

## MEMORANDUM

**TO:** Program Team

**FROM:** Kimberly Begg, Esq.  
Vice President & General Counsel

**DATE:** May 25, 2018

**RE:** Advising our Students about TPUSA

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Nationwide, student activists are coming to us with questions about **Turning Point USA (TPUSA)**. They tell us they are frustrated that TPUSA claims credit for their events and creates turmoil within their YAF chapters and other groups. Students are seeking direction from our team about whether to cooperate with TPUSA.

In order to provide guidance to students, our team needs to understand that TPUSA is unlike any of the many Conservative Movement organizations we have worked with in the past.

This memo is not a comprehensive analysis of concerns about TPUSA's approach. It is not a report on the many alarming incidents students have shared with us over the years. Rather, it is a compilation of information from public sources, outlining the lack of integrity, honesty, experience, and judgment of this growing organization.

Founded in 2012 by **Charlie Kirk**, TPUSA emerged to “identify, educate, train, and organize students to promote the principles of freedom, free markets, and limited government.”



From the start, Kirk made bold claims about TPUSA that could not possibly be true about a start-up organization working with young people. Early marketing materials described TPUSA as the umbrella organization for the young Conservative Movement, under which **Young America's Foundation, Leadership Institute, Intercollegiate Studies Institute, The Fund for American Studies, Young Americans for Liberty**, and other groups operate.

Early on, Kirk made a name for himself by appearing regularly on Fox News. He gained the confidence and support of key business leaders in the Midwest, who made significant gifts to grow TPUSA quickly.

Kirk established an impressive social media and online presence for TPUSA. What he lacked in activities, he made up for through clever marketing, using pictures of students holding up signs and making unverified claims about the thousands of students involved with TPUSA.



Conservative Movement groups started hearing from supporters about TPUSA’s claims that they held more activities *than all youth groups combined*. This claim has never been remotely true. Consider:



[Young America’s Foundation’s](#) conferences and seminars, campus lecture program, Young Americans for Freedom chapters, Center for Entrepreneurship & Free Enterprise, National Journalism Center, and Reagan Ranch program



[Leadership Institute’s](#) schools, workshops, training programs, Campus Network, and *Campus Reform*



[Intercollegiate Studies Institute’s](#) fellowships, seminars and conferences, ISI Societies, Collegiate Network, and *Intercollegiate Review*



[The Fund for American Studies’](#) journalism and public policy fellowships, seminars, international programs, and European Journalism Institute



[Clare Boothe Luce Policy Institute’s](#) campus lectures and initiatives, conferences and seminars, fellowships, internships, and Luce Societies



[Young Americans for Liberty’s](#) conferences, resources, and chapters



[Students for Life of America’s](#) national conferences; chapters for middle school, high school, and college students; and National Field Program

We called this falsehood to Kirk’s personal attention, but he has never corrected it.

Several years ago, the leader of a conservative youth group shared that a supporter of her organization, who had recently met with Kirk, challenged her about why TPUSA had more chapters than did her organization. The leader was skeptical of the claim, so she asked her staff to contact their best student activists to learn more. They concluded Kirk’s claim was wildly untrue. The actual number of students involved with TPUSA, and those who had started chapters, was minimal. This group—and other youth groups—have been operating in an environment distorted by Kirk’s fabricated claims ever since.

At some point, Kirk began making progress in recruiting young people to become involved with TPUSA. The numbers are still wildly inflated, as discussed in more detail below, but the TPUSA of 2018 has its own programs and chapters, leading to a new set of issues.

A series of negative articles, identifying legitimate concerns about TPUSA, have emerged in recent months. There has been much discussion about what should be done to prevent TPUSA—which was recently described by *Mediaite* as the organization “known as much for racism as it is for diaper-wearing”—from discrediting all conservative organizations that specialize in reaching young people.



## I. Falsification of Numbers and Activities

TPUSA’s falsification of numbers and activities has been widely known among Conservative Movement leaders for years. As a result, many groups, reaching far more students than TPUSA, have felt pressure to inflate their own numbers in order to compete.

