

**Pushing a Swing State toward a Presidency:
How the Citizens for Community Values (CCV)
Played Ohio with the “Defense of Marriage Act”**

Submitted by:

Angelina Spencer

George Washington University

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“Those who want government to regulate matters of the mind and spirit are like men who are so afraid of being murdered that they commit suicide to avoid assassination.”—

Harry S. Truman

I. Introduction

It was 1995 when thrice married, twice bankrupt, self-described “porn addict” and former Teamster’s union negotiator Phil Burress answered his Cincinnati phone.

"Do you folks on the mainland know what is going on here?" a friend from Hawaii asked. "They're going to legalize gay marriage...and it's coming your way," he announced. The friend was referring to a recent Hawaiian Supreme Court case that rejected a ban on same-sex unions as unconstitutional.¹

As president of the Ohio Citizens for Community Values (CCV), Burress spent much of the 1990's battling the indecency he found in strip clubs, museums and adult bookstores. Upon hearing that homosexual marriage might drift from Pearl Harbor to the mainland, he decided to fight this "gay agenda."

Fast-forward to 1996. Burress successfully organizes a Christian coalition, which crafts a plan against gay marriage. By September, they persuade Congress and President Bill Clinton to adopt their legislation dubbed, “The DOMA” (The Defense of Marriage Act). It defines marriage as “between one man and one woman”. Within four years, approximately thirty state legislatures follow suit.

¹ Dao J. (26 Nov. 2004). *After Victory, Crusader Against Same-Sex Marriage Thinks Big*. New York Times.
<http://www.nytimes.com/2004/11/26/national/26gay.html?ex=1259125200&en=107793e8a743a3fd&ei=5090&partner=rssuserland>

DOMA kept a relatively low mainstream profile until the 2004 Presidential election, when the CCV gathered 575,000 signatures in less than 90 days to place it on the Ohio ballot.² Redubbed the “Marriage Amendment,” it brought thousands of voters to the polls on Election Day.

While many claim cultural forces contributed to DOMA’s success, the integration of effective public relations strategies by the CCV and its sister coalitions also played a key role in driving its acceptance. Their support is widely viewed as having been crucial to President George W. Bush's narrow victory in the swing state of Ohio.

And the Amendment became one of the most visible and divisive election issues in American history, outshining economics, formerly the primary motivating factor for swing voters. Its excellent presentation enticed moderates to join evangelicals in record numbers to support a same sex marriage ban—and a born-again Presidential candidate.

Burress emerged as the grand wizard for an anti-gay movement. He told the New York Times that he hoped his success would enable evangelicals to dominate national, state and local politics for decades.

"In 21 years of organizing, I've never seen anything like this," Burress gushed. "It's a forest fire with a 100 mile-per-hour wind behind it."³

² Dao J. (26 Nov. 2004). *After Victory, Crusader Against Same-Sex Marriage Thinks Big*. New York Times. <http://www.nytimes.com/2004/11/26/national/26gay.html?ex=1259125200&en=107793e8a743a3fd&ei=5090&partner=rssuserland>

³ Dao J. (26 Nov. 2004). *After Victory, Crusader Against Same-Sex Marriage Thinks Big*. New York Times.

Burress planned to elevate his grassroots movement to heavenly levels using a computer database of 1.5 million voters. His goal is to build a network of religious conservatives to run governments across the nation and support the CCV's mission of advancing "traditional...moral values".⁴

"I'm building an army," he proclaimed.

II. Problem Description: CCV Historical Background

Citizens for Decency

Charles H. Keating Jr. was born in Cincinnati, Ohio. He received his law degree from the University of Cincinnati in 1941 and became a founding partner of the law firm Keating, Muething & Klekamp.⁵

In 1956, he started one of the nation's first anti-pornography organizations, the Citizens for Decent Literature, later renaming it Citizens for Decency through Law. Believing that pornography causes violence and child abuse, CDL members worked to halt the sale of pornographic material.⁶

In 1969, nine years after Keating testified against pornography and burned books

<http://www.nytimes.com/2004/11/26/national/26gay.html?ex=1259125200&en=107793e8a743a3fd&ei=5090&partner=rssuserland>

⁴ Dao J. (26 Nov. 2004). *After Victory, Crusader Against Same-Sex Marriage Thinks Big*. New York Times.

<http://www.nytimes.com/2004/11/26/national/26gay.html?ex=1259125200&en=107793e8a743a3fd&ei=5090&partner=rssuserland>

⁵ Notable Names Database, Charles Humphrey Keating Jr.:

<http://www.nndb.com/people/648/000050498/> Retrieved: 04/01/11.

