

September 1, 2011

Mr. Jack O'Dwyer
J.R. O'Dwyer Company, Inc.
271 Madison Ave., #600
New York, NY 10016

Dear Mr. O'Dwyer:

An ongoing theme in your published commentary is the Public Relations Society of America (PRSA)'s alleged refusal to explain why we have chosen to limit the J.R. O'Dwyer Company's access to our news, events, staff and volunteers. Inasmuch as we have repeatedly raised objections with your professional conduct, our rationale should be well known to you.

Nevertheless, and at your urging, this letter will set forth and document specific patterns of behavior that, collectively, constitute the basis for our current course of action. We invite you to evaluate the examples we give against the normal standards of professional conduct for journalists, as set forth in the Society of Professional Journalists (SPJ)'s Code of Ethics; these standards include:

Seek Truth and Report It

Journalists should be honest, fair and courageous in gathering, reporting and interpreting information. Journalists should:

- *Test the accuracy of information from all sources and exercise care to avoid inadvertent error. Deliberate distortion is never permissible.*
- *Diligently seek out subjects of news stories to give them the opportunity to respond to allegations of wrongdoing.*
- *Identify sources whenever feasible.*
- *Always question sources' motives before promising anonymity.*
- *Make certain that headlines, news teases and promotional material, photos, video, audio, graphics, sound bites and quotations do not misrepresent.*
- *Avoid undercover or other surreptitious methods of gathering information except when traditional open methods will not yield information vital to the public.*
- *Examine their own cultural values and avoid imposing those values on others.*
- *Avoid stereotyping by race, gender, age, religion, ethnicity, geography, sexual orientation, disability, physical appearance or social status.*
- *Distinguish between advocacy and news reporting.*

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Minimize Harm

Ethical journalists treat sources, subjects and colleagues as human beings deserving of respect. Journalists should:

- *Show compassion for those who may be affected adversely by news coverage.*
- *Recognize that private people have a greater right to control information about themselves than do public officials and others who seek power, influence or attention. Only an overriding public need can justify intrusion into anyone's privacy.*
- *Show good taste. Avoid pandering to lurid curiosity.*

Act Independently

Journalists should be free of obligation to any interest other than the public's right to know. Journalists should:

- *Avoid conflicts of interest, real or perceived.*

Be Accountable

Journalists are accountable to their readers, listeners, viewers and each other. Journalists should:

- *Admit mistakes and correct them promptly.*
- *Expose unethical practices of journalists and the news media.*
- *Abide by the same high standards to which they hold others.*

With this context in mind, Mr. O'Dwyer, following are the reasons why we will not grant the J.R. O'Dwyer Company more liberal access to our news, events, staff and volunteers. At various times and on repeated occasions, you or other members of the J.R. O'Dwyer Company have:

1. Misrepresented PRSA's financial condition and accounting practices.

- a) PRSA financial statements are reviewed internally by PRSA's Finance Committee, Audit Committee and Board of Directors, and are made available to PRSA members. This process results in full disclosure of our financial information in accordance with all applicable deadlines and legal and regulatory requirements.

In the article excerpted below, you allege that the PRSA Board is attempting to deprive PRSA members of financial information.

(PRSA Vice President, Public Relations) says the CPA firm of PKF/New York has given an "unqualified" opinion about the Society's presentation of its finances. PKF says they are "presented fairly."

Hogwash.

The PKF audit and its predecessors are superficial documents used by the PRSA board to deprive members of their right to know how their money is being spent.

(Source: O'Dwyer, Jack, "PRSA 'Audit' Is Superficial, Misleading," Friday, July 22, 2011, www.odwyerpr.com.)

- b) PRSA dues are nonrefundable. The Generally Accepted Accounting Principles (GAAP) established by the Federal Accounting Standards Board (FASB) state that it is acceptable to book nonrefundable revenues upon receipt. PRSA's current independent auditor, PKF International, as well as other independent auditors who have reviewed PRSA's finances over the course of several years, all have concluded that PRSA dues revenue is accounted for properly in PRSA's quarterly and annual financial statements.

In the articles excerpted below, you allege that PRSA's financial statements violate FASB accounting guidelines.

The PR Society, which is seeking a \$30 dues increase from members this year. (sic) is inconsistent in handling its deferred dues account. It raids the account when it needs to beautify the books for consumption by members.

(Source: O'Dwyer, Jack, "PRSA Financial Report Violates FASB Rules," Thursday, July 21, 2011, www.odwyerpr.com.)

No. 8 is the continued false accounting on PRSA dues, which are booked immediately as cash and called 'reserves' when they are a liability for future services owed to members.

(Source: O'Dwyer, Jack, "Only a Brief Period to Make Mark for (PRSA president and CEO)," Feb. 2, 2006, www.odwyerpr.com.)

- c) Each year, PRSA's financial statements are reviewed by independent, external auditors. PRSA provides no direction to its auditors during the audit process. Furthermore, PRSA rebids its audit services periodically, as a way of ensuring its auditors' independence and managing costs.

In the article excerpted below, you allege that PRSA directed the work of its independent auditors. You also allege that the independent auditors used by PRSA over the years quit or were fired by PRSA, allegedly for refusing to follow PRSA's direction.

... the new boards headed by (PRSA Chair) in 2001 and (PRS Chair) in 2002 ordered D&T to sign off on non-deferral of dues again.

D&T quit. The Society announced in early 2002 that it was looking for a new auditor after the 2001 audit was finished. It looks like D&T wouldn't go along with the reversion to not deferring dues income.

D&T had replaced Ernst & Young in 1992 which was the first audit after E&Y apparently was ordered by the Society to drop the Statement of Functional Expenses.

It appears that E&Y quit rather than take part in the truncated functional expenses.

