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- The Left-Wing Dark Money Behind the Push to Kill the Filibuster
- Excavating Arabella's Origin: In the Beginning, There Was Nothing
- The Private Investments of Private Foundations
- Eliminating Consequences: The Bail Project

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COMMENTARY The Left-Wing Dark Money Behind the Push to Kill the Filibuster

By Jason Snead and Scott Walter

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Who funds that group?
How much \$ are they spending?
Who's behind that campaign?

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COMMENTARY



THE LEFT-WING DARK MONEY BEHIND THE PUSH TO KILL THE FILIBUSTER

By Jason Snead and Scott Walter

Sixty left-wing groups led by Fix Our Senate recently issued a letter demanding the Senate abolish the filibuster so "democracy legislation" will pass and the party now narrowly controlling Congress can rewrite all 50 states' election laws.

Two big secrets lie behind this push to kill the filibuster and, supposedly, protect "voting rights." First, this lobbying campaign is driven not by grassroots groups of ordinary people but by leftwing megadonors and the AstroTurf groups they fund. The second secret: This scheme isn't about "protecting Democracy" because overwhelming majorities of our democracy's citizens support the state election laws that

these deep-pocketed special interests want snuffed out.

This fight is about the 2022 and 2024 elections, which liberal activists fear will go badly for them unless all the dubious changes in election laws and practices they finagled in 2020 are repeated. Nse Ufot, who leads a get-out-the-vote group founded by Stacey Abrams, confessed to Politico, "If there isn't a way for us to repeat what happened in November 2020, we're f***ed."

Ufot's "we" doesn't refer to all in this democracy but only to the partisans she's serving.

The same partisanship afflicts the Fix Our Senate nonprofit group that made a splash with its 60-group letter. The legacy media kept the secret, calling Fix Our Senate just a "pro-reform group." Actually, though Fix Our Senate claims it "represents millions of Americans," it's a pop-up group, one of hundreds of fiscally sponsored projects in the "dark money" empire operated by Arabella Advisors, the in-house nonprofit groups of which took in \$1.7 billion last year.

Here's more of the secret: Another letter-signer, Evergreen Action, is yet another front group Arabella operates via its



The same partisanship afflicts the Fix Our Senate nonprofit group that made a splash with its 60-group letter. The legacy media kept the secret, calling Fix Our Senate just a "pro-reform group.

Sixteen Thirty Fund, which Politico called a "liberal darkmoney behemoth."

At least 17 additional nonprofit groups that signed the letter have received \$10 million from Arabella's coffers, Capital Research Center reports. In other words, the dozens of groups demanding the Senate overturn 50 states' elections laws don't represent millions of people in those states. They represent a handful of billionaires who liberally fund AstroTurf activism. As Arabella brags, it serves "clients representing more than \$100 billion in assets."

Those clients spent handsomely in 2020. They helped orchestrate victories for left-of-center candidates, including by backing groups involved in a left-wing network Time called a "cabal" that changed how elections are run. Now, they want to be paid back for their investment. But the Left's agenda has stalled in Congress. Rather than compromise, the megadonors have set their sights on the filibuster.

Jason Snead is executive director of Honest Elections Project Action. Scott Walter is president of the Capital Research Center. litch McConnell (left): Credit: Gage Skidmore. License: https://bit.by/3AqTMAd. Chuck Schumer (right): Credit: U.S. Senate. License: https://bit.by/31z47ko.

GG

Georgia now offers more early-voting days than deep-blue New York or New Jersey.



Nse Ufot (not shown), who leads a get-out-the-vote group founded by Stacey Abrams, confessed to Politico, "If there isn't a way for us to repeat what happened in November 2020, we're f***ed."

That leads to the second big secret in the filibuster fight: It is fundamentally anti-democratic. Most want it to be easy to vote but hard to cheat.

Last year, states such as Texas and Georgia passed reforms that expanded early-voting opportunities, streamlined absentee ballot procedures, and improved protections for mail-in ballots. Georgia now offers more early-voting days than deep-blue New York or New Jersey.

The policies in those bills are popular. In fact, public support for photo ID laws, the Left's most hated

election integrity provision, grew last year. More than 3 in 4 black and Hispanic voters, 67 percent of Democrats, and 82 percent of independent voters back them. That's real grassroots support.

Arabella and its dark money backers are using groups such as Fix Our Senate to create the illusion of popular outrage. They want to give narrow partisan majorities in Congress cover to junk the filibuster and impose unpopular, and likely unconstitutional, laws that would make elections harder to run and jeopardize public trust in voting.

H.R. 1, for instance, directs taxpayer funds to politicians' campaigns, eliminates voter ID laws, and legalizes vote trafficking, the practice with which political operatives approach voters and collect their mail-in ballots without supervision.

If the media stopped hiding the big secrets in this scam, we're confident large majorities would recoil in horror at the prospect of either party's members of Congress, or D.C. bureaucrats, setting election rules nationwide, much less eliminating safeguards the public favors, such as voter ID.

The left-wing push to take over elections poses a grave danger to our democratic institutions, even if it doesn't succeed. Activist groups and the megadonors backing them have convinced millions that future elections will be rigged through "voter suppression."

If they truly want healthy democracy, they should face voters honestly, not hide behind dark secrets.

This op-ed originally appeared in the Washington Examiner on January 22, 2022. Reprinted with permission. ■

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DECEPTION & MISDIRECTION



EXCAVATING ARABELLA'S ORIGIN: IN THE BEGINNING, THERE WAS NOTHING

By Dave Skinner

Summary: Before Arabella Advisors and its nonprofit minions was ALF—the "Arabella Legacy Fund, bankrolled by the Hewlett Foundation and Wilburforce Foundation. Its first initiative was Responsible Trails America, a "pop-up" astroturf group in Montana with the objective of diverting a few millions of dollars in federal Recreational Trails Program funding from maintaining and constructing off-road trails to closing trails and increasing off-highway law enforcement. The phony grassroots effort achieved some successes, cheaply providing proof of concept and some lessons learned. Today, the Arabella network is a nationwide political Godzilla, chewing through \$1.7 billion of blatantly political, yet tax-sheltered political "charity" in a single year.

"Who the hell is Responsible Trails America?" was the long-distance question posed to me 14 years ago by my Idaho motorcycle-riding buddy Brian Hawthorne.

Brian and I had worked together in the Western "multiple use" arena in the early 1990s. We were both Westerners, raised in "resource" towns, and both loved cross-country motorcycle trail riding. While we worked for different entities, both were grassroots organizations, funded by living, breathing members scattered across multiple states. Of course, as with almost all legitimate grassroots politics, money was tight to nonexistent. But we had members who would show up in droves when we asked. It was fun, and hard.

Our common interests set up a lasting friendship. By the time of Brian's fateful call in 2008, I'd moved on to other interests (Pacific Northwest forestry), but Brian was still with BlueRibbon Coalition, an advocacy group for motorcycle trail riders that is still in business.

Brian is now a transcontinental long-haul trucker (it pays better and is less stressful), but we still routinely talk motorcycles and political "shop." We also discuss a certain chain of political insanities that link straight back to Brian's innocent question way back when.

My first response to Brian was, "Dang if I know, but I bet Google does. I'll take a look." What hid at the bottom



Brian Hawthorne and I were both Westerners, raised in "resource" towns, and both loved cross-country motorcycle trail riding.

of Google's wormhole? A tiny green beast with the silliest, most pompous name: Arabella Legacy Fund. Arabella was controlled by Eric Kessler, a left-wing campus-radical automotive-trust-fund millionaire baby, who in turn is a close relative of my very own trust-fund millionaire, left-wing Montana state senator at the time, Dan Weinberg. Small world?

Well, it gets smaller. Dan, a Democrat, had just withdrawn from his re-election campaign because hometown hero of

Dave Skinner is a freelance investigative reporter in Montana.

Whitefish, Montana, and retired Navy SEAL Ryan Zinke had filed to run as a Republican against Dan. Yep, *that* Ryan Zinke, who became a U.S. congressman and secretary of interior and is now hoping to go back to Congress.

After perhaps three hours, I called Brian back and told him Responsible Trails America (RTA) ranked with the lamest astroturf I'd ever run across, a cheesy copycat of other progressive "media narrative" efforts, Gosh, it was bad, but . . . some serious money was involved.

Mr. Hawthorne asked me to slam together a report for BlueRibbon, which still can be found on the internet. Something that seems farsighted now: "[A]s a "strategic advisor" to some major foundations, [Eric] Kessler is in a position to 'advise' the plowing of major money into a major campaign of deception to close your roads and trails."

Talk about hindsight.

Arabella Trails

Today, Eric Kessler's Arabella Advisors controls a multifaceted, opaque empire, generally regarded as the largest progressive "dark money" network in America. In brief, here's how it works.

At the top of the Arabella pyramid is Kessler's consulting firm, Arabella Advisors LLC, which provides boutique services to well-heeled donors and advice to left-leaning foundations on how to give away their money (mostly to political causes). Kessler & Co. command four in-house nonprofits, all with vague names and the same address in Washington, DC. Three are 501(c)(3)s: New Venture Fund, Hopewell Fund, and Windward Fund. The fourth, Sixteen Thirty Fund, is a 501(c)(4).

The advantage to big-dollar donors is obvious: The Arabella pyramid enables donors to fund the "progressive" political causes they want without being seen to wade into grubby activism.

And fund it they do. Between Arabella's founding in 2005 and 2020, Kessler's empire pulled in an amazing \$4.7 billion, nearly all of it flowing to countless DC policy and litigation nonprofits, exclusively on the Left. Much of that money also sponsored hundreds of "pop-up" groups, so called because they are little more than websites designed to look like standalone nonprofits when really they're a front for a (usually unmentioned) Arabella group.

More than a decade-and-a-half ago Arabella's clumsy, even inept efforts, far away in the lonely, dusty West with the horny toads, enabled Kessler's company to cheaply prove its

CC

The Arabella network is now a nationwide political Godzilla, chewing through \$1.7 billion of tax-sheltered political "charity" in a single year.

conceptual framework. With proof of concept and lessons learned, the Arabella network is now a nationwide political Godzilla, chewing through \$1.7 billion of blatantly political, yet tax-sheltered political "charity" in *a single year* (2020).

And it all began in the middle of nowhere, with Responsible Trails America.

Starting Small

Politics is all about the money, specifically diverting other people's money to your cause or your cronies. Sure enough, Arabella has been all about other people's money from day one, and it remains so.

The money in this case was a special but tiny federal fund, the Recreational Trails Program (RTP). From federal fuel taxes of 50 cents per gallon, as Mr. Hawthorne reminded me last month, "Off-highway-vehicle and snowmobile enthusiasts 'taxed' themselves." Grassroots lobbying in Congress led to passage of RTP, earmarking the return of some gas taxes paid (to all 50 states) by recreationists who burnt their highway-taxed gas on dirt, not pavement.