Here are a few documented cases of TPUSA’s falsification of numbers and activities.

## 1. Fabricating Results to Cover Up a Failed \$2 Million Project

Kirk's claim that TPUSA succeeded in getting 50 conservatives elected to student leadership positions on campuses has been so widely discredited, the project is not even mentioned in its 16-page 2017 *Year in Review* publication.

TPUSA raised \$2 million for this project, representing 20% of its 2017 revenue.



Accountability is important to most supporters of conservative organizations, including Doug Deason, a member of TPUSA's advisory council. Deason said, "How many seats we're winning in student councils and government councils and presidents of student bodies is really an important metric for the organization."

But the success Kirk claimed to have achieved, using this metric, was wholly fabricated. As *Politico Magazine* reported on April 6, 2018:



*When I contacted a random sample of those 50 winning candidates (including those at Arizona State University, UCLA, Syracuse University, Indiana University, the University of North Carolina and James Madison University), all denied they had worked with Turning Point USA on their campaigns. Two said they had been contacted by the group, but the others said they'd never dealt with anyone from Turning Point USA, nor had they accepted any money or other support. Several went further and spoke against the organization.*



*Arielle Yael Mokhtarzadeh, the Undergraduate Students Association Council president at UCLA, condemned Turning Point USA and said neither she nor anyone in her campus political party, Bruins United, has taken any money from the group. A Bruins United post on Facebook called Turning Point USA an organization “that openly promotes hatred and bigotry.”*

*Dan Niersbach, student body president at Indiana, told me via email that he had had “no experience working with Turning Point USA,” and “The Indiana University Student Association does not support their divisive rhetoric nor their unethical involvement in student government elections.”*

*James Franco, the Student Association president at Syracuse University, told me he met a Turning Point USA staffer for coffee eight months before he ran for his current post. The staffer offered “financial backing or staffing or leadership support,” which Franco says he did not accept. “If they took a look at our campaign platform, I don’t think they’d want to support us,” Franco says. “We campaigned on having Syracuse University be a sanctuary campus.”*

*In total, I spoke to seven college candidates whom Turning Point USA has, in one form or another, claimed to have supported in their successful bids for student body president. To a person, all said they’d never worked with the group.*

## **2. Making Blatantly False Claims About TPUSA’s Reach**

Kirk shows little to no concern for the truthfulness of his claims about TPUSA, ignoring the contributions made by other groups, even when confronted about blatant falsehoods. Consider:

- Kirk claims TPUSA recruited 3,850 students at CPAC in a year when the number of students who attended CPAC was fewer than 2,400 (and most were already recruited by others, including Rand Paul’s network, Leadership Institute, Young America’s Foundation, and CPAC’s staff).



- Kirk claims TPUSA has 400 chapters. In earlier years, Kirk claimed TPUSA had 1,200 chapters. *Politico* reported:

*Turning Point claims grassroots support on campuses across the country, but the closer you look, the patchier the grass sometimes seems. I searched through about 200 different social media feeds out of Turning Point USA's 400 officially registered chapters and found that multiple chapters haven't updated their pages in months; some haven't been touched in more than a year.*

- Kirk claims TPUSA is the biggest and most far-reaching youth organization in America. Even in the context of other conservative youth organizations, this statement is blatantly false and fails to take into account the quality of student interactions. Stopping by a TPUSA literature table is significantly less engaging for a young person than participating in a [Leadership Institute](#) school or workshop, an [Intercollegiate Studies Institute](#) Honors Program, a [Fund for American Studies](#) Robert Novak Journalism Fellowship, a [Reagan Ranch High School Conference](#), a 12-week [National Journalism Center](#) internship, a [Young America's Foundation](#) campus lecture, the [Heritage Foundation's](#) Young Leaders program, the [Cato Institute's](#) Cato University, or the [American Conservative Union's](#) Conservative Political Action Conference (CPAC).