(Source: O'Dwyer, Jack, "Financial Oversight Lacking at PRSA," July 13, 2011, www.odwyerpr.com.)

2. Interfered with the employment and educational relationships of PRSA leaders and volunteers.

- a) In the e-mail below, you attempt to prejudice the relationship between a candidate for PRSA's Board of Directors, and the university where he is public relations executive in residence.

I'm hoping someone from the School of Journalism and Communication will look into the current and recent history of PR Society of America. (Candidate) of (Firm), who has just been named "PR Executive in Residence" at (University), is seeking the highest elective post of PRSA.

I have a number of questions about the ethical conduct of the Society.

(Source: July 11, 2011 e-mail from Jack O'Dwyer to the University of Oregon.)

- b) In the e-mail below, you threaten to prejudice the relationship between the editor of PRSA's *Public Relations Journal* and the university that employs him. You also acknowledge writing to bias the employment relationships of other PRSA leaders.

I can't see how (University) can be connected to this anti-information, anti-intellectual, anti-democracy, anti-press and anti-member (PRSA) regime. It drags your name and (university's) name through the PRS mud.

Since PRS is refusing to answer any of my questions and even ducks member questions, I am writing to the employers of board members and others connected with PRS to point out the blatant abuses in this group. PRS simply doesn't want any regulation (by me). Our country is in the tank because big biz and financiers escaped regulation.

Since you and I have talked to each other a lot, I'm telling you I will contact all known officials of (university) and ask for an investigation of the PR Society. If they take one look ... they will demand you separate yourself from PRS.

Usually I don't tell PRS leaders I'm writing to their employers because none of them talk to me or answer any e-mails. PRS's (sic) censorship and repressive practices are just like those of Iran and China.

... I have only begun.

(Source: Excerpts of July 9, 2009, e-mail from Jack O'Dwyer to the editor of PRSA's *Public Relations Journal*, who is a professor of public relations at a Massachusetts university.)

- c) After reporting multiple times that PRSA failed to accommodate you, when you stated you were "having trouble hearing the presentations" at PRSA's 2009 National Assembly, you attempted to prejudice the relationship between the PRSA chair and the board of a local nonprofit organization for the deaf, on which he sits.

I noticed you being on the board of the (City) Center of the Deaf and almost choked. The Society was awful to me at the Assembly where lawyers for the National Assn. of the Deaf assure me I have full legal rights to be able to hear since I was invited, credentialed (sic) press.

My e-mails (sic) to (the organization's) board and staff members is below. I am working all weekend on this story.

Hello (organization's president):

This e-mail is mostly addressed to you as president of (organization's) board and (director) who talked to me Friday, Jan. 8.

I would like the entire board to be aware of this situation. Working headline on my story which I will post Monday is "Deaf Assn. Turns Deaf Ear."

A very major issue is at stake here. I, a reporter, was blocked on Nov. 7, 2009 from adequately hearing the most important Assembly in the 63-year history of the PR Society now headed by (PRSA chair and CEO), who is on your board.

How (PRSA chair and CEO) can position himself as a friend of the deaf and hard-of-hearing and do nothing to rectify my maltreatment at the Society Assembly is beyond me.

(Source: Jan. 9, 2010, e-mail from Jack O'Dwyer to the chair and CEO of PRSA.)

3. Investigated personal details in the private lives of PRSA leaders and volunteers.

- a) In the article excerpted below, your "newsletter" alleges that the partner of PRSA's president and CEO died of AIDS; this, despite your having been sent a written statement, prior to the publication date of this article, making it clear that the death was not AIDS related.

Since [he] died at the relatively young age of 45, the assumption being made by many PRSA members is that he died of AIDS. They wonder if (PRSA president and CEO) is at risk.

(Source: Author unknown, "PR Opinion Items," Jack O'Dwyer's Newsletter [Internet edition], March 24, 2004.)

- b) In the e-mails to PRSA's chair and CEO excerpted below, you seek information about his family (wife, brother and minor children) and marital status, and present facts that seemingly arose out of your private investigations of these individuals.

I'm surprised that you're a twin and I certainly will mention it. I noticed you gave a number of personal details including that you have three children. However, we got their ages but not their names. We also don't have your wife's name. What is the name of your twin and what is he doing with his life?

(Source: Dec. 30, 2008, e-mail from the Jack O'Dwyer to PRSA's chair and CEO.)

I looked up the law on Google and since you're a public figure in business you're as public as the two Presidential candidates.

They don't hide their children or other relatives. Also, how can you have kids without a wife? She deserves credit.

(Source: Dec. 31, 2008, e-mail from the Jack O'Dwyer to PRSA's chair and CEO.)

If you're going to talk about your children, you should give their names and your wife's name. The mother should get credit. ... Is your twin a man or a woman, paternal twins or identical. This person should have a name. You shouldn't give out parts of information.

(Source: Jan. 5, 2009, e-mail from the Jack O'Dwyer to PRSA's chair and CEO.)

I usually don't delve into the personal lives of people but in this case they may be affecting their performance of their duties at the Society.

Reports are widespread that (PRSA COO) went through a divorce last year and (PRSA Chair) is now going through a divorce.

I usually don't cover personal lives ... but marriage and divorce are public acts. (PRSA COO and PRSA Chair) are "limited" public figures in the PR industry.

Their personal lives are now under discussion by members and I think the air should be cleared.

(Source: March 28, 2009, e-mail from the Jack O'Dwyer to PRSA's chair and CEO.)

As for your private life, you have made a big issue out of portraying yourself as a model husband, father and community member. You pointed out in your pitch for (PRSA's Chairmanship) how much you like working with children ("I coach a lot of kids in several different sports and that's one of my greatest leadership opportunities"—from Tactics) and the fact that you started a lacrosse league in (state).