⁶ Graham M. (Feb. 1992) Cincinnati Magazine, *The Smutbusters: The people who went gunning for Mapplethorpe now target some new enemies*

before Congress, President Richard Nixon appointed him to a commission. The post earned Keating national attention, which he used to push stringent sanctions in Cincinnati.⁷

For example, he obtained an injunction preventing the showing of Russ Meyer's film *Vixen!* claiming it was obscene. Additionally, his CDL was so influential that when the U.S. Supreme Court handed down *Miller v. California* in 1973, which established obscenity definitions based on local community standards, every adult bookstore and theater in Cincinnati was closed within hours.⁸

In keeping with his mission, Keating sold property in Cincinnati with illegal covenants on the deeds that prohibited "the content of lawful adult materials" and forbade subsequent owners or their tenants from "receiving or abetting abortions".

Keating also felt that homosexuals should be jailed for their same sex preferences.

Despite such self-righteousness, he was considered morally bankrupt. Many of his critics claim Keating is more nationally known for the collapse of Lincoln Savings and Loan. In 1992 he was convicted of 72 counts of racketeering for swindling over 21,000 small investors, mostly elderly, out of their life savings.⁹

CDL as a national organization splintered after the financial scandal, but a local

⁷ Wikipedia, Charles H. Keating Jr.: http://en.wikipedia.org/wiki/Charles_Keating Retrieved: 04/01/11.

⁸ Wikipedia, Charles H. Keating Jr.: http://en.wikipedia.org/wiki/Charles_Keating Retrieved: 04/01/11.

⁹ Notable Names Database, Charles Humphrey Keating Jr.: <http://www.nndb.com/people/648/000050498/> Retrieved: 04/01/11.

chapter was revived in Cincinnati in 1981 and rebranded, “The Citizens for Community Values”.

During this time, Burress was “lost in a maze of perversions.”¹⁰ In Billy Graham’s *Decision Magazine 1988*, Burress writes a first-hand account of his “sexual addictions,” how he resorted to stealing adult magazines and sexually abusing his first wife.¹¹

In 1982, Burress sought forgiveness for his “porna-holism” and asked Jesus into his heart at a CCV prayer meeting.¹² His repentance impressed Cincinnati native and wealthy businessman Charles Lindner Sr.

Lindner had been a mentor to Keating and his biggest legal client until the Lincoln loan scandal. Lindner owned the Cincinnati Reds, United Dairy Farmers, American Financial Corp., the Cincinnati Enquirer and Chiquita Banana. Lindner also liked to hand out business cards that read he “never drank, smoked, cheated or lied”.¹³ He is also one of the largest contributors to the Republican Party. As a devout Christian, Lindner hoped Burress would consider a position as CCV president. He offered, as incentive, to place his son, Carl Linder Jr., on the CCV advisory board. It was then that the Rev. Clyde Miller remembers the younger Lindner making “a significant financial pledge” to Burress

¹⁰ Stricherz M. (30 Aug. 2004) *The Weekly Standard*, *Marriage at the Polls* Vol. 9 No. 47

¹¹ Graham M. (Feb. 1992) *Cincinnati Magazine*, *The Smutbusters: The people who went gunning for Mapplethorpe now target some new enemies*

¹² Graham M. (Feb. 1992) *Cincinnati Magazine*, *The Smutbusters: The people who went gunning for Mapplethorpe now target some new enemies*

¹³ Frontline: WGBH Educational Foundation, Charles Lindner:
<http://webcache.googleusercontent.com/search?q=cache:7TTHoxn6PX0J:www.pbs.org/wgbh/pages/frontline/president/players/lindner.html+charles+h.+lindner.+never+smoke,+drank,+cheated&cd=1&hl=en&ct=clnk&gl=us&client=safari&source=www.google.com> Retrieved: 04/05/11.

on behalf of the family...¹⁴

James Dobson & Focus on the Family

Dr. James Dobson, clinical psychologist and best-selling author, organized Focus on the Family (FOTF) in 1977. As a Christian evangelist, he also produced a daily religious radio program broadcast on over 7,000 stations worldwide and reportedly heard daily by more than 220 million people in 164 countries.¹⁵

Dobson initially distanced himself from Washington politics until 1981, when he founded the Family Research Council (FRC) as a political arm through which conservative causes could achieve greater influence. The fledgling FRC embraced all 38 state chapters of the Family Policy Council, including Ohio's CCV, and "officially affiliated" them with Focus on the Family.¹⁶

The Family Research Council & Tony Perkins

According to its website, "The Family Research Council originated at the 1980 White House Conference on Families...In 1983, FRC incorporated as a nonprofit educational institution in the District of Columbia; its founding board included Dobson and two noted psychiatrists, Arman Nicholi Jr. of Harvard University and George Rekers of the University of South Carolina."¹⁷

Rekers was erased from FRC history in April 2010 when he was photographed with a

¹⁴ Graham M. (Feb. 1992) Cincinnati Magazine, *The Smutbusters: The people who went gunning for Mapplethorpe now target some new enemies*

¹⁵ Focus on the Family, Our Founder, Dr. James Dobson:

http://www.focusonthefamily.com/about_us/james-dobson.aspx Retrieved: 04/09/11.