In addition, as Mr. Hawthorne puts it:

Most states leverage [RTP funds in combination with] OHV/snowmobile registration fees. In most states there exists a board that will review and recommend which grant gets funding [for] everything from trail maintenance to snowmobile trail equipment and even law enforcement.

Keep in mind that RTP is a tiny federal program. In my huge home state of Montana, the state RTP program administered about \$1.5 million for 2021. But that little money is critical for keeping primitive public trails safe and environmentally benign. Diversion of that funding would do great harm to the rider experience over time.

Enter Responsible Trails America. In early 2008, Brian recalls, "I believe I saw a news story about this new OHV trail group in New Mexico" that wanted to shift trails money from motorized to nonmotorized, divert construction and maintenance funds into closing trails, and

massively increase off-highway law enforcement. "I was befuddled," Hawthorne continues, "having worked among that OHV community for about 5 years and never heard of [Responsible Trails America]. Almost immediately I received a call from supporters in New Mexico asking if I knew who they were. Heh..."

Hawthorne notes,

That same week came another news story about a Montana-based hunting group [Backcountry Hunters and Anglers]. And it was the same crowd, saying the same things! After confirming from Russ Ehnes [a Montana rider and activist who today is chairman of the American Motorcyclist Association] and others that they'd never heard of them, I called you.

Following the Money

Because Responsible Trails America was so new, there was minimal search "clutter" to wade through. Within minutes of starting, I was able to confirm from Google that at least two "usual suspect" foundations, both "environmental grantmakers" with billions in assets, had bankrolled RTA, at least in 2007.

Wilburforce Foundation gave \$25,000 to support "Responsible Trails America" through the "Arabella Legacy Fund" (ALF). Hewlett Foundation gave \$500,000 for "General Support of the Responsible Trails America Program," again through Arabella. So that was \$525,000 into an unproven, unknown "Arabella?"

Why? Compartmentalization and deniability, of course. While Wilburforce and Hewlett are obligated under law to identify recipients, Arabella (and today's New Venture) and other "nonprofit" recipients have no such duty, and they almost never voluntarily reveal their funders. If funders are named, the amounts given never see the light of public day.

In short, Arabella was a fiscal cut-out because RTA's real funders realized exposure of a direct fiscal link would wreck RTA's narrative upon discovery. RTA's "responsible riders" (none of whom actually seemed to own or ride any OHV's of any kind) would have about as much political credibility as equally astroturf "responsible gun owner" groups have had.

Standing up a new group via a "fiscal sponsor" would at least prevent the funding trail from being discovered, thanks to filing deadlines and no disclosure requirement. GG

RTA's real funders realized exposure of a direct fiscal link would wreck Responsible Trails America's narrative upon discovery.

So that's why Arabella existed, and why New Venture is doing big business today.

Of course, when I examined Arabella Legacy Fund's 2006 and 2007 IRS Form 990s, posted then on Guidestar, neither Wilburforce, Hewlett, nor any other contributor is identified.

Following the People

The first person affiliated with Responsible Trails America was executive director Harrison Schmitt. Ring a bell? Sorry, RTA's Schmitt is emphatically not astronaut conservative Republican U.S. Senator Harrison Schmitt (R-NM).

RTA's Schmitt was, tellingly, a veteran of U.S. Public Interest Research Group, the Democratic Congressional Campaign Committee, and League of Conservation Voters just prior to being hired to run RTA.

Also tellingly, Schmitt's RTA business address was a fivedigit post office box in Arlington, Virginia, similar to current New Venture projects "domiciled" in cheaper UPS Store box "suites."

On the Ifish.net chat board was an Email string in which Schmitt wrote on a Blackberry (which in turn fits fine in a mail box) that "We [RTA] are funded directly by Arabella. We are not affiliated with industry or environmental organizations." Gee, a half-million in just one check from Hewlett doesn't count as "affiliation"?

We, Myself, and I

As for the rest of RTA's "we," there was darn little, perhaps eight people total during its existence. One example illustrates: Carrie Sandstedt, who testified on behalf of "Nevada Responsible Trails Alliance" before a state legislative committee.

While her testimony is irrelevant, her resume is revealing. Prior to her "responsible" gig, which lasted just eight months, she had been a conservation organizer for Sierra Club, with the Wilderness Society in DC, plus Northern

Nevada director for Service Employees International Union. Today, her LinkedIn page shows she's a senior manager with Pew Charitable Trusts, after managing Pew's subsidiary Campaign for America's Wilderness.

In Colorado, RTA was fronted by Politicalworks lobbyist Scott Chase.

Next door in Arizona, Responsible Trails Arizona was fronted by lobbyist Genevra Richardson of Ziemba Waid Public Affairs.

In toto, all confirmed RTA associates were either lobbyists, environmental staffers, or both.

The Parasite

Obviously, RTA was a parasite with Arabella as its host, so on to ALF. Guidestar posted Arabella's 2006 and 2007 IRS Form 990s, which revealed \$545,000 in "program service revenue" for 2006, with \$499,402 in cash at year end. No rent, no fundraisers.

Arabella's mission? "To support innovative and effective public interest projects," with RTA as the very first.

Despite doing nothing but deposit cash its first year, Arabella revenue tripled to \$1.66 million in 2007. Arabella did start spending, listing RTA as a \$722,061 expense (including \$114,623 paid to contractor Ziemba Waid, Genevra Richardson's firm), implying Hewlett and Wilburforce were not RTA's sole funders.



An environmental conservation graduate of Colorado University (Boulder), Eric Kessler led a failed 1990 campus ban of Coors beer.

Behind the Curtain

Who controlled Arabella? ALF's IRS Form 990s were signed by Eric Kessler, actually Eric J. Kessler.

Again, in 2008, Eric Kessler had a much shorter, uncluttered history than he has in 2022. An environmental conservation graduate of Colorado University (Boulder), Kessler led a failed 1990 campus ban of Coors beer. Over "martinis," Kessler connected with radical environmentalist David Brower, in Boulder for a guest lecture. Kessler then "hitchhiked" to California to "volunteer" with Brower's Earth Island Institute, according to an Earth Island website biography. Brower then sent Kessler to newly post-Soviet Russia to briefly pioneer a Brower operation in the Baikal region.

Kessler returned to America as "national field director" for the League of Conservation Voters in 1992. Upon the election of President Bill Clinton and subsequent confirmation of League of Conservation Voters executive director Bruce Babbitt as secretary of the interior, Kessler became an Interior Department political appointee.

Federal Election Commission records for 1998 on the League of Conservation Voters PAC/Earth Fund show a \$500 donation from Kessler, employed by the Department of the Interior listing his occupation as "Environmentalist."

After the Clinton Administration ended, Mr. Kessler spent six years with the National Democratic Institute (NDI), co-founded by former Secretary of State Madeleine Albright, then he created Arabella. Today, he sits on NDI's board of directors, itself a "Who's Who" of prominent Democrats.

How does a hitchhiker-volunteer's star rise so high in the establishment Democratic galaxy? The simple answer is partially found in Securities and Exchange Commission documents regarding the \$717-million acquisition of family-held automotive gasket maker Fel-Pro by Federal Mogul in January 1998: Listed in "recitals" for a 1996 "gift trust" for Daniel C. Weinberg of Camino, California is Eric Kessler, as Trustee and Business Advisor, at the same Maryland address given for the \$500 contribution above.

Other SEC records show Kessler as one of 40-some Fel-Pro family stockholders (of whom only six worked at Fel-Pro), holding 33,025 Fel-Pro shares in an irrevocable trust.

From that point, I wrote my report for Brian Hawthorne's organization and made plans to keep a personal eye out for Arabella. I've done so for 14 years now.



Upon the election of President Bill Clinton and subsequent confirmation of League of Conservation Voters executive director Bruce Babbitt (pictured) as secretary of the interior, Kessler became an Interior Department political appointee. Credit: Gage Skidmore. License: https://bit.ly/3FW8Cj4

Stopping the Bleeding

In the short run, Brian Hawthorne and BlueRibbon got word out about Responsible Trails America to Western off-roaders. 2007 and 2008 were years of successful funding diversions that left RTA appearing especially "innovative and effective" in New Mexico. Brian Hawthorne today points out:

> New Mexico has a unique OHV/Snowmobile registration program. If I remember correctly, at the time board members were chosen from recommendations made by state agencies with little, if any, input from active user groups. Kessler chose his first target well.

Arabella funders were clearly delighted. In 2008, Arabella Legacy Fund throughput nearly quadrupled, to \$6.1 million in gross receipts, \$732,000 of which was for "responsible trails." Tellingly, ALF's biggest line item was \$1 million for "voter registration fund." Regrants and pass-throughs also becoming significant: 17 grants totaling \$2.1 million went out, with \$600,000 roughly split between Progressive Futures and Project Vote.

Clearly, the last two signaled Arabella's future focus.

Another signal came from Arabella Legacy Fund's biggest "non-program" 2008 expense: \$555,931 to Arabella Philanthropic Investment Advisors (of which Mr. Kessler owns 35 percent) for management and operations services, a vigorish of about 9.1 percent. Not bad.

But 2009 left RTA up against informed opposition. In Colorado, as was explained then on a chat post by OHV'er Glenn Graham, "normally, about 85 percent [of gas tax funds] would go to maintenance and new trail construction." RTA's representative proposed to divert funds and split them one-third for law enforcement and one-third for trail closures (not maintenance), leaving the last third for education and trail maintenance. However, as Graham later reported, RTA's "coalition" submitted only 77 letters to the trails committee in support, while off-road users submitted 1,572. The funds were not diverted.

RTA generally stalled afterward, fizzling out completely by 2014.

Lessons Learned

But the experience left Brian, me, and our fellow riders shaking our heads in frustrated wonderment. RTA's narrative shamelessly copycatted other progressive outlines. It existed as an "organization" or "coalition" mostly through numerous professionally written press releases. Those in turn directed journalist inquiries to an anonymously registered website and the cell phones of various expensive lobbyists contracted to Arabella, with RTA's only "asset" being a rented five-digit post office box in Virginia.

Rather than being "innovative and effective," those few of us aware of Arabella's existence found the RTA effort laughably unsophisticated, even crude. We quit laughing after we realized what little news copy RTA gathered simply regurgitated RTA messaging. There would be no "investigative journalism" regarding RTA or, as has been the case, dangerously darn little regarding Arabella, New Venture, and its other "ventures."

Those few of us aware of Arabella's existence found the Responsible Trails America effort laughably unsophisticated, even crude.

Nonetheless, the respective trails committees were personally educated by upset off-roaders. Hewlett's at least \$800,000 passed through Arabella to RTA stopped paying off, and RTA petered out completely by 2014.

Did Arabella understand that RTA, perhaps even Arabella Legacy Fund, had been "found out" even if no credentialed journalists had written any news stories? Absolutely, and it reacted rather quickly. In late fall 2010, when Form 990 nonprofit returns for 2009 normally become publicly accessible, I noticed Guidestar hadn't posted Arabella Legacy Fund's return, nor were there any new ALF listings in Google. But Arabella Advisors still had a website, listing "high net worth" clients such as Bill and Melinda Gates.