You have mentioned the ages of your children, 9, 7 and 4, and the fact that you have a twin sister. You talk at length about your father (Father's Name) with whom I had many contacts since his firm (Firm Name) was one of the first PR firms to go public. You lost ownership of this firm, selling it to (Acquiring Firm Name).

You have provided numerous facts about your private life and now you suddenly say it's off-limits. Your divorce or separation or whatever should be candidly discussed. Reports like this fly around, as you well know, and nobody knows the real truth until you tell them. It's obvious something is amiss because, while you mention your children, you never give any credit to your wife, (Wife's Name) (whom I met once at a Society national conference).

You have portrayed yourself as a model father and family man and this divorce or separation or whatever demands an explanation.

Maybe too much time being required for the Society interfered with your marriage.

(Source: March 30, 2009, e-mail from the Jack O'Dwyer to PRSA's chair and CEO.)

- c) In the e-mails to a candidate for PRSA's Board of Directors excerpted below, you seek information about her personal finances, family (grandfather, father and minor children) and maiden name.

I'm working on an editorial about you and (another candidate for the PRSA Board) after getting information on your presentations that are on the website.

You also say you wanted to "give back" to PR and you made a "personal commitment" that included being "committed to financially support the PR program at my local university." This sounds like you gave money to (university). How much? they you (sic) say your agency gave funds to the (endowment fund). How much?

Your many friends and acquaintances say your family has money and you don't have to worry. In your bio, you say your father was a famous journalist who took pictures of 'presidents and other hugely important people.' Can we know his name? Is he still alive? Why is this such a secret? Your father was a photojournalist who traveled the world with his family. I would certainly like to know more.

(Source: July 6, 2009, e-mail from Jack O'Dwyer to a candidate for PRSA's Board of Directors.)

I continue to do research and find that your grandfather had a painting of the ancestral mansion of your family in (country) indicating you come from serious money. Your grandfather had or still has an art studio in (city) and your father was a famous photographer, as you point out. You refuse to name him. Your 'successful' PR firm no longer exists.

Apparently, you endowed (university) with serious funds. You refuse to discuss this or anything but your gift to (university) is mentioned in your presentation to the nomcom.

You are married and have two children. What is your maiden name?

(Source: July 9, 2009, e-mail from Jack O'Dwyer to the same candidate for PRSA's Board of Directors.)

4. Surreptitiously accessed or attempted to access PRSA's proprietary information systems and conference calls without our prior knowledge or consent.

- a) *Monitoring tools used to track access to MemberNet, the private, members-only area of PRSA's Web site, determined that a computer with an Internet Protocol (IP) address registered to the J.R. O'Dwyer Company made 11 unauthorized attempts to access MemberNet between March 4 and April 3, 2008.*

(Source: PRSA.)

- b) *Records from PRSA's teleconferencing vendor show that telephone numbers registered to the J.R. O'Dwyer Company connected to PRSA teleconference calls without permission or authorization five times between May 22, 2007, and May 12, 2009.*

(Source: PRSA.)

- c) In the article excerpted below, your "website" admits to listening in on a PRSA Leadership Assembly Delegate call, which was done without PRSA's prior knowledge or consent.

A [PRSA Leadership Assembly] delegate, at the near end of the one-hour [PRSA conference] call, then asked (PRSA immediate past chair) whether he and the board want to remove governance responsibilities from the Assembly?

odwyerpr.com did not get the rest of the quote because it was cut off. The website thought that the PRS hour was over and that must have been the reason.

However, (PRSA vice president, Public Relations) said in an e-mail Jan. 18 that odwyerpr.com was mistaken about the reason for the cutoff. He said PRS discovered that an O'Dwyer phone number was listening into (sic) the call and that was the reason for the cutoff.

"No member of the O'Dwyer organization was invited to participate on the call" and it was an "unauthorized listener," said (PRSA vice president, Public Relations).

(Source: Author unknown, "PRS Board Has Nine New Directors," Jan. 23, 2009, www.odwyerpr.com; excerpted below.)

- d) In the e-mail excerpted below, the president of a PRSSA Chapter at a university in Ohio states that you attempted to engage her to tape a speech by PRSA's president and CEO.

[Mr. O'Dwyer] said he wanted someone to go to the meeting and tape it, even though he said that they were not allowed to be taped.

(Source: May 7, 2009 e-mail from the president of a PRSSA Chapter in Ohio to PRSA's vice president, Public Relations.)

5. Harassed college students who are part of the Public Relations Student Society of America (PRSSA).

- a) You asked two journalism professors at a university in Ohio to recommend a student to attend and cover a local speech by PRSA's president and CEO. Both professors referred the opportunity to the president of the local PRSSA Chapter and, after speaking with you about the opportunity, she characterized the conversation in an e-mail to PRSA, excerpted below.

I have copied the solicitation that was sent to both of our journalism professors at the (University). I am a 4.0 student and a talented writer so BOTH professors, unbeknown to each other, sent me the "opportunity."

I called [Mr. O'Dwyer] as soon as I got the message of the situation.

While on the phone, O'Dwyer proceeded to continually bad-mouth the PRSA by telling me the things they are doing wrong. He said that they breached their "fiduciary responsibility" by placing members' money into stocks and thereby losing \$250,000 of their money. He stated that he has tried continually to contact people in the organization and they refuse to answer his questions. He said he wanted someone to go to the meeting and tape it, even though he said that they were not allowed to be taped. He wanted someone to ask the gentleman speaking on Thursday a list of hard questions and get as many answers as they could.

When he took a breath, I told him that I did not think that this was something that I would be interested in. He proceeded to call me a 'chicken' and told me he would not let me "chicken" out of this. He needed and wanted the President of the PRSSA chapter to cover this. He told me "I am paying you 200 dollars!!!"