¹⁶ Family Research Council, FAQ's: <http://www.frc.org/faqs> Retrieved: 04/09/11.

¹⁷ Focus on the Family, Our Founder, Dr. James Dobson:

http://www.focusonthefamily.com/about_us/james-dobson.aspx Retrieved: 04/09/11.

male escort as he returned from a European vacation and passed through the Miami International Airport.¹⁸

Under the leadership of Gerry Regier, a former Reagan Administration official at the Department of Health and Human Services, FRC began to link policy makers with researchers and professionals from a variety of disciplines. Gary Bauer, a domestic policy advisor to President Reagan, succeeded Regier in 1988 and by the mid-1990s the organization had “grown into a \$10 million operation with a nationwide network of support...”¹⁹

In 2003, Tony Perkins became FRC’s President. Social conservatives hailed the former two-term Louisiana state representative as a legislative pioneer for authoring the nation's first “Covenant Marriage Law”. He launched “new initiatives to affirm and defend the Judeo-Christian values that this nation is founded upon...and with FRC has led the way in defending religious freedom in the public square...”²⁰

Perkins met with the White Supremacist Organization, the successor to the White Citizens Councils, which battled integration in the South. He paid former Ku Klux Klan Grand Wizard David Duke \$82,000 for his mailing list.²¹ At the time, Perkins was acting as the campaign manager for a Republican candidate for the U.S. Senate. The Federal Election Commission fined the campaign \$3,000 and rebuked Perkins for attempting to

¹⁸ Bullock P. & Thorpe K. (06 May 2010). Miami New Times: George Rekers is a Homosexual, Escort Says.http://blogs.miaminewtimes.com/riptide/2010/05/george_rekers_is_a_homosexual_says_escor_t.php Retrieved: 04/01/11.

¹⁹ Sourcewatch: The Family Research Council:
http://www.sourcewatch.org/index.php?title=Family_Research_Council Retrieved: 04/11/11.

²⁰ Family Research Council, FAQ's: <http://www.frc.org/faqs> Retrieved: 04/09/11.

²¹ Badash D. Bigotry Watch, Tony Perkins: Being Compared to the Klan? (22 Feb. 2011).
<http://thenewcivilrightsmovement.com/tony-perkins-being-compared-to-the-klan-thats-manna-from-heaven/bigotry-watch/2011/02/22/17573> Retrieved: 04/01/11.

hide the money and for lying to the Commission about the incident.²²

The Rise of the CCV

The CCV has served the Greater Cincinnati area for three decades. Although the organization began loosely in 1981, it was formally recognized in 1983 and initially led by Dr. Jerry Kirk, then pastor of College Hill Presbyterian Church. His followers, including Burress, shared a concern in their community about “the pandering of pornography”.²³

Attorney Louis Sirkin, who successfully defended the Contemporary Arts Center of Cincinnati and its director, Dennis Barrie, on charges of "pandering obscenity" for the Robert Mapplethorpe exhibit, believes his case was a defining moment for the CCV, Phil Burress and Carl Lindner:

“Burress spoke mostly to an audience who wanted to hear him,” Sirkin explained during a phone interview. “But this case offered him a national platform that I believe was aided by Carl Lindner, who owned the largest Ohio newspaper, the Cincinnati Enquirer. Access to the paper and local radio stations gave Burress an unfiltered voice for the CCV and its agenda that was picked up and carried nationally. It’s also interesting to note that the Ku Klux Klan marched in Oxford the exact same day as the Mapplethorpe exhibit opened, yet the CCV wasn’t there. When I asked Burress why they weren’t defending civil rights, he said, ‘that’s not our focus.’”²⁴

Mapplethorpe's X Portfolio series sparked national attention in the early 1990s when

²² Badash D. Bigotry Watch, Tony Perkins: Being Compared to the Klan? (22 Feb. 2011). http://thenewcivilrights_movement.com/tony-perkins-being-compared-to-the-klan-thats-manna-from-heaven/bigotry-watch/2011/02/22/17573 Retrieved: 04/01/11.