With an EIN (Employer Identification Number) search, I found Arabella again. But Arabella had the niftiest new name: "New Venture Fund." Wow! Just brilliant! Why? The first time I entered "New Venture Fund" into Google search, I scrolled through 58 items, mostly news articles about some "new venture fund," before finding "the" New Venture Fund.

Compare that to 66 items total in all of today's Google for all of Arabella Legacy Fund's history, with a good amount of that anti-OHV "reports" associated with RTA.

Obviously, somebody realized Arabella Legacy Fund was too unique. If some backwoods motorhead from Montana could catch on, maybe politicians and reporters could, too.

But even in long-term failure, RTA was a good, relatively inexpensive real-world proof of concept for Arabella's core operative model, an experiment conducted in the lab-like political isolation of the inland American West. Through a genericized New Venture, Arabella Advisers began applying that model much more broadly on the national level.

Brian Hawthorne remembers:

Public lands was a huge part of the radical left's agenda, but then the focus shifted. I can't remember exactly when, or why, but it seemed to me that money and staff seemed to move from Public Lands to energy/climate. And then soon after went (as Arabella rose in prominence) overtly political, meaning direct efforts to influence elections, support candidates, wage war on Republicans, etc.

Now of course, Arabella Advisors oversees multiple "charitable" organizations with a tax-sheltered throughput of \$1.7 billion, dedicated to multiple major campaigns of major deception. Now you know how, and where, it all began.



Senator Daniel C. Weinberg's (pictured) career as an extremely progressive Democrat ended when Whitefish hometown hero Ryan Zinke (a Republican) came back from the Navy SEALs.

Small World

It's worth noting that the Montana state senator representing Whitefish, Montana, from 2004 to 2008 is the Daniel C. Weinberg listed above. Weinberg had burst onto the local scene after using his oddly named Angora Ridge Foundation to make large contributions toward the construction of a swimming pool at the nonprofit Whitefish Wave fitness club. Soon after, he ran for state senate and beat the Republican incumbent.

However, Senator Weinberg's career as an extremely progressive Democrat ended when Whitefish hometown hero Ryan Zinke (a Republican) came back from the Navy SEALs. Weinberg chose not to run again in 2008.

Zinke, of course, was elected to the U.S. House in 2016, then after winning re-election in 2018, was nominated and confirmed U.S. secretary of interior. But all through Zinke's federal service, he was plagued by negative advertising and endless "scandal" allegations, generated by entities including the "Western Values Project," headquartered in a Whitefish UPS Store mailbox. At the time it was most active against Zinke. The project's very first press release (in 2013) declared it "receives financial support from New Venture Fund."

Read previous articles from the Deception and Misdirection series online at CapitalResearch.org/category/deception-and-misdirection/.



BIG MONEY INDONS

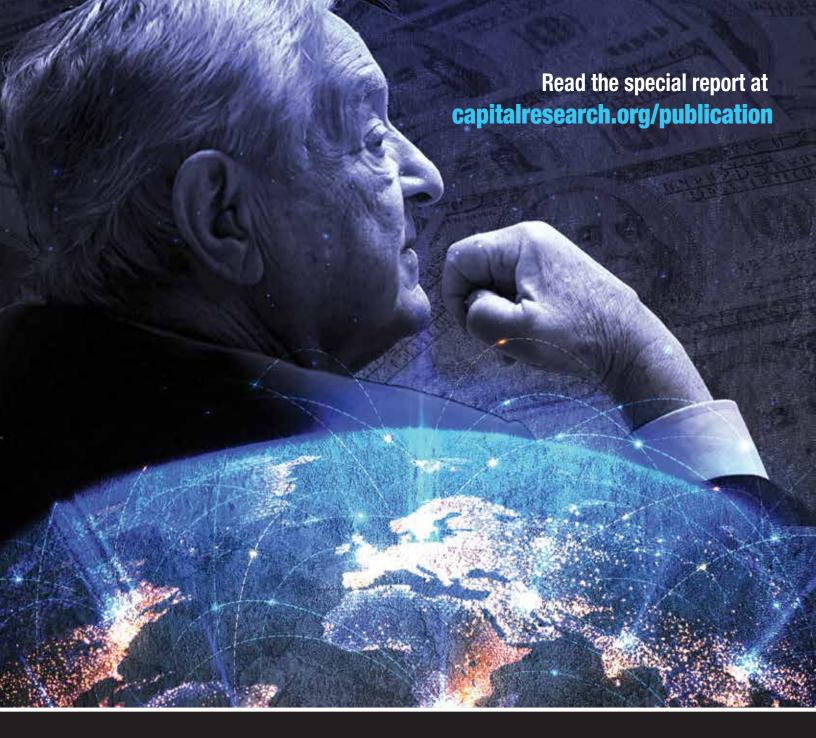
Arabella Advisors' Half-billion-dollar "Dark Money" Network

Hayden R. Ludwig

According to media personalities and politicians, nameless, faceless donors wield outsized influence over the American political process due to the so-called "dark money" they use to fund think tanks and advocacy groups. But that's far from the whole story. "Dark money" exists on both sides of the aisle. In fact, the Left seems to have deeper and darker pockets of cash than anyone suspected.

Learn more about liberal "dark money" in CRC's original report.





MAPPING SOROS'S "PHILANTHROPY" AT HOME AND ABROAD



SPECIAL REPORT



LIVING ROOM PUNDIT'S GUIDE TO SOROS DISTRICT ATTORNEYS

By Parker Thayer

Summary: George Soros has become something of a folklore monster whose reputation often exceeds reality, but his influence on left-wing DA candidates is often underestimated. Since 2016, when Soros first began to back the campaigns of district attorneys, he has funneled more than \$29 million into a personal network of political action committees formed specifically to back left-wing DA candidates. In total, Soros cash has generously supported over 20 individual candidates, many of whom won their elections and remain in office today. Their legacy has been skyrocketing violent crime, countless murders, little to no accountability, and a tendency to unfairly prosecute political adversaries.

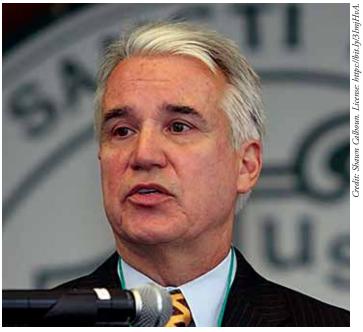
The Kyle Rittenhouse trial, the Jussie Smollet hoax, the attack on the Waukesha Christmas parade, the organized mob lootings in San Francisco, and now the indictment of the Baltimore district attorney have each attracted national attention and spotlighted an issue that many in law enforcement and politics have been warning of for years: the threat of activist district attorneys (DAs).

Specifically, the public imagination has been captured by the stories of activist DAs backed by the shadowy figure of George Soros.

Many have heard of him, and most understand that he spends millions on U.S. politics, but very few know the specifics. As a result, Soros has become something of a folklore monster whose reputation often exceeds reality.

GG

When it comes to Soros's involvement in backing left-wing district attorneys, Soros really is the archvillain that rumor makes him out to be.



Homicide rates soared, organized shoplifting sprees ravaged the city, and trains were stopped and ransacked by mobs of looters. Under George Gascon's watch the city of Los Angles has rapidly become a national disgrace.

But when it comes to Soros's involvement in backing leftwing district attorneys, Soros *really is* the archvillain that rumor makes him out to be.

In fact, Soros's influence on left-wing DA candidates is often wildly underestimated. Since 2016, when Soros first began to back the campaigns of district attorneys (presumably as part of the "Resistance" to the Trump administration), CRC researchers have tracked more than \$29 million in funding from Soros through a personal network of political action committees (PACs) formed specifically to back left-wing DA candidates. In total, Soros cash has generously supported

Parker Thayer is an investigative researcher at CRC.

over 20 individual candidates, many of whom won their elections and remain in office today.

The Soros District Attorneys

In most states, the chief prosecutor in a state jurisdiction is called a district attorney, but some states use other titles. For example, in Virginia, the position is called commonwealth attorney. In St. Louis, the term is circuit attorney. In general, we will refer to all of them as district attorneys.

Below is a list by state and jurisdiction of every DA that CRC has discovered receiving Soros funding, and some notable details about each.

Diana Becton—Contra Costa County, California. Backed by \$275,000 from Soros in 2018, Becton became the first woman and first African American elected to serve as DA for Contra Costa County. She is also one of the first in the position to have zero prior experience as a prosecutor. During Becton's first years in office four Contra Costa cities made the list of the top 100 most dangerous cities in California in 2018, and both violent crime and property crime increased by several percent during 2019.

George Gascon—Los Angeles County, California. Soros has spent a combined \$6 million on California DA races, much of it wasted on failed candidates, but almost half was spent on the successful campaign of George Gascon for Los Angles DA. Soros was the largest spender in the race, and Gascon won easily.

Since the election, his implementation of left-wing policies led to a crime wave that has become the stuff of legend. Homicide rates soared, organized shoplifting sprees ravaged the city, and trains were stopped and ransacked by mobs of looters. Under Gascon's watch the city of Los Angles has rapidly become a national disgrace.

Monique Worrell—Ninth Judicial Circuit (Orange and Osceola County), Florida. Monique Worrell is the second Soros candidate to become state attorney for Orange and Osceola County. Her predecessor, Aramis Ayala, was a "long-shot candidate" elected in 2016 with the help of more than \$1.3 million in spending by the Florida Safety and Justice PAC. Ayala immediately earned a reputation for her activist approach, which led to her removal from multiple high-profile murder cases by two different Republican governors. During Ayala's tenure, violent crime increased dramatically, with murders increasing by 26 percent during 2020.

After Ayala left office to run for Congress, Worrell filled her shoes, with \$1 million from Soros's Democracy PAC surging into the race at the last minute to help her claim victory against her moderate opponent in 2020.

Darius Pattillo—Henry County, Georgia. Receiving just under \$150,000 from Soros through the Georgia Safety and Justice PAC, Patello was elected in 2016 and has remained the most unremarkable Soros-backed DA elected to date. In fact, Soros's funding of Patello nearly went unreported, possibly because Patello does not seem to share the radical views of his fellow Soros DAs.

Kim Foxx—Cook County (Chicago), Illinois. Probably the most famous Sorosbacked DA, Foxx was boosted into office with the help of \$2 million in Soros cash. Foxx has most recently been in the news for potential ethics violations in her 2019 decision to drop charges against Jussie Smollet for his infamous hate crime hoax. (Smollett was recently convicted on the same charges.) Foxx has also made headlines for presiding over Chicago's largest spike in homicides in more than 30 years while her office



Kim Foxx has most recently been in the news for potential ethics violations in her 2019 decision to drop charges against Jussie Smollet for his infamous hate crime hoax.

dropped charges against 30 percent of felony defendants during 2020.