## II. Boosting Numbers With Racists & Nazi Sympathizers

Kirk's obsession with inflated numbers causes him to take shortcuts that jeopardize the reputation of the Conservative Movement as a whole, and especially the youth-related groups. Much has been written about the racist statements made by TPUSA employees:

- An article published by the *New Yorker* on December 22, 2017, reported that Crystal Clanton, TPUSA's No. 2 executive, had allegedly sent a text message stating, "I HATE *BLACK PEOPLE*. Like f\*\*k them all ... I hate blacks. End of story." Clanton oversaw most of TPUSA's full-time staff members and campus recruiting.

- *Mediaite* released footage of Juan Pablo Andrade praising Nazis, saying, “The only thing the Nazis didn’t get right is that they didn’t keep f\*\*\*ing going!” while attending a TPUSA event. Andrade worked as TPUSA’s Florida field director in 2015 and led the group’s informal Latino caucus in 2016.
- *Mediaite* reported on another disturbing video at the same TPUSA event, posted by Caesar Svbervi, an alt-right activist who participated in the Charlottesville white supremacist march and has been filmed with Richard Spencer. Svbervi is a student at Coastal Carolina University. The video shows him saying it was “awesome” that he thought a car hit a woman protesting the TPUSA event. “[The car] hit the fucking protester” and “smashed that b\*\*ch, that is awesome!”

Perhaps most disturbing, *Mediaite* reported:

*Several sources with knowledge of TPUSA’s operations, who spoke to Mediaite on the condition of anonymity, said Svbervi was added to a “blacklist” of activists that the nonprofit’s leadership wanted to keep away from their Student Action Summit to avoid controversy. The list was later scrapped in an effort to boost attendance numbers, sources said.*

### III. Humiliating Diaper Event—a Consequence of Inexperience

Experience is a safeguard against poor judgment. That’s why well-established Conservative Movement organizations utilize the talent of leaders with significant and wide-ranging experience. This is especially important for youth groups that rely on students across the country to advance conservative ideas.



The senior leadership of all of the other major conservative youth organizations includes seasoned veterans of the Conservative Movement. Working with young people can be challenging. A certain level of unprofessionalism is inevitable. But what happened at TPUSA on October 18, 2017—where the

leadership of a national organization encouraged students to humiliate themselves by wearing diapers on campus—would never have happened under the guidance of a more experienced team. The leaders of well-established Conservative Movement organizations would have never approved and applauded TPUSA’s diaper event.

*The Chronicle of Higher Education* reported on February 16, 2018:

*Months after the “safe spaces” backlash, Turning Point continues to be the butt of diaper-themed jokes.*

*[T]he October 18 event. . . featured students dressing up as children, blowing bubbles, and in one case, wearing a diaper while sucking on a pacifier. The chapter had sought to make the point that “safe spaces are for children.” Instead, the image of a diaper-wearing conservative activist was relentlessly mocked on social media.*



As *Salon* reported on March 25, 2018, in an article titled, “How a ‘Diaper Protest’ Imploded a Conservative Student Group”:

*The idea was to make fun of the political left by dressing up as literal babies. But in the process, TPUSA itself became the butt of a joke, mocked as “Toilet Paper USA” and turned into a viral meme by the Twitter left.*



*TPUSA has demonstrated that the thought process behind a good portion of its activism and outreach is half-baked. Now that the activist group can't tweet or post without some lefty troll calling up the “Toilet Paper USA” insult, TPUSA’s latest attempts to stir the political pot have backfired.*



Kaitlin Bennett, the president of TPUSA's Kent State chapter, was employed by TPUSA as a campus coordinator at the time of the diaper event. She resigned from her position on February 12, 2018. Bennett said she was "highly disappointed in the leadership of those higher up than me in Turning Point USA," who lied about not knowing about the event in advance. Bennett told *The Chronicle of Higher Education* that TPUSA's national leaders threw her chapter "under the bus, in front of the whole nation."



The *Independent* reported on February 26, 2018, that Kirk even congratulated Bennett personally on the chapter's activism at a speaking engagement the next day. "Keep up the triggering, good job," she says he told her.

Unfortunately, the diaper event has been widely reported by the media and has continued to discredit young conservatives since. At the time of the writing of this memo, it has been seven months since the incident, with no end to the humiliating diaper references on social media in sight.

