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## United States Senate

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July 31, 2017

Mr. James Goldston  
President  
ABC News  
47 West 66th Street  
New York, NY 10023

Dear Mr. Goldston:

I write to express serious concern with regard to a July 12, 2017 article written by Pete Madden and Erin Galloway entitled, “Jeff Sessions addresses ‘anti-LGBT hate group,’ but DOJ won’t release his remarks.”

A free press is vital to our democracy and our society. We are better citizens, friends and neighbors when we are well-informed about the major issues facing our nation. A government by the people, and for the people, is more responsive when the people are well-informed. There is great responsibility for all parties to provide honest, and factual information.

Our Founders knew the importance of both the freedom of speech and freedom of the press, and enshrined both in the First Amendment to the United States Constitution. While these freedoms are cornerstones of our democracy, they are not absolute. For instance, obscenity, child pornography and words that incite violence are not protected, and libel and slander receive only limited protection under the First Amendment.

The July article covering Attorney General Sessions’ speech, classified a religious liberty non-profit, the Alliance Defending Freedom (ADF), as a hate group using a standard set by the Southern Poverty Law Center (SPLC). I found it odd that ABC would designate ADF as a hate group not based on any actual crime or action, but apparently based on their belief in religious liberty or traditional marriage. Since I think I can confidently assume that ABC News is a strong supporter of the First Amendment, why would ABC News label a peaceful group as a “hate group” simply because of a difference of opinion?

In 2009, during the Senate debate on the Matthew Shepard Hate Crimes Prevention Act, a senior Democratic Senator warned against criminalizing belief, saying “this legislation was carefully crafted to respect constitutional limits and differences of opinion. It will combat acts of violence motivated by hatred and bigotry, but it does not target speech, however offensive or disagreeable, and it does not target religious expression.” These were very valid and important reasons for not including beliefs in the definition of hate crimes in 2009 – policing thoughts and opinions is a dangerous and slippery slope.

Additionally, the label of “hate” cannot be taken lightly. The Supreme Court has been clear that “the public expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of their hearers.” *Street v. New York*, 394 U. S. 576, 592 (1969).

SPLC's definition of a "hate group" is overly broad and not based in fact or legal accuracy. The Alliance Defending Freedom is a national and reputable law firm that works to advocate for the rights of people to peacefully and freely speak, live and work according to their faith and conscience without threat of government punishment.

In this country, we have the ability and freedom to disagree. However, disagreement is not the same as discrimination and it's not the same as hate. As journalists and members of the government, we have a responsibility to distinguish between the two. Labeling ADF a "hate group" feeds into a narrative that the news media frequently editorializes beyond the facts. This ultimately harms American trust in the press.

Those of us who have the responsibility to lead public discourse should carefully choose our words so that we encourage open debate, rather than demeaning our fellow Americans because of their differences in policy, faith, family or point of view. As Abraham Lincoln said, "a house divided against itself cannot stand."

It is my hope that we can all, including the press, take more responsibility for our words and actions, because they matter. Not just to each other, but to the rest of the country and the world. Thank you for your commitment to the facts and for allowing me to share my thoughts with you today.

In God We Trust,



JAMES LANKFORD  
United States Senator