James Stewart—Caddo Parish, Louisiana. Probably the least well-known and least radical Soros-funded DA, James Stewart was elected as the DA of Caddo Parish, Louisiana, in 2015 with the help of more than \$930,000 in funding from Soros. Stewart has enacted few radical reforms since his election, potentially a disappointing result for Soros. His opponents at the time worried that his progressive views on criminal justice would be "detrimental to the safety of Caddo Parish."

Scott Colom—Circuit Court District Sixteen,

Mississippi. Another of the lesser-known Soros-funded Das, Colom quietly received over \$926,000 in funding from Soros to help unseat a long-time incumbent in 2015. Colom

oversees District 16 in Mississippi, which includes Lowndes, Oktibbeha, Clay, and Noxubee Counties. Colom was recently recommended by Rep. Bernie Thompson (D-MS) for a position as a judge for the U.S. District Court of the Northern District of Mississippi. Meanwhile, violent crime, specifically gun violence, remains a serious and growing problem for cities and counties in the 16th Circuit, a problem that Colom has been accused of doing little to combat.

Jody Owens—Hinds County, Mississippi. Aided by a \$500,000 contribution from Soros's Mississippi Justice and Public Safety PAC, Owens was elected in 2019 after running on a platform that promised reform and "alternatives to incarceration." Owens brought controversy with him to the DA's office. In 2019, Owens was accused of sexually harassing his female colleagues while working at the Southern Poverty Law Center, an organization with a well-documented proclivity for enabling and ignoring sexual harassment in the workplace.

Owens has also recently brought highly questionable murder charges against two police officers. The charges were dismissed with prejudice for lack of evidence that officers "caused any injury" to the alleged victim. Under Owens, Jackson has become one of the deadliest cities in the nation, and in 2021 the city saw over 150 homicides (98 murders per 100,000 residents), an all-time high.

Kim Gardner— St. Louis, Missouri.

One of the most famous and polarizing Soros-backed DAs, Kim Gardner has served as the circuit attorney of crimeridden St. Louis since 2017 and has repeatedly used her office to prosecute conservatives while allowing criminals to walk free.

In 2018, Gardner launched a bogus criminal investigation against Missouri's Republican governor, which led to a special investigation into her office that found probable cause that Gardner engaged in profes-



The year after Kim Gardner's election, St. Louis became the murder capital of the nation, but this did not stop George Soros from contributing \$116,000 to aid her reelection in 2020. In early 2021, St. Louis became one of the deadliest cities in the world.

sional misconduct by hiring a private investigator who has since been charged with perjury and evidence tampering. Gardner was also the lead attorney in the absurd prosecution of Mark McCloskey, but was removed from the case by a judge who wrote "the Circuit Attorney's conduct raises the appearance that she initiated a criminal prosecution for political purposes."

Gardner was caught lying about police officers who pulled her over for driving without headlights at night, has admitted to campaign finance violations, and has badly mishandled murder cases. The year after Gardner's election, St. Louis became the murder capital of the nation, but this did not stop Soros from contributing \$116,000 to aid her reelection in 2020. In early 2021, St. Louis became one of the deadliest cities in the world.

Raul Torrez—Bernalillo County (Albuquerque), New Mexico. Although his ties to Soros are less well known and his ideas are slightly less radical, Albuquerque's DA also got his start from \$107,000 in Soros cash that boosted his unopposed campaign in 2016. As of mid-November, Albuquerque had experienced 102 homicides in 2021, the highest number ever recorded, compared to the 67 reported at the same time last year. Meanwhile, Torrez is busy campaigning for New Mexico Attorney General. Soros's money is likely to make an appearance in that upcoming race as well.

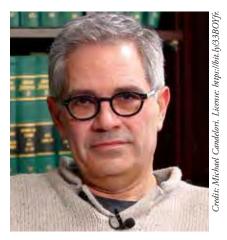
Alvin Bragg—Manhattan, New York. One of Soros's newest DAs, Bragg was elected in 2021 as the DA of Manhattan, largely thanks to approximately \$1.1 million given by Soros that year to groups supporting Bragg. Even though Bragg has barely been in office, his tenure is already shaping up as a disaster. After Bragg released a memo stating that his office would not be seeking prison sentences for crimes such as armed robbery, drug dealing, and burglary, more than nine prosecutors in Manhattan quit. Interestingly, one area where Bragg is *not* expected to be overly lenient is an investigation into President Donald Trump's business practices, which Bragg conveniently took over after assuming office.

David Clegg—Ulster County, New York. Soros cash to the tune of at least \$184,000 was used to push Ulster County DA David Clegg across the finish line in his 2019 election, but it was also the source of a major controversy at the time. In an embarrassing guffaw, the New York Justice and Public Safety PAC paid for mailers that featured Clegg shaking hands with a prominent criminal and left-wing activist. Under Clegg, gun crimes and shootings have surged dramatically, and high profile cases have been badly mishandled, including a murder case in which the suspect was released because Clegg's office failed to file an indictment on time.

Jack Stollsteimer—Delaware County, Pennsylvania.

Lesser known but also well financed by Soros, Stollsteimer was the first Democratic DA ever elected in Delaware County, boosted by roughly \$100,000 in ads paid for by Soros during 2019. While still undoubtedly a progressive, Stollsteimer is much less radical than Larry Krasner, the DA in Philadelphia, and has not been openly hostile to police. He did, however, recently feud with police over the graphic details of a report on a rape in broad daylight on a train with many witnesses, none of whom tried to intervene. During Stollsteimer's first year in office, homicides in Delaware County increased 127 percent, though many attribute this to the county's proximity to Philadelphia.

Larry Krasner— Philadelphia, Pennsylvania. Among the most famous Sorosbacked DAs, Krasner has been supported by more than \$2 million from Soros funneled through the Pennsylvania Justice and Public Safety PAC and the Philadelphia Justice and Public Safety PAC. Krasner was reelected in 2021 with the help of a \$259,000 contribution from Soros. Under Krasner's watch, crime rates have soared, and in 2021, Philadelphia became the murder cap-



Under Larry Krasner's watch, crime rates have soared, and in 2021, Philadelphia became the murder capital of the United States with the highest per capita homicide rate of the country's 10 largest cities.

ital of the United States with the highest per capita homicide rate of the country's 10 largest cities.

Joe Gonzalez—Bexar County (San Antonio), Texas.

George Soros has even dared to mess with Texas. Joe Gonzalez is one of Soros's favorite DAs, receiving nearly \$1 million in backing from the billionaire during his 2018 campaign, upsetting incumbent Democrat Nico LaHood in the primary. Just as in Dallas, violent crime reportedly increased by 15 percent in San Antonio under Gonzalez, while convictions dropped by 17 percent.

John Creuzot—Dallas County, Texas. Backed by an estimated \$236,000 from Soros, Creuzot became the DA of Dallas County in 2018 and immediately moved forward with a plethora of radical reform policies, including decriminalizing theft under \$750, criminal trespass, and drug possession. During his first year in office crime reportedly

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John Creuzot failed to get a conviction in a straightforward case against Billy Chemirmir, charged with murdering 18 elderly women in assisted living facilities.

increased by 15 percent while total convictions dropped by 30 percent. Most recently, Creuzot failed to get a conviction in a straightforward case against Billy Chemirmir, a Kenyan immigrant charged with murdering and robbing 18 elderly women in assisted living facilities. He was found with his alleged victims' personal papers and jewelry in his possession at the time of his arrest.

Brian Middleton—Fort Bend County, Texas. Although it went unnoticed and unreported by the media, Soros played a major role in the 2019 campaign of Fort Bend County DA Brian Middleton, spending nearly \$200,000 on advertising in support of his campaign. Middleton has been extremely moderate as far as Soros-backed candidates go, and as a result Fort Bend County has not seen a dramatic spike in crime.

Kim Ogg—Harris County (Houston), Texas. In 2016, Kim Ogg became the state's first Soros-backed DA after Soros spent more than \$600,000 on the race. As one of the first reform DA's backed by Soros, Ogg is also one of the most moderate. She has stopped prosecuting marijuana offenses, but often seeks high cash bail, causing her to be ostracized by many progressives and apparently Soros.

José Garza—Travis County (Austin), Texas. In 2020, Garza was elected as Austin's DA with the aid of more than \$400,000 in ads paid for by the Texas Justice and Public Safety PAC, one of Soros's private PACs that has received roughly \$3.6 million from the billionaire since its creation in 2018. Since assuming office, Garza has developed a reputation for letting violent offenders go free on little to no bail.

In 2020, Garza released hundreds of inmates from jail over COVID-19 protocols, even though only six people in Austin at the time were known to have COVID-19. In 2021, Garza released a man with eight prior felony convictions after he was caught toting a gun in a meth-fueled car chase with police. After his release with an ankle monitor, the man allegedly went on a crime spree committing 10 armed robberies. Since Garza was elected, police budgets

Continued on page 21

Capital Research Center Changes Public Debates So Citizens Can Reclaim Freedom

In 2021, Capital Research Center's ironclad research exposed power-seeking influencers and helped citizens reclaim their freedom. Our work was featured in seven new books released last year—on everything from the way private money changed the 2020 election to the structure of the Black Lives Matter movement to "woke" capitalism and much more.



Praise from CRC's Allies and Other Opinion Leaders

Capital Research Center plays a vital role in the conservative movement, providing "opposition research" on what the Left is up to. Thanks to you, we help our conservative allies and supporters fight back. And they thank us for our invaluable work. Here are some great examples...

"Kudos to the CRC for the essential and indispensable role you are playing to keep our leaders and the public accurately informed!!!!"

"It's really a no brainer to support you and the CRC."

"Your well written piece about our...case was excellent...P.S. Let Scott know he did a great job [with the Senate Subcommittee testimony]."

"WOW. Great research with real results. I just reread the NYT piece with this additional context [that a Swiss billionaire was about to buy major US newspapers].

His ownership of a media empire would be a big challenge."

"This is exceptional work. I will want to use this information on my website."



THANK YOU FOR HELPING CAPITAL RESEARCH



The Politically Incorrect Guide web series launches.
Reaches total of 5.2 million views by the end of the year.



CRC's president testifies in Arizona about how "Zuck bucks" money affected the 2020 election.



CRC's president testifies before a Senate Judiciary subcommittee and challenges Sen. Sheldon Whitehouse's claims about "dark money." The hearing ends early.



CRC's president testifies in Pennsylvania about how Zuck bucks were spent in the Keystone State in 2020.

"The Politically Incorrect Guide to Communism," releases in April, becomes the mostwatched episode at 528,000+ views.

CRC researcher interviewed on NewsMax about how environmental activists use the courts to achieve their policy

objectives.

NY Post covers story about Hansjörg Wyss, the Swiss billionaire working to influence journalism.



MAY

NEWSMAX

Newsweek

Newsweek
quotes CRC
researcher
about religious
groups that
claim to be
conservative but
are funded by
left-wing donors
and repeat leftwing arguments.