I continued to try to gracefully decline his offer and then he would cut my sentence off and say "I can't believe you're a chicken." Angrily, I told him that he could not bully me into anything ...

Seeing that I was not going to get off the phone gracefully, I said "thank you" and hung up (he was still talking).

Then I called both of the professors who offered this position to me to strongly urge them to not send any student this "opportunity." I told them of my experience with this man & they both agreed that perhaps his motives were not exactly as he said they were.

Then I called you (vice president, Public Relations), as I wanted you to be aware of the potential disturbance at the PRSA meeting next Thursday. I felt that that was the right thing to do under the circumstances.

[Below is the solicitation.]

I was attracted to you by your description as "Distinguished Professor of News (Journalism)" at the University.

I'm looking for a good student to cover the head of the world's largest association of PR people Thursday, May 14 at the Martin Center of the University, 11:30 a.m. to 1 p.m. I would pay up to \$200 for a recording of the session (on a regular tape, not digital) and some pictures. It would be good if the student could ask some questions for me. I'd go myself if I were able.

The speaker, (PRSA chair), will be able to handle any questions since he heads a PR assn. with 22,000 regular members and 10,000 student members and is expert in press relations.

I also sent this to (journalism professor) in the hope that one of you might help me.

(Source: May 7, 2009 e-mail from the president of a PRSSA Chapter in Ohio to PRSA's vice president, Public Relations.)

- b) You sent an e-mail, excerpted below, to the President of PRSSA regarding her unwillingness to enter into a dialogue with you. You then sent an e-mail, also excerpted below, to officials at the university where she is enrolled.

You're mentioned and your picture and school are used in the attached story.

I hope you will give me a fair break and listen to my side of this story. I feel very unfairly treated by you.

It's not a credit to you, your school or PR.

In America, the accused have the right to face their accusers and the right to defend themselves. You have denied me that right.

Here's the link to the story. Free sample user/pass are (user name) & (password). It's also totally un-American that the PR Society forbids any of the nearly 300 student chapter leaders from viewing sales pitches for our five products. (PRSA chair and CEO) has said, "knowledge is power...make yourself the most knowledgeable practitioner you can." I don't see how censoring our products accomplishes that.

(Source: Feb. 11, 2009, e-mail from Jack O'Dwyer to the PRSSA student president.)

I'm contacting you because leaders of the PRSSA chapters are forbidden to talk to me. I have tried without success to contact the ten national leaders, including (PRSSA National President), but none of them have responded except to say I must first contact h.q.

Forbiding (sic) the students from knowing about our five products, which are based on 40 years of covering the PR industry, is anti-intellectual and does not belong in a university. Our materials are of the finest quality, archived on Lexis-Nexis in full text since 1989. The New York Times (sic) calls us 'the bible of PR.' The Society bars the O'Dwyer Co. from advertising any of its products in Tactics or on the Society website and won't let anyone from our company join the Society.

It's sad that college students have to be victims of this battle.

The battle for information from the Society tells a lot about the current practice of PR. Secrecy is at the root of the financial scandals that are resulting in a possible Depression. To view this story on odwyerpr.com, use (username) and (password) as the user/password.

(Source: Dec. 12, 2008, e-mail from Jack O'Dwyer to the president and the PRSSA faculty adviser at a university in Hawaii, where PRSSA's national president was enrolled.)

- c) The Editor of PRSSA's student publication, *FORUM*, explained to you via e-mail that she was "familiar with you and your publications" and "not interested in asking for nor seeing your materials"; that she had "no interest" in speaking with you; and that she would prefer you "not contact [her] or officials of [her] university any further." In response, you sent her the e-mail, excerpted below. You subsequently sent two additional mails, also excerpted below, to officials at the university in Utah where she was enrolled.

You said in an e-mail to me Nov. 23 that you were "informed that you [me] were asked to address any questions or concerns you have to the PRSA/PRSSA headquarters in New York" and that you would "appreciate it if in the future you would go through PRSSA if you have any requests." Being a PR professional, you must understand the importance of going through the right channels in an organization.

I am wondering who told you to address my questions or concerns to either PRSSA or PRSA and that you were not to deal with me at least until that happened. You are a very important national leader of PRSSA since you are editor-in-chief of The Forum (sic). As your bio points out, you are an active member of the Church of the Latter-day-Saints (sic)."

(vice president, Public Relations), VP-PR of the Society, contacted at about 3 p.m. today, Dec. 15, said there is no such order from him and that you are free to talk to me as far as he and the Society are concerned.

I have a call into (director of Education), director of education of the Society, who is listed at the top of the section on PRSSA, to see if she has given students such a policy. But as of 4:05 today she has not returned the call. I also called (manager, Student Programs), coordinator of student programs shortly after (director of Education). I left a voice-mail message with (manager of Student Programs) and will copy them on this e-mail.

Since the PR Society has severely criticized me in a full page in the September Tactics (attached) I could see where students might not want to deal with me.

The American Assn. of University Professors, with 43,000 members, says students must have "conflicting views on contentious subjects" or they are being educationally "deprived." Depriving or discouraging in any way PR student awareness of the stories and opinions on the five O'Dwyer products would seem to fall under what the AAUP is talking about.

(Source: Dec. 15, 2008, e-mail from Jack O'Dwyer to the editor of PRSSA's student publication, *FORUM*.)

I am continuing efforts to clear my name with members of the Student Chapter of the PR Society at (university) as well as faculty who are members of the PR Society. Attempts to gain equal space in Tactics to rebut the full page of false charges against me in 22,000 copies of the publication have gone nowhere.

It would be nice to have an article in The Forum (sic) of the Student Society of which (PRSSA member) is editor but [she] has now told me I am not to contact her again and says I should not contact any school officials, either.