²³ Graham M. (Feb. 1992) Cincinnati Magazine, *The Smutbusters: The people who went gunning for Mapplethorpe now target some new enemies*

²⁴ Sirkin L. (Personal Communication, 09 April 2011)

it was included in *The Perfect Moment*, a traveling exhibition funded by the National Endowment for the Arts. Though Mapplethorpe's work had been regularly displayed in publicly funded exhibitions, the CCV seized on its "homosexual themes" to oppose government support for what they called "...the sensational presentation of...obscene material."²⁵ As a result, Sirkin says, Mapplethorpe became something of a cause célèbre for both sides of the American culture war. When Sirkin won his case, Lindner dropped his endowment to the museum the following year.

As a former union negotiator, Burress had mastered the art of public relations through coalition building. He suggested the CCV organize into local city and county groups to coordinate pornography task forces (PTF) committed to taking action against anything they deemed obscene, including homosexuality. The PTF schooled letter-writing teams, chaired pro-family forums and solicited Dobson's Family Research Council for help with strategizing, developing policy or mobilizing grassroots forces.²⁶ The CCV also built and led the two-fold Midwest Pro-Family Forum against pornography and a National Pro-Family Forum against homosexuality.²⁷

"The CCV was formed to consistently take a stand for...values that strengthen the moral character of any community...and for high community standards," said Burress. "If grown adults cannot decide what is acceptable or unacceptable, we will decide for

²⁵ Wikipedia, Robert Mapplethorpe: http://en.wikipedia.org/wiki/Robert_Mapplethorpe Retrieved: 04/10/11.

²⁶ Graham M. (Feb. 1992) Cincinnati Magazine, *The Smutbusters: The people who went gunning for Mapplethorpe now target some new enemies*

²⁷ The Citizens for Community Values: www.ccv.org Retrieved: 04/05/11.

them!”²⁸

III. Study: *The CCV Public Relations Model & Cultural Influences*

Cincinnati was debating in 1993 whether civil rights for gays should be written into local law. At the same time, Burress was beginning to play a national role in conservative politics due to opposing the Mapplethorpe exhibit. He was approached by the Reverend Charlie Winburn to run the “Equal Rights Not Special Rights” (ERNSR) campaign to support Issue 3 against giving homosexuals civil protections. Burress agreed if Winburn would run for city council.²⁹

Opponents of Issue 3, Equality Cincinnati, equated the measure with the Holocaust and Klan rallies, while the CCV and its supporters led a strategy depicting American culture awash in deviant sexual behavior.³⁰

Equality Cincinnati was a PR disaster. Jerry Galvin, who designed the advertising campaign for EC suspected something was wrong when his gay neighbors refused to host a sign he created in their front yard.

“Those ads were the dumbest thing I ever did...they were so wrong,” Galvin said.

The ads offered fodder to the CCV for an appealing counter campaign, “African Americans fought long and hard for civil rights...not for the choice of someone’s bed partner,” a woman says in one ad.³¹

PR strategists opposing Issue 3 attempted to compare a local gay rights battle to

²⁸ Burress, P. Church of God, Impact America Summit, Columbus, Ohio (June 2003 Speech, Personal Communication).

²⁹ Vaccariello L. (May 2004) Cincinnati Magazine, *That was then, this is Now!*

³⁰ Vaccariello L. (May 2004) Cincinnati Magazine, *That was then, this is Now!*

³¹ Vaccariello L. (May 2004) Cincinnati Magazine, *That was then, this is Now!*

generations of slavery, abuse and discrimination. This idea failed miserably. The law passed by a landslide and became Article VII, also known as the “anti-gay charter amendment”.³²

Burress became the “go-to” guy for any conservative wanting an anti-campaign. He saw his position with the CCV soar from volunteer to president, which included a whopping \$210 thousand dollar annual salary plus expenses. He hired his third wife, Vickie as his assistant and placed his daughter as a receptionist—and in 2004 he was asked to chair the Ohio Campaign to Protect Marriage.³³

DOMA (The Defense of Marriage Act)

The DOMA is a United States federal law defining marriage as a legal union between one man and one woman.³⁴ President Clinton likely lent the bill his signature because he was facing re-election against Republican Bob Dole.

In the 1993 case *Baehr v. Miike*, the Supreme Court of Hawaii ruled that the state must show a compelling interest in prohibiting same-sex marriage. This prompted the phone call made to Burress from Hawaii, who allegedly used Lindner’s Republican contacts to craft DOMA.