JANUARY

CRC publishes

Zuck bucks

battleground

state reports

that change the

debate over

private financing

of elections.

FEBRUARY

The Secont History of the Stanfew Campaign
Test Sered the 2020 Section

CRC's exposes the players in the *Time* magazine article about the "cabal" that "saved the 2020 election." This memo becomes a top-visited page on the website."

MARCH

Fox News uses CRC's Arabella Advisors report to expose key Biden aides and their ties to left-wing "dark money" organizations.



APRIL

Top Bidder for Tribune Newspapers Is an Influential Liberal Donor

The Section Minimum Hamilton Will be food to this a regulation and formal filters are specific for smaller flags different and product for the smaller flags different and the Section Library Committee of the Section Library Commit

CRC quoted in a New York Times exposé of a Swiss billionaire trying to influence U.S. The billionaire eventually drops his bid to purchase the Baltimore Sun and Chicago Tribune.

JUNE

CRC publishes a backgrounder on Antifa that explains the difficulties of tracking those who support the groups' violent approach.



BY DECEMBER 2021, CRC VIDEOS REACHED ~33 MILLION VIEWS LIFETIME!

- 2021 VIEWS: ~11 MILLION ON YOUTUBE AND FACEBOOK
- 34.1 MILLION MINUTES VIEWED ON YOUTUBE ALONE (DOUBLE THE TOTAL VIEWED IN 2020)
- 19.4K+ NEW FOLLOWERS/SUBSCRIBERS



How Mark Zuckerberg Changed the Outcome of the 2020 Election

CENTER ACHIEVE THESE MILESTONES!

reedomFest

CRC's president appears on main stage at Freedom Fest's "Mapping the Left."

In the first of many briefings to current and former elected officials. CRC's president to a former presidential candidate explains the ways "charitable" dollars are funding political outcomes.



CRC researcher tells Fox News how George Soros funded the campaigns of many local prosecutors.

"The Greatest Liar in Journalism"-a segment of our "Politically Incorrect Guide to Journalism"releases and becomes the mostwatched clip of the year at 642,000 views.

CRC releases The Rise of the Eco-Right, examining nonprofits that appear to be conservative while receiving funding from left-wing foundations and promoting policies that go against a





New York Post runs a long cover story on Zuck bucks featuring CRC's research.

PHILANTHROPY

The Chronicle of Philanthropy cites

CRC researcher in coverage of how

foundations increasingly fund

political outcomes.

The Wall Street Journal runs a letter to the editor signed by CRC's president.





Just the News quotes CRC research on who backed the Black Lives Matter movement.

CRC researchers brief state legislators on Zuck bucks and who is behind woke capitalism.

JULY

RILLIONAIRE

AUGUST

SEPTEMBER

DAILYWIRE

Daily Wire quotes CRC research on environmentalist groups.



The Detroit News is one of many outlets in 2021 that ran letters to the editor from readers who independently cited CRC research.

OCTOBER

NOVEMBER

CRC's president briefs multiple current and former federal legislators on Zuck bucks.

CRC releases BLMaftermath.com, a video documentary series and website focused on the Black Lives Matter movement one year later. Local residents reveal it did not improve their lives in Minneapolis, the epicenter of the 2020 race riots.

DECEMBER

CRC's website pageviews reach 3.4 million-a 110% increase over 2020.

InfluenceWatch, CRC's online encyclopedia of special interests, reaches 2.7 million pageviews-a 20% increase over 2020.

The D. James Kennedy Ministries' documentary Billionaire Radical: George Soros and the Scheme to Remake America, feature CRC researchers, is released. The series subsequently receives an award from National Religious Broadcasters, the world's largest association of Christian communicators.

156,525 YouTube VIEWS



Is Antifa an Idea or Organization?

101,905 YouTube VIEWS



George Soros Is Buying the American Justice **System**

106,497 YouTube VIEWS



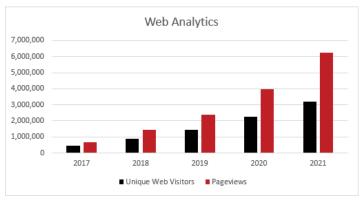
How Capitalism Went Woke

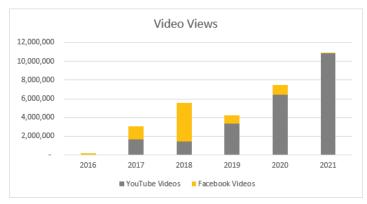
87,925 YouTube VIEWS



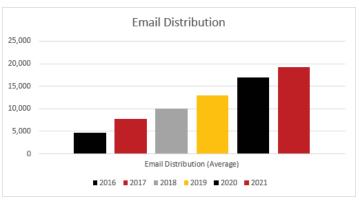
BLM Aftermath: Local Residents Attack the Minneapolis Shakedown

Capital Research Center's Work Is Reaching Wider Audiences









InfluenceWatch Still Outperforms on Google

As InfluenceWatch enters into its fifth year, Google continues to point to Capital Research Center's online encyclopedia of special interests as the "Featured Snippet" or the best site that answers a searcher's question. Roughly 6,500 search terms have had InfluenceWatch pop up in this premium search position. For example:

DEMOCRACY ALLIANCE SOROS

NAACP NET WORTH

BILL GATES FUNDING

WHO FUNDS THE SIERRA CLUB



have been slashed, and Austin has experienced skyrocketing crime rates and a record number of homicides.

Parisa Dehghani-Tafti—Arlington **County and City** of Falls Church, Virginia. Backed by over \$600,000 from the Justice and Public Safety PAC, one of George Soros's many personal PACs, Dehghani-Tafti won her 2019 election by toppling a moderate Democratic incumbent and has been a center of controversy ever since. Dehghani-Tafti, along with several other Soros-backed DAs in Virginia, is facing a recall petition after crimes like felony aggravated assault rose



Parisa Dehghani-Tafti, along with several other George Soros—backed DAs in Virginia, is facing a recall petition after crimes like felony aggravated assault rose 40 percent during her first year in office.

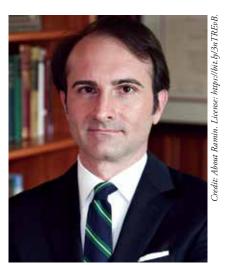
40 percent during her first year in office.

Steve Descano—Fairfax County, Virginia. Steve Descano, who is also facing a recall petition, was elected in 2019 and has endorsed a progressive platform typical of the left-wing DA faction. Descano has made it his office's official policy not to prosecute more than 20 different crimes including shoplifting for goods under \$1,000, prostitution, and indecent exposure. Descano's initial campaign benefitted from approximately \$600,000 from Soros.

Buta Biberaj—Loudoun County, Virginia. As Loudoun County District Attorney, Buta Biberaj has championed an anti-incarceration approach to the job, but made headlines for personally seeking jail time for Scott Smith, a father who was arrested for misdemeanor disorderly conduct at a Loudoun County School Board meeting while protesting the School Board's cover-up of his 14-year-old daughter's rape by a transgender boy in a school bathroom. Smith's defense attorneys reported that it was "completely unheard

of" for a DA to personally handle a misdemeanor, much less to pursue jail time, court-ordered anger management, and a hefty fine. Biberaj's campaign in 2019 was boosted by over \$650,000 in Soros cash, and she is now facing a recall petition.

Ramin Fatehi— Norfolk County, Virginia. One of the latest additions to Soros's collection of rogue prosecutors, Ramin Fatehi was one of very few Democrats to win a Virginia election in 2021, largely thanks to about \$220,000 in funding from Soros. Fatehi has yet to make a name for himself as DA, but he ran on the typical progressive platform of promising to abolish cash bail and decriminalize marijuana possession.



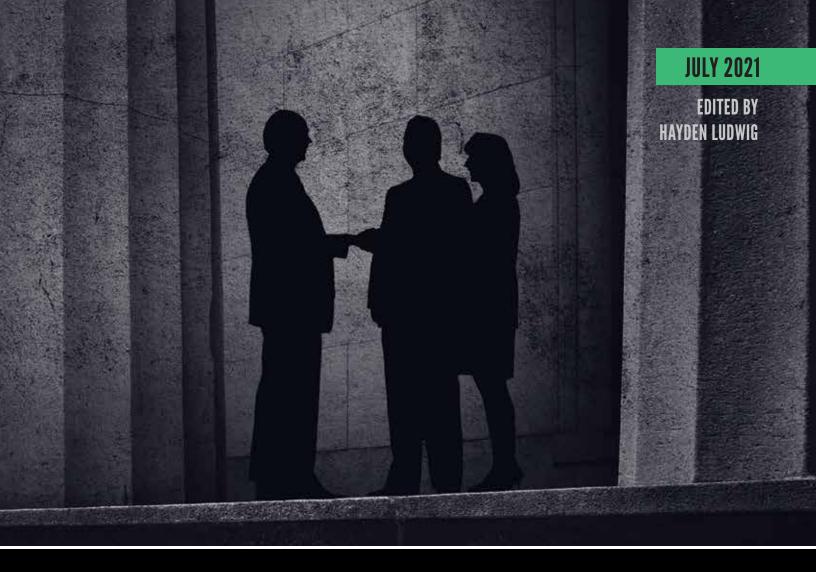
Ramin Fatehi has yet to make a name for himself as DA, but he ran on the typical progressive platform of promising to abolish cash bail and decriminalize marijuana possession.

A Trail of Destruction

The patterns within the list are clear: skyrocketing violent crime, countless murders, little to no accountability, limited prosecutorial experience, a proclivity for scandal, and a tendency to unfairly prosecute political adversaries. George Soros certainly has a type.

Now more than ever, it is vital that communities maintain or regain control of their own criminal justice systems and reject the false promises of the progressive district attorney movement. These "woke" criminal justice policies have universally led to disaster, and our poorest communities, not Soros, are left holding the body bags.

Read previous articles from the Special Reports series online at CapitalResearch.org/category/special-report/.



RISE OF THE ECCURATION OF THE

A few dozen lobbying, litigation, and activist nonprofits that identify themselves as free market or broadly right-of-center are attempting to rebrand environmentalism and global warming ideology as conservative values. The Capital Research Center broke the news that these "eco-Right" groups also are secretly bankrolled by liberal mega-donors.



FOUNDATION WATCH



THE PRIVATE INVESTMENTS OF PRIVATE FOUNDATIONS

By Robert Stilson

Summary: The IRS instructs private foundations to attach a detailed schedule of investments to their annual publicly available Form 990-PF. Some, however, do not include meaningful detail on how their vast endowments are invested. This is arguably a form of philanthropic "dark money," and it also makes it difficult or impossible for the public to evaluate a given foundation's investments vis-à-vis its own self-imposed standards or the ideological pronouncements of its grantees.

Big Philanthropy is exceedingly well-heeled. Of the roughly \$1.7 trillion that was parked in American nonprofit endowments at the end of 2017, just over \$1 trillion was held by private foundations. Since foundations generally must pay out only 5 percent of their assets for charitable purposes each year, most of this money gets invested. Asset management, accordingly, occupies a central role at many large philanthropies.