I am unable to e-mail (university president) directly so I hope you will pass on this e-mail to him. I believe it's a matter of academic freedom that [he] should be involved in. Does [he] agree that I should cease attempts to clear my name with school officials and students?

It's hard for me to understand institutions of higher learning turning their backs on information and opinions.

(Source: Dec. 17, 2008, e-mail from Jack O'Dwyer to officials at the university in Utah, where the editor of PRSSA's student publication *FORUM* was enrolled.)

My attempts to reach out to the eight universities represented by the ten members of the national PR Student Society board have gone exactly nowhere. I am trying to show that I have not 'repeatedly stepped far beyond the bounds of accurate and professional reporting' as charged in a full page attack on me in the September 'Ethics Month' issue of Tactics [attached].

Most of the ten student leaders don't respond to phone calls or e-mails. This includes (PRSSA national president) of (university). I would expect her, at least, to answer me. I thought the buck 'stopped with the president.' This seems to be a remarkable record of stonewalling and evasion although maybe I'm wrong. I would be glad to hear any evidence that I am wrong.

I don't think (PRSSA Member) has seen the four-page article I wrote on the Society's sale of authors' articles without their permission, amounting literally to hundreds of thousands of copies of those articles, or many of the other materials on the Society that I could give her. I need to talk to her.

I'm not getting a fair hearing from PR Society Student chapters at the major universities in the U.S. as represented by the ten student leaders.

I'm surprised that institutions of higher learning would accept anything less than the full examination of an issue as important as this. The National Education Assn., represented by (PRSA board member), says education is the 'pursuit of truth.' That is what I'm doing and I don't think there's anything wrong in that.

(Source: Dec. 18, 2008, e-mail from Jack O'Dwyer to officials at the university in Utah, where the editor of PRSSA's student publication *FORUM* was enrolled.)

- d) You repeatedly attempted to contact several members of PRSSA's National Committee, apparently for the purpose of soliciting product sales, and spoke critically of PRSA.

[PRSA Student Member 1] *"I spoke with Mr. O'Dwyer at Conference in Detroit during the PRSA Assembly. He didn't know who I was and started talking to me telling me that PRSA Board members were from another planet. Once he read my badge he told me about this directory. I then told him he should contact (PRSA director of Education) if he wanted PRSSA members to participate in this "campaign" and his response was "She doesn't like me."*

[PRSA Student Member 2] *“I also received several calls from Jack O’Dwyer. He kept calling me back to back while I was in class. He called from (phone number one) at 10:29 am when I finally answered for the first time. He said he wanted to talk to me but I told him I couldn’t talk because I was on my way to my next class. He then told me to call him back at (phone number two) when I got out of class, but I never had the opportunity to return his call. I continue with my day going to class, when I received another call from Mr. O’Dwyer at 3:10 pm from (phone number one). He verified that I was on the National Committee and my address. From his tone it sounding (sic) like he was reading from the PRSSA website because he kept repeating my info0rmation (sic) in the order it is listed on our site. I was skeptical of this man when he kept calling my phone back so I never offered him any information. He offered to send me a free book and before I could respond he switch (sic) tones with me and said how his company was the best and PRSA would not let him put his information on their site. ... I told him if he had any questions, comments, or concerns about PRSA or PRSSA he should direct them to headquarters. He hung up in my face.”*

[PRSA Student Member 3] *“He had some subscription to something that I told him not to send. I think he is sending me a directory. I’ll continue to direct him to hq.”*

(Source: Excerpts of an online discussion among PRSSA student members in November 2008, which took place on the organization’s Google Groups page.)

6. Falsely characterized the professional credentials of PRSA staff members.

- a) PRSA’s CFO is a licensed CPA and is entitled to include the CPA designation in describing his professional credentials. Investigations of improper use of the CPA designation are kept confidential, up until the point at which the New York State Education Department takes disciplinary action.

In the articles excerpted below, your newsletter asserts that PRSA’s CFO is not a registered CPA and is not entitled to use that designation. You also imply that the Office of Professional Discipline of the New York State is investigating the matter.

“The Office of Professional Discipline of the New York State Education Department is examining evidence that (PRSA CFO), named CFO of PRSA on June, 19, may have improperly used the term CPA in connection with his announcement.

He is not currently a registered CPA and only those who have registered, paid the \$245 fee, and taken at least 24 hours of formal education each year, can use that term in public.

The NYSSCPA is sending him a letter telling him to “cease and desist” claims of membership.

(Source: Author unknown, “NYS Discipline Office Probes PRSA CFO,” June 22, 2007, www.odwyerpr.com.)

(PRSA CFO) has suffered embarrassment and will probably be subject to a reprimand by New York State because of PRSA’s flawed press release on him.

False claims were made that he is a "Certified Public Accountant" when he is forbidden to use that title in public because he has dropped his registration. He did not have current memberships in the national and New York CPA societies as claimed. At the time of the release, he had let his membership lapse in the New York Society of Assn. Executives for a year and a half.

We're disappointed in (PRSA CFO)'s appointment because we wanted a bona fide, registered CPA at PRSA in hopes that a CPA would rid PRSA of its substandard financial reporting practices.

(Source: O'Dwyer, Jack, "(PRSA CFO) Faces Possible Reprimand," June 25, 2007, www.odwyerpr.com.)

Pursuant to Section 6502 of the State Education Law, a NYS CPA's professional license is valid for life unless it is revoked as part of a disciplinary proceeding. A licensee who engages in public practice must maintain a current registration. Engaging in public practice is defined as holding out to the public and performing audit and/or attestation services, or working for a public accounting firm in any capacity. Therefore, a NYS licensed CPA who works for an employer other than a private firm and who does not hold out to the public and perform audit and/or attest may allow his registration to lapse, or go into an 'inactive' status. Such an individual is still a licensed CPA in NYS and may use the CPA designation in (sic) his/her signature, on his/her business cards, on his/her resume etc. He or she may not engage in public practice, as defined above until he/she has reactivated his/her registration.

