with the Peru story is to present Mat Staver and Liberty Counsel in a false light as being liars and untrustworthy. Any reasonable person would be highly offended. As it was written and laid out, how could anyone not conclude that Mat Staver and Liberty Counsel were liars? And this played right into Claire’s other point – Mat Staver and Liberty Counsel cannot be trusted about the story of the private meeting of Pope Francis with Kim Davis.

Claire knew that as soon as we learned about the mistake presented to us by Cong. Rosas and his daughter Dorcas, we issued an immediate and public correction, per the above link. But this did not seem to matter to Claire, who marched on toward her predetermined conclusion.

Claire makes it sound like Liberty Counsel and Mat Staver “dabbled” in “hot button” issues until recently. The word “dabble” means to take part in a “casual” or “superficial” way. I have the highest AV rating given to lawyers and am board certified in Appellate Practice. I have argued two cases before the United States Supreme Court, written many Supreme Court briefs, and argued in multiple State Supreme Courts and virtually every federal court of appeals in the country. I was Dean and tenured Professor of Law at Liberty University School of Law (the largest Christian school in the world) and was part of the creation of a law school. I led a law school through all phases of accreditation by the American Bar Association, which is a very rigorous and demanding process. Liberty Counsel has been on the cutting edge of many legal precedents. Unlike Claire, who is new to AP (beginning in April 2015), Liberty Counsel and I have been involved in constitutional and civil rights litigation for many years. To refer to our work as “dabbling” is offensive, but it plays into Claire’s overall intent of the article.

The article has already inflicted harm. One article extends it to now refer to Liberty Counsel as “racist.” This is highly offensive. I am General Counsel and Vice President of the National Hispanic Christian Leadership-CONEL organization, which has 40,118 Hispanic churches in America and nearly half a million outside the U.S. I recently spoke at a large African American church in Birmingham on the subject of

unity. I have headed up a federation of organizations bringing diverse group of people and leaders together across racial and ethnic lines. While I was Dean of Liberty University School of Law, I hired a diverse faculty and staff and appointed the first African American Director of Law Library at the law school. I recruited the son and daughter of Dr. Alveda King, a personal friend and niece of the late Rev. Dr. Martin Luther King, Jr. I have never been labeled a racist, but the article relied on the AP article. This is false and highly offensive. Moreover, the AP article was carried by multiple newspapers across the country.

A minor edit here or there will not be satisfactory because of the way in which the article was presented. The overall article presents a false light when viewed as a whole. There are a number of false instances or statements, but the greater harm is how it presents its overall theme. This article was widely distributed and republished. It is very unfortunate and very disappointing.

A minor edit will not remedy the terrible article. The damage has been done. Once an article such as this spreads through the internet, it will linger forever. In the future when people seek to learn about Liberty Counsel or me, they will read this article. Over the years I have had a number of profile articles or videos of Liberty Counsel and me. I have never received any treatment like that presented in the AP article. Because of our work, we will have many other profiles in the future. Now, however, future writers will find Claire's smear article. The damage is incalculable.

At a minimum, AP should permanently remove the link and the cache. Perhaps a legitimate profile should be done by some other professional unbiased journalist. Certainly a retraction and an apology are also in order.

Sincerely,

A handwritten signature in black ink that reads "Mathew D. Staver". The signature is written in a cursive style with a horizontal line striking through the middle of the name.

MATHEW D. STAVEN, ESQ.
Founder and Chairman