Georgia Representative Bob Barr, then a Republican, authored the legislation. "The bill amends the U.S. Code to make explicit what has been understood...for over 200 years; that a marriage is the legal union of a man and a woman...and a spouse is a

³² Vaccariello L. (May 2004) Cincinnati Magazine, *That was then, this is Now!*

³³ Stricherz M. (30 Aug. 2004) The Weekly Standard, *Marriage at the Polls* Vol. 9 No. 47

³⁴ Wikipedia: The Defense of Marriage Act: http://en.wikipedia.org/wiki/Defense_of_Marriage_Act
Retrieved: 04/01/11.

husband or wife of the opposite sex.”³⁵

In 1996, the Republican Party formally endorsed “The DOMA” as part of its platform.

Ohio, DOMA & the 2004 Presidential Election

On May 17, 2004, the Massachusetts Supreme Court upheld the legalization of same sex marriage with the *Goodridge* decision. One day later, Phil Burress and the CCV held a clandestine meeting in Cincinnati with members of the Arlington Group. They discussed getting DOMA on the Ohio state ballot in time for the November election.³⁶

And Ohio was picked for a reason: The road to the White House is ALWAYS paved through the Buckeyes—the consummate swing state. In close races like the one between John Kerry and George W. Bush, the winner is the side that can get voters to the polls. The CCV believed Burress’ DOMA might net enough votes to win a majority for Bush. It is rumored, but never substantiated, that Karl Rove met with the Arlington Group six times in Ohio, including May 18th.

The Arlington Group unites major players of almost every Christian right organization in the U.S. It acts as an “off the record” voice for social conservatives in Washington, D.C. and vehemently opposes same sex marriage. During the 2004 presidential campaign, a representative from the Bush White House participated in each

³⁵ Wikipedia: The Defense of Marriage Act: http://en.wikipedia.org/wiki/Defense_of_Marriage_Act
Retrieved: 04/01/11.

³⁶ Rosenberg G. The Hallow Hope: Can Courts Bring About Social Change? Chapter 13, *Confusing Rights with Reality* (pp. 377-383). University of Chicago, Press, 2008.

of the Group's weekly teleconferences.³⁷

The CCV and its allies successfully gathered enough signatures to place DOMA on the Ohio ballot. Bush was re-elected.

Many political observers credit Republican efforts to ban gay marriage on the state and federal level with helping secure President Bush's re-election in 2004. In his memoirs, Rove wrote that a 2003 Massachusetts court decision legalizing gay marriage "did affect the 2004 election by motivating culturally conservative Democrats and independents who might otherwise have voted Democratic to abandon Kerry over his wobbly views on marriage."³⁸

According to Burress, DOMA attracted voters to the polls who supported Bush, "The Massachusetts Supreme Court cost Kerry the election...if we had not been on the ballot, Bush would not have won Ohio."³⁹

And campaign strategists concur. Ohio Democratic consultant Greg Hass noted that, "In a lot of these small towns, where I'm from, voter turnout was off the charts. It was, you know, a very diabolically brilliant move on the part of Karl Rove and

³⁷ Legal Momentum: The Women's Legal Defense and Education Fund. <http://webcache.googleusercontent.com/search?q=cache:dh3Zrku4zi4j:www.legalmomentum.org/our-work/sfr/arlington-group.html%20May%2018,%202004%20Phil%20Burress%20and%20Karl%20Rove&cd=1&hl=en&ct=clnk&gl=us&client=safari&source=www.google.com> Retrieved: 03/14/11.

³⁸ Rove K. *Courage and Consequence: My Life as a Conservative in the Fight*. Simon & Schuster, Threshold: New York, 2010.

³⁹ Rosenberg G. *The Hollow Hope: Can Courts Bring About Social Change?* Chapter 13, *Confusing Rights with Reality* (pp. 377-383). University of Chicago, Press, 2008.

others to lay this issue out there.”⁴⁰

Former Ohio Democratic Party chairman Paul Tipps simply opined, “...evangelicals turned out and clearly same-sex marriage seems to have driven it. I am stunned...I didn’t see it...”⁴¹ He wasn’t alone.

IV. Discussion: Analyzing the Ohio DOMA Campaign

Both political operatives and the press were surprised by Ohio’s grassroots mobilization effort because they weren’t expecting it. As the *Washington Post* noted after the election, “even close observers of Ohio...might have missed the Bush campaign’s emphasis on social values because much of its outreach...occurred away from...the media.”

It is argued that part of the reason DOMA went largely unnoticed was that it was waged during a time when print media was shrinking; meaning that the Presidential race took center stage and the so-called ‘Marriage Amendment’ did not receive the coverage it demanded.

Another important aspect of the success of DOMA was coalition building. The CCV used its contacts, owners of radio and newspapers, church pulpits, elected officials, celebrities and preachers to promote their cause.