I trust this provides the clarification you were seeking. Please do not hesitate to contact me if you have any additional questions.

(Source: June 25, 2007, e-mail from New York State Education Department to PRSA president and COO.)

[The New York State Education Department State Board for Public Accountancy] cannot confirm for you whether a complaint has been lodged and/or an investigation opened against (PRSA CFO). Such investigations are conducted by the State Education Department's Office of Professional Discipline (OPD). Investigations are confidential up until the point that the State Board of Regents take (sic) formal action against a licensee.

It is likely, that a complaint about your press release when you hired (PRSA CFO) would have been quickly reviewed and dismissed, as (PRSA CFO)'s use of title is not inconsistent with existing Law, Rule and Regulation.

(Source: June 25, 2007, e-mail from New York State Education Department to PRSA president and COO.)

7. Used abhorrent imagery to describe PRSA and its operations.

- a) In the interview excerpted below, you compare your company's attempts to gain remuneration from PRSA to Holocaust victims' efforts to gain reparations from the Nazis.

O'Dwyer: "I am mad at [PRSA] ... I am never going to forgive them any more than the victims of the Nazis in World War II gave up on reparations. It took them 50 years to get them, but I'm never gonna let [PRSA] off the hook on that."

(Source: 39:25 of "FIR Interview: Jack O'Dwyer," Jan. 21, 2009. Available at www.forimmediaterelease.biz/index.php?weblog/fir_interview_jack_odwyer.)

- b) In the article excerpted below, you compare your company's attempts to gain "justice" from PRSA's Board of Directors to an African-American trying to gain justice from a racist mob.

We figure [members of the J.R. O'Dwyer Company] have about as much chance of getting justice from the all-APR out-of-town [PRSA] board ... as a black lynch victim would get from a mob in the Old South.

(Source: O'Dwyer, Jack, "HSMAl Gave Out 685 Awards Jan. 26," Feb. 2, 2009, www.odwyerpr.com.)

- c) In the article excerpted below, you liken to "inbreeding" the stipulation that PRSA board members must possess the Accredited in Public Relations (APR) credential

The "gene pool" of the [PRSA] board has shrunk to near zero in 35 years of APR inbreeding and needs refreshing (sic). The Hapsburgs, chronic inbreeders (sic), developed impotence, retardation and the 'Hapsburg lip,' a hideous deformity that blocked chewing. The PRS board has developed intellectual and character deformities over the years. Its members have lost the ability to know right from wrong.

(Source: O'Dwyer, Jack, "PRS Mishandles All-White Board Issue," Feb. 9, 2009, www.odwyerpr.com.)

- d) In the article excerpted below, you compare PRSA leaders to repressive religious mullahs and murderous dictators.

Fundamentalist APRs, not unlike the mullahs who have lots of sway in the MidEast, have ruled the Society since the 1970s.

They remind us of the regimes of Fidel Castro, in power in Cuba since the 1950s, and Robert Mugabe, who has ruled Zimbabwe since the 1960s. Both leaders, to remain in power, have done great economic damage to their countries.

There's no doubt about the doctrinaire, rigid, anti-modern, anti-media and anti-communications beliefs of the APR mullahs. PRS leaders have no insight into how similar their actions and policies are to dictatorships which regularly frustrate, imprison and murder journalists.

(Source: O'Dwyer, Jack, "Economist Copied by Time, Newsweek," June 21, 2009, www.odwyerpr.com.)

- e) In the articles excerpted below, you refer to PRSA's Chapter, Section and District leaders as "cronies" and infer that the PRSA Leadership Rally is an attempt to "buy" their loyalty.

Many of the delegates are fresh from the June weekend in New York where each got at least \$750 in meals and cash from national for the "Leadership Rally" that is really a "Loyalty Rally."

What's involved is a conspiracy against the rank-and-file members ...

(Source: O'Dwyer, Jack, "'Cronies' Discuss PRSA Dues Hike Twice Today," Wednesday, July 27, 2011, www.odwyerpr.com.)

No. 11 is the blatant bribery of 110 chapter presidents-elect with a 'weekend in June in New York' so they can learn how to be presidents (they're given with [sic] \$500 each in walking around money).

(Source: O'Dwyer, Jack, "Only a Brief Period to Make Mark for (PRSA president and CEO)," Feb. 2, 2006, www.odwyerpr.com.)

- f) In the article excerpted below, you characterize PRSA as a "dictatorship" and infer that PRSA has bribed members as a way of stifling dissenting opinions.

Dictatorships are able to remain in power because they surround themselves with a cadre of "cronies" who are paid off one way or another and block the "people" from organizing, said an op-ed piece in the June 10 New York Times by Bruce Bueno de Mesquita and Alastair Smith. Professors at New York University.

However, if the dictators run out of money they are apt to lose support of their cronies and face rebellion, said the professors, who have authored "The Dictator's Handbook."

This is now happening at PR Society of America ...

(Source: O'Dwyer, Jack, "Cronies Keep Dictatorships in Power (e.g., PRSA)," June 13, 2011, available at www.odwyerpr.com.)

- g) In the article excerpted below, you characterize the Accredited in Public Relations (APR) credentialing process as being akin to murders committed by organized crime.

PRS says it's dedicated to truth-telling but its website fails to tell member prospects that they will be second-class citizens until they "make their bones" (i.e., take the APR test to show blind loyalty.)

"Bones" are usually made in the mob by killing or injuring someone.

(Source: O'Dwyer, Jack, "Worried PRSA Leaders Summon Calvary," August 22, 2011, available at www.odwyerpr.com.)