#### **IV. Unethical Activity**

Here is the full text of an email [Young Americans for Liberty](#) (YAL) sent to its supporters alerting them to TPUSA's illegally obtaining and using YAL's private membership list for their own purposes:

*I want to make you aware of a very serious matter that recently impacted YAL and our members.*

*You may be aware of a new, fledgling group called Turning Point USA. In fact, they may have emailed you recently without your consent.*

*This occurred because they unlawfully obtained YAL's members list and proceeded to solicit all of our members. Firstly, I'd like to apologize that this happened. We take privacy very seriously at YAL, and we've improved our safeguards to prevent this from ever happening again.*

***But more importantly, I want to strongly caution you and all YAL chapters against working with Turning Point USA.***

*Normally, I wouldn't be so direct about avoiding a specific organization. In fact, I am an enormous advocate for cooperation and partnering with all like-minded organizations. We have excellent relationships with groups like Students for Liberty, the Leadership Institute, Campaign for Liberty, and many others.*

*But this recent action by Turning Point USA crossed the line. I was willing to accept the fact that their language, strategy, and programs often attempt to copy YAL activities. I was even willing to accept the fact that their staff has never reached out to our staff to introduce themselves and try to work together.*

*But unlawfully obtaining and using YAL's private membership list for their own purposes just went too far and shouldn't go unaddressed.*

*Fortunately, I had our attorneys contact them directly with a cease and desist letter. To which, they claimed they removed all your private data from their records. So your data should be secure once again.*

*But, personally, I've had enough. And after consulting with our staff and a few Leadership Team members, we decided that it is not in YAL's best interest to partner with Turning Point USA. And I strongly encourage you to avoid their solicitations.*

*I'm sorry I had to send this. This is not the type of decision I like to make. But hopefully we can move forward from here, and this will have little to no impact on you or your chapter.*

*Please feel free to contact me directly by replying to this email with any questions.*

*For liberty,*

*Jeff Frazee  
Executive Director  
Young Americans for Liberty*

Other organizations have reported unethical activity, including:

- Paid TPUSA staff members attending other organizations' events under false pretenses and attempting to recruit for TPUSA from the other organizations' existing members
- Paid TPUSA staff members claiming credit for other organizations' events by posting pictures on social media of students with TPUSA signs in front of other organizations' events
- Kirk making knowingly false statements about the longtime leader of another conservative organization to a supporter of that organization

Another issue of potentially illegal—although not unethical—activity, involves Kirk's support of a number of political candidates. Several news outlets have reported that Kirk's activities on behalf of TPUSA may have crossed a line in violation of laws regulating 501(c)(3) non-profit organizations. The alleged violations call into question Kirk's judgment—not only about risking the loss of TPUSA's non-profit status—but also about giving credence to the Left's narrative that conservative nonprofits should be more heavily regulated.

## **Conclusion**

The Conservative Movement has historically had a healthy understanding of competition among the separate organizations. As a general rule, organizations recruited support for their programs by focusing on their own strengths—not by undermining the work of other organizations. Hard work, good ideas, and a commitment to integrity strengthened the operations of individual organizations and the Conservative Movement as a whole.

Kirk founded TPUSA with no college experience. He has taken some classes, but has not graduated. His focus has always been on building his own brand, not strengthening the Conservative Movement.

Conservative leaders were understandably uneasy about criticizing a young, entrepreneurial conservative, who had won the trust and admiration of successful business leaders investing in TPUSA. Most remained silent, expecting Kirk to implode or get bored and move on to another venture.

The silence of conservative leaders enabled Kirk to build TPUSA at a fast pace. Kirk reported that 20,000 supporters gave a total of \$9.8 million to TPUSA in 2017. This is double the amount he raised for TPUSA in 2016.

The long-term damage TPUSA could inflict on conservative students and the Conservative Movement can no longer be ignored.

Although it runs counter to our instincts to advise students against becoming involved with other conservative organizations, students deserve to be warned about TPUSA.