⁴⁰ Rosenberg G. *The Hallow Hope: Can Courts Bring About Social Change?* Chapter 13, *Confusing Rights with Reality* (pp. 377-383). University of Chicago, Press, 2008.

⁴¹ Rosenberg G. *The Hallow Hope: Can Courts Bring About Social Change?* Chapter 13, *Confusing Rights with Reality* (pp. 377-383). University of Chicago, Press, 2008.

University of Akron Religion and Politics professor John Green explains that the CCV successfully made use of mailings, phone calls and personal visits to discuss traditional family values. It also printed 2.5 million brochures against “gay marriage” that were deposited into church bulletins one week prior to Election Day.⁴²

Furthermore, Ohio’s then secretary of state Kenneth Blackwell, who vowed a Bush reelection victory, taped radio and phone announcements asking voters to turn out and vote for the Marriage Amendment. In fact, after Blackwell’s failed bid for Ohio governor, Tony Perkins hired him at FRC as a research fellow.⁴³

With coalition building often comes grassroots messaging. It is interesting to observe that a great deal of the CCV’s messaging involved fear and hiding facts: They claimed DOMA would legalize marriage to animals or children and open it to polygamy, which would, in turn, lead to the proliferation of “swinging” and the mainstream acceptance of pornography.

Green also illuminates one effective piece of CCV propaganda he claims couldn’t be any clearer if it were quoted from the Bible, featuring a traditional nuclear family against the stately backdrop of a church, bearing the headline: “George W. Bush shares your values. Marriage. Life. Faith.”⁴⁴ Twenty-five pieces of similar direct mail

⁴² Rosenberg G. *The Hallow Hope: Can Courts Bring About Social Change?* Chapter 13, *Confusing Rights with Reality* (pp. 377-383). University of Chicago, Press, 2008.

⁴³ Berkowitz B. *Democratic Underground: Still under fire for Ohio election tricks, Kenneth Blackwell regroups* (FRC?) (May 3 2007.) http://www.democraticunderground.com/discuss/duboard.php?az=view_all&address=103x279360 Retrieved: 04/11/11.

⁴⁴ Rosenberg G. *The Hallow Hope: Can Courts Bring About Social Change?* Chapter 13, *Confusing Rights with Reality* (pp. 377-383). University of Chicago, Press, 2008.

in Ohio linked Bush to traditional marriage compared to an average of four in states without DOMA.

Consequently, DOMA was renamed the “Marriage Amendment,” leaving opponents open to the charge they were anti-nuptial. And the CCV successfully branded their base as “values voters” insinuating that anyone who voted differently was not.

Additionally, Americans also like forgiveness: Although Burress was a self-described “porn addict” who married three times and had a history of domestic violence and multiple bankruptcies, he made a career out of, “Forgive me, I’ve changed”. As a skilled negotiator, he successfully convinced people that his dabbling in pornography was a credible sob story about a man nearly driven from redemption. He claimed that a vote to support traditional marriage could help him recover.

Although Burress’ opponents praised him for using DOMA in ways that were compelling for the average voter, they also claimed he distorted its context and accused him of being closed-minded.

Social Values, Counter Strategies & Lessons Learned

Burress’ success with DOMA was a political game changer. By exploiting fear and ignorance over America's rising acceptance of homosexuality, the Republican Party’s major soft-money donors helped the CCV elect Bush through underwriting an effort to

amend the state constitution to ban same-sex marriage. It was a brilliant strategy that caught even the most seasoned campaign veterans unaware.

One of the most surprising lessons was the impact CCV planning had on the “moral values” message. Like most exit polls, CNN surveyed approximately fourteen thousand people and discovered that “moral values” was the number one issue with 22% of the vote, ahead of jobs, taxes or the economy.⁴⁵

"There were 11 states with definition of marriage, opposition to same-sex marriage initiatives on the ballot," said Kathy Frankovic, director of polls for CBS news. "We were aware of the discussion of religion, so when this issue [moral values] beat out the economy, beat out terrorism, beat out Iraq, I think it was something that sort of struck us as important."⁴⁶

Yet the moral values and the public relations behind the CCV, its president and his cohorts are now facing scrutiny and finally being questioned...

For example, in February 2011, President Barack Obama instructed the Justice Department to stop defending the constitutionality of DOMA.⁴⁷

⁴⁵ CNN National Exit Poll, Election 2004:

<http://www.cnn.com/ELECTION/2004/pages/results/states/US/P/00/epolls.0.html> Retrieved: 04/12/11.