Philanthropy's "Dark Money?"

For example, one might reasonably assume that the highest-paid officer at the \$10.6 billion William and Flora Hewlett Foundation would be its president, Larry Kramer, but that would be wrong. Kramer's 2020 compensation of \$896,560 puts him in fifth place behind Hewlett's directors of public equity (\$1,388,850), public investments (\$1,719,200), and private investments (\$1,819,771) and well behind chief investment officer Ana Marshall (\$3,684,165). The \$1,114,712 that the Ford Foundation paid its president Darren Walker in 2020 was less than half what it paid to its chief investment officer Eric Doppstadt (\$2,611,314).

Foundations disclose executive compensation as part of the publicly available Form 990-PF that they file with the IRS every year. Foundations are also supposed to provide a detailed schedule of their endowment investments. The pertinent section of the agency's instructions for preparing the Form 990-PF reads as follows:



Many decades-old foundations no longer derive meaningful revenue from new contributions. Instead, their endowments grow almost entirely by virtue of their investment returns. The Ford Foundation's net assets increased by over \$2.5 billion from its 2019 to 2020 filings despite not reporting a single new contribution, gift, or grant.

Lines 10a, b, and c. Investments—government obligations, corporate stock and bonds. Enter the book value (which may be market value) of these investments. Attach a schedule that lists each security held at the end of the year and shows whether the security is listed at cost (including the value recorded at the time of receipt in the case of donated securities) or end-of-year market

Robert Stilson is a research specialist at CRC who runs several of CRC's specialized projects, including a series on federal grants and nonprofits.

value. Don't include amounts shown on line 2. Governmental obligations reported on line 10a are those that mature in 1 year or more. Debt securities of the U.S. Government may be reported as a single total rather than itemized. Obligations of state and municipal governments may also be reported as a lump-sum total. Don't combine U.S. Government obligations with state and municipal obligations on this schedule.

Clearly, the IRS calls for the detailed itemization of such assets, and instructions dealing with other types of investments are worded similarly. Failure to provide the required level of detail has been identified as among "the most commonly seen errors and omissions" in the preparation of a Form 990-PF. A 2020 article published in *Today's CPA* admonishes form preparers to "[r]esist the urge to aggregate [investments] and remember that omitting this detailed schedule results in an incomplete tax return."



The \$1,114,712 that the Ford Foundation paid its president Darren Walker (pictured) in 2020 was less than half what it paid to its chief investment officer Eric Doppstadt (\$2,611,314).

THE FORD FOUNDATION	2020 FORM 990-FF			13-1684331
		ATTAC	HMENT 9	2
FORM 990PF, PART II - CORPORATE STOC	rk_			
DESCRIPTION		ENDING BOOK VALUE	ENDING FMV	
PUBLICLY TRADED SECURITIES		230,167,874.	230,167,874	
TOTALS		230,167,874.	230,167,874	
THE FORD FOUNDATION	2028 FDRM 990-FF	ATTACH	MENT 10	13-168433
THE FORD FOUNDATION FORM 990PF, PART II - OTHER INVESTME		ATTACH	MENT 10	13-1684333
		ATTACH		13-168433
		ENDING BOOK VALUE	MENT 10 ENDING FMV	13-168433
FORM 990PF, PART II - OTHER INVESTME		ENDING <u>BOOK VALUE</u> 38,930,072. 8,267,021,994.	ENDING <u>FMV</u> 38,930,072. 8,267,021,994. 810,703,862. 407,065,167.	

By this standard, some of the largest and most-sophisticated foundations in the country appear to be filing incomplete returns.

In 2020, the Ford Foundation reported holding approximately \$1.11 billion in government obligations, \$230 million in corporate stock, and \$14.8 billion in other investments. The foundation's required attachments to its Form 990-PF, however, essentially restated these broad categories with little or no elaboration:

Ford is far from the only foundation that files such vague disclosures. In 2019 the \$3.1 billion Charles Stewart Mott Foundation simply reported \$242,047,181 in "corporate bond funds," \$575,091,326 in "corporate stock," and \$2,184,771,482 in various other broad investment categories like "p'ship—private equity funds" and "hedge funds" and "global equity funds." The \$4.1 billion Kresge Foundation technically itemized its investments in 2020 but did so using incomprehensible accounting codes.

This opacity is especially conspicuous when contrasted with foundations that file very detailed disclosures. The Robert Wood Johnson Foundation itemized all of its investments for its 2020 filings (including over \$2 billion worth of Johnson & Johnson stock). The Rockefeller Brothers Fund provided over 25 pages of detailed investment information that year. The Sarah Scaife Foundation's disclosures from 2019 were similarly extensive. The website FoundationAdvocate has an interesting summary of how investment transparency varies among foundations.

Some foundations formerly provided detailed schedules of their investments, but no longer do so. Ford itemized and partially disclosed its investments in 2017. The Arca Foundation comprehensively listed every investment that it held as recently as 2016 via an auditors' report attached to its Form 990-PF, but its latest filing included no such attachment and merely referenced general categories like \$17,745,253 in "common stock" and \$12,087,149 in "mutual funds—equity." The Benjamin Fund last itemized its investments in 2012. Its 2019 filing simply listed \$11,147,473 in "Merrill Lynch equities" and \$17,211,017 in "Merrill Lynch mutual funds," out of a total endowment of approximately \$37.3 million.

Observers have commented on this issue before. In 2019, journalist Marc Gunther looked at the filings of 15 of the largest and most prominent private foundations in the United States, and found that eight provided "little or no information about their investments." In another article from 2018, "Philanthropy's Dark Money," Gunther focused

primarily on donor-advised funds, but he also noted the lack of investment disclosure at many foundations, remarking that "the rules designed to promote transparency" had "become a joke."

It's worth remembering that unlike 501(c)(3) and 501(c)(4) nonprofits, private foundations must make the Schedule B attachment to their Form 990-PF—listing all contributors to the foundation and how much they gave—available for public inspection. This is one reason why foundation grantmaking is generally not considered "dark money" under even the most expansive definition of that term. The identity of contributors and the amount contributed is always public knowledge.

There is a critical wrinkle here, however. Many decades-old foundations no longer derive meaningful revenue from new contributions. Instead, their endowments grow almost entirely by virtue of their investment returns. The Ford Foundation's net assets increased by over \$2.5 billion from its 2019 to 2020 filings despite not reporting a single new contribution, gift, or grant. The Mott Foundation likewise received no new contributions in 2019 (and thus did not file a Schedule B), yet it reaped over \$29 million in just dividends and interest from its effectively undisclosed investments.

If the term "dark money" is broadly used to refer to funding sources that cannot be precisely identified, private foundations that don't provide detailed investment disclosures would seem to fit this definition. This is particularly true considering their failure to do so runs afoul of IRS instructions—a very different situation from a 501(c)(3) or (4) nonprofit that properly keeps donor identities confidential.

Incongruous Investments

There is another reason beyond pure transparency why compliance with Form 990-PF investment disclosure requirements is a matter of public importance: a given foundation's investments can sometimes be rather difficult to square with its grantmaking or otherwise-professed mission.



To be sure, investment portfolios shouldn't be battlefields for ideological conflict, but many foundations are increasingly choosing to make them so.

To be sure, investment portfolios *shouldn't* be battlefields for ideological conflict, but many foundations—and particularly the activist groups they fund—are increasingly choosing to make them so. This can result in a marked disconnect between the ways a foundation makes its money and how it spends it.

The issue has arisen most prominently in the context of oil and gas investments coupled with environmental grant-making—a debate among left-leaning foundations that is well-covered by two *Inside Philanthropy* articles by Tate Williams: "Major Climate Funders Are Still Invested in Fossil Fuels. Why Is That?" (December 2019) and "As Top Foundations Resist Divesting from Fossil Fuels, What Might Change Their Minds?" (January 2020).

Perhaps the classic example comes via the various Rockefeller philanthropies. Rockefeller family wealth derives largely from the legacy of Standard Oil—a legacy that includes the modern energy behemoths Chevron, Marathon Petroleum, ExxonMobil, and others.

The conceptual rationale for philanthropic divestment from fossil fuels was summed up by Rockefeller Brothers Fund president and CEO Stephen Heintz: "It's morally contradictory to be a leader in philanthropic efforts to combat climate change and to be continuing to invest in the fossil fuels that are causing it."

Commentators took note when the Rockefeller Foundation, the Rockefeller Brothers Fund, and the Rockefeller Family Fund each announced their intention to divest their endowments from fossil fuel holdings.

The conceptual rationale for philanthropic divestment from fossil fuels was summed up by Rockefeller Brothers Fund president and CEO Stephen Heintz: "It's morally contradictory to be a leader in philanthropic efforts to combat climate change and to be continuing to invest in the fossil fuels that are causing it." To be sure, it is hard to dispute that reasoning in light of some of the Rockefeller Brothers Fund's ultra-environmentalist grantees, such as the Sunrise Movement Education Fund and the Greenpeace Fund. It is considerably easier to dispute such divestment's actual impact, and indeed what it even means in practice.

Conventional energy sources like oil and gas remain utterly essential to the global economy. Investments into virtually any sector will necessarily benefit in some manner from the burning of these fuels. Is the Rockefeller Brothers Fund truly

divested from fossil fuels if it maintains stakes in Halliburton, General Motors, Daimler AG, or any of its hundreds of other investments that would rapidly fail (alongside the global economy) without access to these fuels? As long as the world's most important energy resources remain the world's most important energy resources, no serious investment portfolio will be able to avoid profiting from the consumption of those resources.

Moreover, any form of foundation divestment is impossible to verify or evaluate without foundation investment disclosure. In October 2021, the Ford Foundation announced that going forward it "will not invest in any fossil-fuel-related industries." What exactly is a "fossil-fuel-related" industry is a very open question when 90 percent of global trade is carried by bunker fuel-burning maritime shipping and 79 percent of U.S. primary energy consumption comes from coal, petroleum, and natural gas. Regardless, Ford is not publicly accountable to its self-imposed investment criteria unless it provides detailed investment disclosures on its Form 990-PF.

The issue goes well beyond climate change and divestment of oil and gas holdings.

Does the Ford Foundation's endowment



The Housing Justice National Platform declares, "Housing and land should be democratically owned and controlled by community members, not by Wall Street and corporations."

have any direct or indirect exposure to Amazon or Google? ALIGN: Alliance for a Greater New York—an activist group to which Ford granted more than \$3.4 million from 2006 through 2015—specifically attacks these "abusive corporations" for making "billions out of the suffering of our communities."

What about JPMorgan Chase, Wells Fargo, Goldman Sachs, Boeing, Disney, IBM, BlackRock, Uber, or the Blackstone Group? Make the Road New York and the Center for Popular Democracy—which have received more than \$34 million combined from Ford since 2009—lambasted these "Corporate Backers of Hate" in 2017 as among those companies "which most egregiously prioritize profits over people." In 2017, when Ford disclosed its stock holdings, it was invested in several of the "Corporate Backers of Hate."