8. Used anonymous sources to create an appearance of widespread dissent and controversy within PRSA.

- a) PRSA received no complaints about the work of its 2008 Nominating Committee. Despite having been told this in the e-mail exchange excerpted below, you or another writer for your organization published an article to the contrary, also excerpted below.

I hear formal written complaints about the nominating process have been made to (PRSA COO), (PRSA chair), (PRSA immediate past chair) and (PRSA chair-elect) involving people on the nomcom who did not have their dues paid up to date and other issues.

Do you confirm that formal written complaints have been made about the 2008 nomcom?

(Source: Oct. 17, 2008, e-mail from Jack O'Dwyer to PRSA's vice president, public relations.)

The answer is no. No formal written complaints have been filed about the nomcom.

(Source: Oct. 17, 2008, e-mail to Jack O'Dwyer from PRSA vice president, public relations.)

Complaints about the nominating process have been sent to leadership via e-mails and phone calls.

Among them are that at least one person on the nomcom had a lapsed PRS membership, that allegedly "inappropriate questions" were asked of some candidates, and that some candidates knew the questions that were going to be asked.

(Source: Author unknown, "Complaints Surface About 2008 PRS NomCom," Oct. 20, 2008, www.odwyerpr.com.)

- b) In the e-mail excerpted below, a PRSA past president alleges that you fabricated a quote and attributed it to her. To our knowledge, a retraction was never published.

After reading your editorial, I felt compelled to let you know that you ... incorrectly quoted ... me.

To set the record straight, I never said anything derogatory about (PRSA president-elect) or her leadership role in PRSA. ... The abilities of the leaders (EC, Board and etc.) was never called into question at any time.

Why on earth did you make up that quote? Or, did someone make it up for you? I never mentioned (PRSA president-elect's) name, but you know that. If you were on the call or whoever taped it for you must have known that (PRSA president-elect) led the call. Considering you got all of the other information I said correct, almost verbatim, I can't understand why you had to make-up a quote from me that was false to make your point.

Jack, we can agree to disagree, but don't print lies and attach my name to them. It is not necessary and it's disrespectful. ... After all of these years, I am offended that you would insult me and my name because you don't agree with a proposal to by-law. Get real!!!

I expect a retraction, or at least a personal apology to me and to (incoming PRSA president). Please make it happen.

(Source: Excerpts of Nov. 2, 2006, e-mail from PRSA past president to Jack O’Dwyer.)

- c) In the article excerpted below, you claim — based on anonymous sources — that PRSA was planning to bar media coverage of its Leadership Assembly, when press credentials for you and a second attendee were granted upon receipt of your request.

A sketchy “preliminary” [Assembly] agenda mentions an “Assembly Think Tank discussion” during the lunch break ... sources say this really means: “No press allowed.”

(Source: O’Dwyer, Jack, “Board Drops Ball on Bylaw Reform,” Oct. 8, 2008, www.odwyerpr.com.)

9. Mischaracterized PRSA’s relationship with the media generally, and the J.R. O’Dwyer organization specifically.

- a) PRSA regularly engages with traditional and social media of all types, and frequently posts the results of these interactions in our online Newsroom. As a matter of course, the J.R. O’Dwyer organization receives copies of all PRSA press releases and may access the PRSA online Newsroom at any time. In the articles excerpted below, you characterize PRSA’s media policy as a media “boycott,” and accuse PRSA of “blackballing” or “blacklisting” your organization.

We don’t know how the nine educators who are seeking national office at PRS can associate their institutions of learning with the formal press boycott that has been passed by the PRS board. We doubt their school officials would allow this.

(Source: O’Dwyer, Jack, “PR Opinion/Items,” Jack O’Dwyer’s Newsletter, Internet edition, July 16, 2008, www.odwyerpr.com.)

PRS has a formal boycott against the press in which board members, officers and staff are forbidden to answer questions from the press. CEO (PRSA chair and CEO) is the only authorized spokesperson for the Society.

(Source: Author unknown, “Blue Ribbon’ Panel on Certification,” Aug. 3, 2007, www.odwyerpr.com.)

PR Society of America, which has blacklisted this reporter for years, including an hour-long delivery of that policy by chair Gary McCormick and COO Bill Murray on March 19, 2010 in my own office, has condemned blacklisting of reporters as “unethical.”

(Source: O’Dwyer, Jack, “Blacklisting PRSA Condemns Blacklisting,” June 21, 2011, www.odwyerpr.com.)

For years Jack O'Dwyer has, in PRSA's view, subjected PRSA's leadership and volunteers to innuendo and personal attacks in his print and Internet publications. But it's not just his writings. He has also pursued these attacks on PRSA volunteers through calls to employers, associates and the hometown media of volunteer leaders who agreed to serve PRSA on the national, regional and local levels, calling into question their ethics or professional standards in choosing to associate with PRSA.

... calling associates, supervisors, local media and others to criticize PRSA is all too common, and has occurred repeatedly. He has even called reporters in host cities for PRSA International Conferences, again delivering his attacks on PRSA. In our view, it is not the normal role of an objective reporter, nor a part of respectful discourse, to rally other media to an attack campaign or to call a PRSA volunteer's business associates to challenge a co-worker's service to the profession. The ongoing lack of respect for PRSA volunteers and staff has made any attempts at dialogue unproductive for the Society, which is why PRSA has decided to limit its contact with O'Dwyer.

At PRSA, we think it is our responsibility to live up to our Member Code of Ethics by working with those who are committed to advancing the free flow of accurate and truthful information.

(Source: Excerpts of April 9, 2008, letter from PRSA Board of Directors to PRSA leadership.)

Dissemination of Media Information

PRSA distributes press materials to all legitimate and relevant consumer and industry media equally and without prejudice, except in cases, as determined from time to time, in which media exclusivity has been requested or offered and subsequently granted.