⁴⁶ Leung R. CBS News: Moral Values a Decisive Issue? **Dan Rather on Issues that Powered Mr. Bush's Victory**, (Nov. 3, 2004):

<http://www.cbsnews.com/stories/2004/11/03/60II/main653593.shtml>

⁴⁷ Tapper J. ABC News, President Obama Instructs Justice Department to Stop Defending Defense of Marriage Act calls Clinton-Signed Law "Unconstitutional". 23 Feb. 2011:

<http://blogs.abcnews.com/politicalpunch/2011/02/president-obama-instructs-justice-department-to-stop-defending-defense-of-marriage-act-calls-clinton.html> Retrieved: 03/18/11.

In 2004, Cincinnati residents repealed Issue 3, the anti-gay charter amendment.

Progress Ohio, an advocacy group, filed a formal complaint that same year with the Ohio Elections Commission citing campaign fraud with both the Marriage Amendment and the Cincinnati charter. Rather than disclose names of individual donors, CCV campaign finance reports show that the bulk of the donations came from Colorado Family Values. The CCV was accused of funneling money through Focus on the Family's sister chapter to conceal the identities of those paying for the effort.

Because Phil Burress spearheaded the campaigns, attorneys wanted to ask him questions – under oath – about the money. He refused to comply and was cited by a Franklin County Court judge for contempt. When finally deposed, he cited his right against self-incrimination.⁴⁸ As for the Ohio Marriage Amendment, the CCV raised more than \$1 million through an affiliate. Once again, the names of the donors were not disclosed.

Karl Rove also suffered fall out. On October 24, 2010, a federal subpoena, issued by Ohio attorney Cliff Arnebeck and sanctioned by the Office of Ohio Secretary of State was served. It orders Rove to testify in deposition about his role in the alleged theft of the 2004 election using corporate/billionaire dollars.

"Rove has asked for all this money on behalf of the Republican candidates' campaigns... that still constitutes a gift to those campaigns and is still subject to limits and

⁴⁸ Dougherty J. & Meyer T. Progress Ohio Community Blog, Statehouse Archives, 2007: Phil Burress Takes the 5th, 29 March 2007: <http://www.progressohio.org/blog/community/2007/03/index.html> Retrieved: 4/08/11.

prohibitions of campaign finance laws. Camouflaging the gifts by running them through nice sounding non-profit corporations is nothing but the latest form of money-laundering,” said Arnebeck.⁴⁹

As a side note, in a hearing conducted in 2008 that garnered minimal media attention, Arnebeck deposed IT expert Michael Connell, an Ohio native, who worked for Rove. Connell also worked as a contractor for then Secretary of State and FRC fellow Kenneth Blackwell. In an unfortunate accident, Connell, an experienced pilot, died in his plane while landing on a clear day in Canton, Ohio—one day before he was supposed to be deposed by Arnebeck a second time. The ensuing story garnered The BRAD BLOG a 2010 Project Censored award for "Excellence in Investigative Journalism". It was printed in the February 2010 issue of Maxim Magazine.⁵⁰

Carl H. Lindner Jr., who sits on the CCV board of directors, had his own problems. As CEO and board member of Chiquita Banana, he oversaw the payment of roughly \$1.7 million to a leftist terrorist group, the United Self-Defense Forces of Columbia (AUC).⁵¹ George Washington University's National Security Archive describes AUC as an "illegal right-wing anti-guerrilla group tied to many of the country's most notorious civilian massacres." Following a Justice Department investigation, Chiquita executives admitted

⁴⁹ Fritrakis B. & Wasserman H. Altnet: Why We Filed Racketeering Charges Against **Karl** Rove's Election Operations. 29 Oct. 2010: <http://webcache.googleusercontent.com/search?q=cache:S69SAHUstKMJ:blogs.altnet.org/speakeasy/2010/10/29/why-we-filed-racketeering-charges-against-karl-roves-election-operations/+Karl+Rove+and+Ohio&cd=25&hl=en&ct=clnk&gl=us&client=safari&source=www.google.com> Retrieved: 04/11/11.

⁵⁰ Friedman B. (20 Jan. 2010) Mysterious Death Story of Mike Connell, Bush/Rove/GOP IT Guru, Breaks in Maxim: <http://www.redicecreations.com/article.php?id=9550> Retrieved: 04/12/11.