One of Ford's grants to the Center for Popular Democracy even helped fund the Hedge Clippers campaign, which seeks to expose "the destructive impact of hedge funds, private equity funds and the billionaire class." What would the Hedge Clippers say about their foundation benefactor's \$926 million in "private equity" investments?

Or consider the Robert Wood Johnson Foundation. In 2020, it committed \$2 million to a nonprofit project called the Alliance for Housing Justice. The grant was partially for "shifting the narrative from housing as a commodity to a human right" and to "produce an updated and expanded Housing Justice National Platform." That Housing Justice National Platform, in turn, declares, "Housing and land should be democratically owned and controlled by community members, not by Wall Street and corporations." It also calls for policies to "disincentivize securitization and profit-driven speculation in our housing." The Alliance for Housing Justice has specifically targeted the Blackstone Group (a major real estate investment company), decrying its "march to extract as much profit from our communities as possible with no regard for the families who make their homes here."

That \$2 million certainly looks odd when contrasted with the Robert Wood Johnson Foundation's endowment, which appears to have invested tens of millions of dollars in Blackstone real estate funds. At least \$87 million was parked in funds run by Northwood Investors, a multi-billion-dollar private real estate investment firm founded by a former top executive at Blackstone. Granting the benefit of the doubt suggests perhaps the foundation has found a way to reconcile these investments with its grantmaking, but it is hard to see how—and hard to imagine the Alliance for Housing Justice approving of its investments.

The point here is not to say that foundations should be more meticulous about prioritizing sociopolitical activism in their investments. Quite the opposite: They should be eliminating it from their grantmaking instead. But since a course correction toward traditional charitable giving appears unlikely for many of the Left's contemporary activist foundations, observers will no doubt continue to note distinct ironies juxtaposed between their investments and their grants. The first step, of course, is for foundations to disclose their investments in the same way they disclose their grants.

Capitalism for Me, But Not for Thee

The specifics of a given foundation's investments—indeed, whether those investments are properly disclosed and itemized at all—is rather less relevant when that foundation's grantmaking evidences wholesale antagonism to market capitalism writ large. That said, when such foundations conceal their specific investments, one might reasonably wonder whether the opacity might be intentional.

The Arca Foundation, for example, reported more than half of its 2019 assets as invested either in "common stock" (\$17.7 million) or "mutual funds—equity" (\$12 million), with no further elaboration. As recently as 2016, however, it disclosed page after page of detailed holdings in a diversified portfolio that embodied Wall Street capitalism. As of December 31, 2016, it held stock in hundreds of different corporations and had millions invested in broad-based exchange-traded funds and mutual funds.

That is quite difficult to square with its grantmaking. According to its website database, since 2011, Arca has made at least \$1.2 million in grants that were specifically designated to target "Wall Street" in some manner, plus significant additional sums that were given for clearly related



The Benjamin Fund's president is Medea Benjamin, who is also the co-founder of what has been the foundation's largest grantee almost every year—over \$1.1 million total since 2016—the left-wing activist group Code Pink.

purposes. It gave \$150,000 to projects housed at the Alliance for Global Justice—a 501(c)(3) nonprofit that laments "the unjust domination of governments, global financial institutions and multinational corporations" and until recently listed anti-capitalism as among its "core principles."

Arca has also given a combined \$500,000 to the 501(c) (3) New York Communities Organizing Fund, which in turn largely funds the associated 501(c)(4) New York Communities for Change. The two nonprofits share the same executive director and office address. New York Communities for Change's objective "is to eliminate the ways capital has starved our communities of wealth for centuries," and it has railed against how "Corporate America has waged a war to destroy working people's power." Arca, of course, benefits tremendously from corporate America, even if it no longer discloses which corporations.

Or take the Benjamin Fund. Like Arca it bankrolls some pretty radical groups, and like Arca it once itemized its

investments—most recently in 2012. Back then, its portfolio had millions invested in federal and state government obligations and in the stocks or bonds of numerous prominent American corporations. Its 2019 filing, however, simply listed approximately \$11.1 million in "Merrill Lynch equities" and \$17.2 million in "Merrill Lynch mutual funds." The Benjamin Fund's president is Medea Benjamin, who is also the co-founder of what has been the foundation's largest grantee almost every year—over \$1.1 million total since 2016—the left-wing activist group Code Pink.

While best-known for its unflinching hostility to U.S. foreign policy and its affinity for authoritarian regimes in China, Venezuela, Cuba, and Iran, Code Pink would seemingly also take great exception to the Benjamin Fund's investments. In the Code Pink Peace Collective's "manifesto," the self-described "anti-capitalist" group attacks capitalism as a system that "chooses to accelerate the accumulation of wealth and power at the expense of all other living beings." Chief among the places where this

capitalistic wealth and power has accumulated, of course, is in the investment portfolio of Code Pink's most important foundation funder—the one headed by its co-founder.

One could also point to the Warsh Mott Legacy's \$33 million endowment, which is itemized and primarily invested directly or indirectly (via funds) in the stock of a host of the world's most well-known corporations. At the same time, since 2018 it has given \$180,000 to the anticorporate activist group Global Exchange (also co-founded by Code Pink's Medea Benjamin), whose annual list of "Top Ten Corporate Criminals" includes companies in which the Warsh Mott Legacy is directly invested. Much of that \$180,000 was specifically earmarked for the Our World Is Not for Sale campaign, whose mission is to fight "the current model of corporate globalization," while refusing to "accept the current corporate-centered global order and forfeit the welfare of succeeding generations and the future of the planet itself."



The National Lawyers Guild's far-left policy positions include abolishing "all forms of policing" because police are only accountable "to the white supremacist, capitalist, settler colonial state."

From 2016 to 2018, the Warsh Mott Legacy has also given \$110,000 to the National Lawyers Guild Foundation, the 501(c)(3) arm of the avowedly "anti-capitalist" National Lawyers Guild (NLG). The NLG's far-left policy positions include abolishing "all forms of policing" because police are only accountable "to the white supremacist, capitalist, settler colonial state"; total fossil fuel divestment; support for the anarchist/communist Antifa movement; and a deep hostility toward Israel—what it calls "a colonizing project rooted in racist ideology." Indeed, despite investing its endowment almost entirely in the fruits of global capitalism, the Warsh Mott Legacy appears to be deploying its grantmaking in furtherance of the NLG's 2015 fundraising appeal: "don't fund capitalism, fund the groups working to dismantle it."

The Annenberg Foundation not only gave \$30,000 to a local NLG chapter in 2018, but \$200,000 from 2017 to 2019 to *Jacobin*—an "explicitly Marxist" publication that has published material saying that the stock market "serves no purpose besides making a small number of undeserving people rich" and deriding "predatory financial institutions like private equity and hedge funds" as "some of the finance industry's most rapacious and socially useless segments." One wonders how *Jacobin*'s authors would characterize Annenberg's comprehensively itemized \$1.4 billion endowment, which is largely parked in corporate stock and in a variety of hedge funds and private equity investments.

Disclose Investments and Depoliticize Philanthropy

The point here is not that foundation investments should be politicized. They should not. Foundations *should*, however, abide by what appear to be unambiguous IRS transparency instructions and be prepared to weather any resultant scrutiny that their investments attract. This is mainly true for those philanthropies that choose to subject their endowments to nonpecuniary ideological standards or that use their endowments to fund sociopolitical activist groups that essentially make that decision for them.

To the extent that investment nondisclosure might be motivated by a given foundation's apprehension that its investments might not exactly mesh with its grants, that apprehension would be justified. The more politicized philanthropy becomes, the more that politicization will attach to all facets of foundation operations—not just its grantmaking. The proper remedy is not for a foundation to politicize its endowment so that it comports with its grantmaking, but to depoliticize its grantmaking so that it comports with what most Americans would more readily identify with the word "charity."

Read previous articles from the Foundation Watch series online at CapitalResearch.org/category/foundation-watch/.



The communist movement known as Antifa (short for Anti-Fascist Action) has sparked violence across the nation. In the wake of their battling white supremacist in Charlottesville, Antifa has begun to gain mainstream popularity. But unbeknownst to much of the public, the vast majority of Antifa violence isn't targeted at genuine fascists, but mainstream conservatives and civilians. With help from those who have encountered Antifa, Trevor Loudon guides us through the history and ideas behind the Antifa movement, starting with Leon Trotsky and going all the way through the events in Berkeley, CA and Charlottesville, VA.

WATCH AT:

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ORGANIZATION TRENDS



ELIMINATING CONSEQUENCES: THE BAIL PROJECT

By Sarah Lee

Summary: Charitable bail organizations such as the Bail Project and the Minnesota Freedom Fund that use donations and taxpayer dollars to help pay the bail of those facing charges. They gained prominence during the George Floyd protests throughout the summer of 2020. Celebrities and Democratic politician promoted these charitable bail organizations as means to achieve some measure of "social justice." However, they have frequently become entangled in controversy as numerous suspects released on bail were rearrested for allegedly committing additional crimes, including murder. One victim of such a crime was Dylan McGinnis, whose mother Nikki Sterling was recently interviewed by CRC's Sarah Lee.

In October 2021, a young man with three pending felony charges sat in jail in Indiana, but not for any of those crimes. Instead, 23-year-old Travis Lang had been rearrested after firing nine bullets into the side of car and killing 24-year-old Dylan McGinnis, who had accompanied a troubled young lady on a drug deal gone wrong.

Lang, who already had the three pending felony charges when he murdered McGinnis, was somehow back on the street—a fact that McGinnis's mother Nikki Sterling discovered a few weeks after the death of her son. Lang was released from jail on bond, paid by the Bail Project.

"Bail Disrupters"

The Bail Project, an organization that purports to help the disadvantaged by covering up to \$5,000 on a surety bond and advocates for the long-term effect of reducing mass incarceration, had paid for Lang's release.

The Bail Project is active in 17 cities and receives funds from Borealis Philanthropy. Team members are called "bail disruptors."

But the Bail Project, like other charitable bail organizations that use donations and taxpayer dollars to help fund the release of those facing charges, doesn't necessarily provide any oversight once they help secure someone's release.



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In October 2021, a young man with three pending felony charges sat in jail in Indiana, but not for any of those crimes. Instead, 23-year-old Travis Lang had been rearrested after firing nine bullets into the side of car and killing 24-year-old Dylan McGinnis, who had accompanied a troubled young lady on a drug deal gone wrong.

What's more, it apparently has little interest in the criminal history of those it helps put back on the streets.

Charitable bail organizations were quite the *cause célèbre* during the George Floyd protests throughout the summer of 2020. Celebrities and even Democratic vice-presidential nominee Kamala Harris flocked to social media to encourage people to give money to help secure some of the rioters' release from jail.