⁵¹ Bradzinsky S. Time Magazine: *Terrorism and Bananas in Columbia*. 02 May 2007: <http://www.time.com/time/world/article/0,8599,1616991,00.html> Retrieved: 03/19/11.

guilt and agreed to pay a \$25 million dollar fine. The Columbian attorney general indicted eight board members for murder and demanded their extradition from the U.S. The press coverage was barely a ripple and the Justice Department sealed the names in the case.⁵²

In 2003, James Dobson relinquished his role as patriarch of Focus on the Family when the board amicably requested his resignation. During a personal interview at the Values Voters Summit of 2007, he joked, “The derision is tiring. Younger Christians hope for a more tolerant approach to social issues and a deeper focus on the environment or poverty. Some of the dinosaurs in our group aren’t ready to give up the battle gear on homosexuality, pornography or abortion.”⁵³

In 2010, the Southern Poverty Law Center added the Family Research Council to its list of hate groups due to "falsehoods" in their anti-gay statements. The Alabama-based center, known for its monitoring of the Ku Klux Klan, published a Nov. 22, 2010 report citing FRC for its depictions of homosexuals as a global threat, falsely linking gays to pedophilia and wanting “criminal sanctions for homosexual behavior.”⁵⁴

Further, Perkins vehemently denied his involvement with the KKK and released a press statement in 2009 refuting the allegations of his \$82,000 payment to David Duke.

⁵² Bradzinsky S. Time Magazine: *Terrorism and Bananas in Columbia*. 02 May 2007: <http://www.time.com/time/world/article/0,8599,1616991,00.html> Retrieved: 03/19/11.

⁵³ Dobson J. (Personal Communication, 20 Oct. 2007)

⁵⁴ Banks A. Religious News Service: *Hate group watchdog adds Family Research Council to its list*. 29 Nov. 2010: <http://pewforum.org/Religion-News/RNS-Hate-group-watchdog-adds-Family-Research-Council-to-its-list.aspx> Retrieved: 04/11/11.

When a reporter released a picture of Perkins addressing a white supremacy group as a keynote speaker, Perkins claimed he didn't remember being there.⁵⁵

In light of these events, it's disconcerting that the media may have inadvertently aided and abetted the CCV by ridiculing allegations of voter fraud during the 2004 Ohio election. News articles were often accompanied by mocking headlines that seemed to treat potential fraud as "deserving a strait jacket". For example, the *Washington Post* chided, "**Latest Conspiracy Theory—Kerry Won—Hits the Ether**," and The *New York Times* offered, "**Vote Fraud Theories, Spread by Blogs, Are Quickly Buried**".

The media's scoffing is curious because glaring evidence suggests that something was terribly wrong in Ohio. And this evidence is easy to find: One large congressional report was compiled, which, for the last six years, has been available to anyone who can read.⁵⁶ It is a veritable blueprint for burglarizing a swing state election. What is extraordinary, more so than the report, is our yawning disinterest in its content.

"It all started in Cincinnati," claims Sirkin, who still practices law and is also a professor. "This is the city that allowed the CCV to develop 'homophobia', steal a presidency and hide racism. We don't—and can't talk about it because the debate is controlled by a handful of financially independent people and many of us are afraid to get involved or speak up. When we ask firms, writers or business leaders to come forward,

⁵⁵ Kyle K. People for the American Way: *Council of Conservative Citizens*. 17 December 2010. <http://www.rightwingwatch.org/category/groups/council-conservative-citizens> Retrieved: 04/11/11.

⁵⁶ <http://video.lisarein.com/election2004/ohioreport/recount.html>

they say, ‘we can’t risk CCV exposure.’ This has led to censorship all over the country. Where are the liberators? Where are the investigative journalists, the curious grad students and the concerned citizens who used to care? Burress’ cronies once told an audience that they feared homosexuals would sexually abuse their kids. I fear our children might not grow up in a free country!”⁵⁷

Good public relations must be accurate, consistent and timely. It must be continually modified as values or agendas change—especially in a country we uphold as free and its people as fair. And most paramount, good PR must be able to stand up under scrutiny—something that the CCV and Burress may have forgotten.

In this nation's epic struggle for freedom and democracy, most of us were unilaterally disarmed and potentially duped by a quiet 2004 campaign rolling through the hills of southern Ohio. Whether or not an election was rigged with soft money and dishonesty, Americans, both liberal and conservative, lost.

Our surrender lies in both our failure to genuinely examine moral values and our blind acceptance that the CCV’s public relations were honest. Our vast and subtle foray into such exploitation threatens the basic tenants of a Republic built by and for the people. Yet, if we can unite and face our censors—and find the courage to ask questions—it should not prove fatal. Our Republic can survive a plot to pilfer an election under cleverly crafted PR. What it cannot survive is our indifference to the evidence and compliant acceptance that such a plot may have succeeded as the consummate sideshow.

⁵⁷ Sirkin L. (Personal Communication, April 10, 2011.)

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