What many may not have realized is that these organizations have overtly activist agendas, as Sterling discovered about the Bail Project, and are interested in doing far more than simply advocating for the poor or working toward a progressive-left vision of criminal justice reform. The group openly claims that paying bail for those jailed is an "act of resistance against a system that criminalizes race and poverty."

Sarah Lee is director of communications and external affairs at CRC.



During the first half of June 2020, the Minnesota Freedom Fund raised over \$30 million in donations, likely helped by a tweet from vice-presidential candidate Kamala Harris.



In September 2020, a Bail Project staffer named Holly Zoller was seen at a violent Black Lives Matter–associated demonstration in Louisville, Kentucky. She had in her possession a U-Haul truck that a Daily Caller reporter noted at the time contained "supplies such as signs, shields, [and] water."

Later fact-checkers noted, "Some of the signs bore logos associated with antifa."

The Bail Project is not alone in its work. Several other organizations that seek to put criminals back on the streets, often regardless of prior charges. Here are some of them and their funders as documented in Capital Research Center's InfluenceWatch database.

Minnesota Freedom Fund. Founded in 2016 by University of Minnesota student Simon Cecil, the Minnesota Freedom Fund (MFF) is a nonprofit bail-fund organization based in Minneapolis. Before the death of George Floyd on May 25, 2020, it focused on posting smaller bonds for Minnesota-area inmates. During the first half of June 2020, it raised over \$30 million in donations, likely helped by a tweet from vice-presidential candidate Kamala Harris.

MFF has also received funding and support from numerous entertainment celebrities.

As with other bail fund groups, its posting bail for persons accused of violent crimes has led to multiple controversies, including the release of an alleged domestic abuser who has since been arrested and charged with second-degree murder in a road-rage shooting in August 2020.

It has also pushed controversial progressive-left policies, including defunding the police and releasing prisoners from jails due to the COVID-19 pandemic.

Fair and Just Prosecution. Fair and Just Prosecution is fiscally sponsored by Tides Center and received \$600,000 in 2017 from the Fund for the City of New York. In 2018, the FJP budget was over \$2 million, with funders including Open Philanthropy, the Chan Zuckerberg Initiative, and Art for Justice.

It was also involved in a controversy involving payment for undisclosed trips by St. Louis Circuit Attorney Kim Gardner in 2017.

Fund for Fair and Just Policing. Founded in 2011 as a part of Tides Advocacy—the 501(c)(4) arm of the Tides nexus of entities—the Fund for Fair and Just Policing is a joint project of Atlantic Philanthropies and Open Society Foundations. In 2013, the FFJP received \$2.2 million from

SS

Reclaim the Block insists on the eventual abolition of Minneapolis's police force.

Atlantic Philanthropies through one if its U.S.-based 501(c) (4) groups, the Atlantic Advocacy Fund. The grant was used to support opposition to "stop and frisk." In 2015, FFJP granted \$8 million to support Communities United for Police Reform, which opposes police practices such as "stop and frisk" and has supported calls to defund the New York City Police Department.

Reclaim the Block. Reclaim the Block was organized in 2018 as a coalition of Minneapolis-area activists who pressured the Minneapolis City Council to reallocate over \$1 million for proposed police hires to social programs and training. Launched after the 2017 MPD150 project (the 150th anniversary of the Minneapolis Police Department), they released a 36-page report providing a radical-left interpretation of the history of law enforcement. A core finding was that the police were established to protect the interests of the wealthy and that radicalized violence has always been a part of that mission. It insists on the eventual abolition of the city's police force.

In short, Reclaim the Block was uniquely suited to capitalize on the death of George Floyd.

Black Visions Collective. Kandace Montgomery founded Black Visions Collective with other Black Lives Matter (BLM) Minneapolis organizers. The network has focused on disbanding and defunding the police. This network also has connections with Antifa through Unicorn Riot and to Angela Davis, about whom CRC President Scott Walter wrote:

Angela Davis is so important to BLM co-founder Patrice Cullors that she asked Davis to write her memoir's foreword, where Davis sneers at the fact "Assata Shakur was designated by the FBI one of the world's ten most dangerous terrorists." Davis applauds the way Black Lives Matter "has encouraged us to question the capacity of logic—Western logic—to undo the forces of history, especially the history of colonialism and slavery." Davis twice ran for Vice President on the Communist Party USA ticket during the days it was controlled by the Soviet Union. Her short book *Are Prisons Obsolete?*, which predates BLM's founding by over a decade, is praised in Cullors' memoir.

Open Philanthropy Project Organizations. Open Philanthropy was founded by Dustin Moskovitz, one of the cofounders of Facebook, and his wife Cari Tuna and has expanded to include Open Philanthropy Action Fund. It also has a related donor-advised fund (the Open Philanthropy Project Fund) that is hosted by the Silicon Valley Community Foundation.

In 2015, Chloe Cockburn joined the Open Philanthropy Project as the criminal justice program officer. Since 2015, the Open Philanthropy Action Fund has made 322 grants worth \$128,121,016 to criminal justice reform organizations.

Talking with Dylan's Mother

Nikki Sterling, Dylan's mother, graciously gave CRC her time for an interview as she prepared to travel to Indiana, the state where her son was murdered last year, to testify before the state house and senate in support of legislation to, among other things, change who these charitable bail organizations are allowed to help release from jail. Here are her words that she hopes will do some good in the aftermath of her son's passing.

SARAH LEE: Tell me what you understand about your son Dylan's death.

NIKKI STERLING: All I know about what happened is what I was able to read in the probable cause and affidavit statement, I haven't spoken with the young lady he was with that evening. . . .

I have to say, first, that Dylan was such a great person, he would have helped anybody. That's just the type of person he was. He was a protector. This young lady was setting out to make a drug deal with the guy that shot Dylan, and a friend that he texted said he expressed concern about going along with her. But he was trying to help her get back on her feet.

In my mind, I think what would have driven him to go, and I think he want her to go by herself. He went to keep her safe. His autopsy showed he had no drugs in his system. He had no alcohol in his system. This wasn't his deal. He was a beautiful person.



McGinnis's mother Nikki Sterling discovered a few weeks after the death of her son that Travis Lang, who already had the three pending felony charges when he murdered McGinnis, was somehow back on the street Lang was released from jail on bond, paid by the Bail Project.

So she was driving his car. He was in the passenger seat. They went and picked up the assailant. She began recording the conversation on her phone because she was afraid he was going to rob her. Lang had made demands about going to different locations. . . .

An argument broke out about the cost of the drug deal. She was willing to pay \$60. Lang wanted \$80. He pulled out a gun. In the probable cause and affidavit, it says you could hear a struggle, and while this is going on between she and Lang, my son is heard in the recording apologizing and trying to deescalate the situation. She kicked [Lang] out of the car, and he was on my son's side when he fired nine shots into the car. Two of those bullets were fatal to my son.

LEE: Tell me what happened after the incident. When did you realize Lang had posted bail? And then when did you find out he had other crimes on his record when he was released?

STERLING: We were in Indiana for about three weeks, and he was arrested right before we flew back to Arizona. I received a call saying that [Lang] had been in jail and had

three pending felonies and had been bailed out by this organization called the Bail Project.

I had never heard of the Bail Project. The records are public, so we went online and looked at his criminal history. And then we started looking into the Bail Project. And that's how it all began to surface. It's a charitable bail organization [that takes] in donations and use taxpayer dollars to help secure bail for certain individuals. And their mission is to fight mass incarceration and provide bail for low-income individuals.

But they don't look at the criminal history of the people they're bailing out. That doesn't come into play when they're getting people out of jail. And I'm just shocked. I'm thinking to myself: Indiana was at their all-time high homicide rate in 2021.

It also surfaces that this is not the first time this has happened in Indiana. It previously happened in August 2021 with a man named Marcus Garvin, who got out of jail and killed his girlfriend. He had been in jail on felony charges as well. And then in December, another individual was bailed out and he went on to ambush and stab two police officers. Luckily, they didn't die.

It also came out that there was a bill in early 2021 to start regulating charitable bail orgs, so we reached out to the former senator who presented it to ask what we would do to help.

I understand [the Bail Project's] mission of aiding individuals, but where does that stop? They are crossing the line from bailing out individuals on small charges and really putting violent criminals back on the streets. They don't hear about their criminal history. There is no oversight. Lang, once he bailed out, there was no accountability to the Bail Project, and no oversight of Lang by the organization. Only the promise that he would return for his court hearing. It's become a revolving-door system.

LEE: What's interesting about the fact that the only requirement is that those bailed return for their court date is because the Bail Project has an interest in making sure that happens because they don't get reimbursed for the bail they put up otherwise, isn't correct?

STERLING: That's right. They get the full amount back.

LEE: Tell me about the legislation you're supporting in Indiana.

STERLING: SB 8 is the bill will regulate the type of offenders these organizations can bail out. It will prohibit them



The Bail Project is crossing the line from bailing out individuals on small charges and really putting violent criminals back on the streets."

from bailing out felons, and proposes a \$2,000 bail bond cap. That is the bill we're supporting. We're actually traveling back to Indiana to testify in front of senate and house in support of that bill.

LEE: I'm sure you were aware during the George Floyd riots, a lot of celebrities and our VP supported some of these charitable bail organizations. What do you think about that?

STERLING: On the bail project advisory board, you see celebrities' names, and I know the vice president was supportive of the Minnesota Freedom Fund. But this isn't an isolated event in Indiana. Nationwide this is becoming a problem. And I know police departments are stretched.

Fortunately, my case was solved thanks to eyewitnesses and a recording. But many are not, I think if they were, we'd see that more crimes are being committed by people released in this way. If you have a revolving door system in place, you're hurting the people trying to protect us and increasingly hurting the people who are most vulnerable—the people who these organizations say they are trying to protect.

LEE: What do you make of the many progressive DAs who favor policies and programs like the Bail Project?

STERLING: A DA in New York I think was pushing for this. It's something that I can only really look at from a mother's perspective. I know there are people pushing for these organizations, but they've never walked in my shoes. If they'd been put in the position I've been put in, they would

see it from a different perspective, and that's the really the most I can say. I can't wrap my brain around why you think it's ok to put violent offenders back on the streets.

LEE: Do you think concern about the release of violent criminals is really a political issue?

STERLING: This isn't political or about race. It's about doing the right thing to protect the public. I know another person in Indiana whose son was ambushed and murdered in New York. But when I saw the DA was pushing a set of criteria that basically said someone could literally commit armed robbery, but as long as no one was harmed, they would be treated as less than violent criminals. . . . How is that ok?

In Indiana, I know police and detectives are stretched. I'm fortunate because my case was solved, because we had eyewitnesses and the recording. But there are cases that are unsolved. If you have that revolving door in place, you're only hurting the people trying to protect the citizens. If more crimes were solved, I feel like we would see more cases involving people who were bailed out by a charitable bail organization. I don't think anyone in jail on pending felony charges should be able to be bailed out by a charitable bail org.

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