(Source: Excerpt from PRSA media policy, available at <http://media.prsa.org/prsamediapolicy>.)

10. Approached PRSA leaders to advocate your personal opinions and beliefs toward PRSA.

- a) In the article and e-mail excerpted below, you state that you have e-mailed an individual member and the presidents of nearly every local PRSA Chapters to express your opinions on the proposed 2012 PRSA dues increase.

(PRSA Member) was sent an e-mail noting the Society lost \$2.9 million on APR from 1986-2002 and deprived itself of millions of income by only having the national conference in New York once (2004) since 1990. More than \$1 million has been spent on "Leadership Rallies" since 1999 for chapter, section and district leaders supposedly to instruct them on how to retain and attract members.

This website [also] has e-mailed the presidents of nearly all of the 110 chapters asking if chapter members will be allowed to vote on the dues hike.

(Source: O'Dwyer, Jack, "30 Ex-PRSA Chairs Could Vote in Assembly," Aug. 19, 2011, available at www.odwyerpr.com)

This is reporter Jack O'Dwyer writing to you in your role as a director of the (State) chapter of PRSA.

I hope you will "lend me your ear."

In the past few weeks I have sent more than 300 e-mails to presidents of the 50 largest chapters talking about the Society's mismanagement of its money, leadership's near stranglehold on the Assembly (only one of the 110 chapters supported the bid last year to let non-APRs run for national office), and the choking off of many sources of information about the Society.

Only a few presidents are talking to me but most are at least listening.

I want you to study these materials and call up and/or e-mail (PRSA Chair and CEO) (contact information) and (PRSA COO) (contact information) and register your protest against Society policies that block information flow and threaten members with prosecution if they forward.

(Source: Aug. 30, 2011 e-mail from Jack O'Dwyer to the president of a PRSA Chapter.)

- b) In the eGroup comment excerpted below, a PRSA Chapter President describes her reaction to receiving your e-mails.

Until this dues increase topic came up, I had never even heard of JOD -- and neither had any of my board members.

(Source: Comment posted to a PRSA eGroup discussion board by a PRSA Chapter President on Aug. 4, 2011.)

- c) In the e-mail excerpted below, you suggest that PRSA's Chapter Presidents should organize in opposition to PRSA "national" and its Board of Directors.

I'm hoping the chapter presidents will organize this year and institute much-needed reforms including placing the Assembly over the board. ... Central Michigan tried this in 2006 but none of the other 109 chapters supported it. I'm aware of the tremendous control national has over the chapters and hoping this can be changed now that the Society is facing financial problems.

(Source: Aug. 3, 2011 e-mail from Jack O'Dwyer to the president of a PRSA Chapter.)

11. Approached other journalists to advocate negative coverage of PRSA.

- a) You encouraged Brian Tierney and Tony Gnoffo of the *Philadelphia Inquirer* to write negative stories about PRSA, to coincide with the PRSA International Conference, which was being held in Philadelphia.

We were disappointed that the Philadelphia Inquirer, bought for \$562M last year by former PR executive Brian Tierney and his "rich friends" (said an article in the Columbia Journalism Review), failed to provide any coverage of the PRS conference even though (he) was a featured speaker.

We sent Tierney materials for weeks with the angle that PRS, rife with undemocratic and press-dodging policies, was meeting on its 60th anniversary in the city where America's democracy was created. Tierney brushed us off, saying he was busy with other things.

Materials were also sent to Tony Gnoffo, business editor.

(Source: O'Dwyer, Jack, "PR Should Supply 'Hard' Answers," Oct. 29, 2007, www.odwyerpr.com.)

- b) You or another writer for your organization encouraged *Akron Beacon-Journal* Reporter Betty Lin-Fisher to ask your questions during an interview she had scheduled with PRSA's Chair and CEO.

Efforts to hire a reporter to cover (PRSA chair and CEO) from the University of Akron or nearby Kent State, or from within the chapter membership, have been unsuccessful so far.

A posting on Twitter has offered \$200 to anyone who will cover the (PRSA chair and CEO) visit to the chapter including taking pictures.

Betty Lin-Fisher, business writer for the Akron Beacon-Journal, will interview (PRSA chair and CEO) in the newspaper's offices. Lin-Fisher has also been sent the ten questions listed below. She has not indicated she will give them to (PRSA chair and CEO), noting she has her own assignment on this story.

(Source: Author unknown, "(PRSA chair and CEO) Addresses PRS/Akron," May 12, 2009, www.odwyerpr.com.)

- c) You sent an e-mail, excerpted below, to three reporters at the *Minneapolis Star Tribune*, in advance of PRSA's President and COO speaking to the PRSA Minnesota Chapter.

I still (sic) interested in the appearance of (PRSA President and COO) next Thursday since it's such a rarity and there is so much news about the Society these days.

... members should have the right to ask any questions they wish and to have these answers publicized so other members can scrutinize (sic) them. Anyone with the title of "president" should cooperate.

I'm surprised this is not a lunch or a dinner and that it's being held at an inconvenient time such as 7:30 a.m. It doesn't seem like maximum attendance is being sought.

Newsworthy is whether (PRSA President and COO) is getting a new contract since the current one is up Jan. 22, 2012. The Society is in the habit of concealing the terms of his contract until they are published in IRS Form 990 which is not given to the members until late the following year.

Having a sequestered meeting like this involving the president of the Society does not live up to the Society Code which promises "free flow of accurate and truthful information" as needed for "informed decision making in a democratic society."

(Source: June 15, 2011 e-mail from Jack O'Dwyer to the executive committee of the Minnesota PRSA Chapter and three *Minneapolis Star Tribune* reporters.)

12. Disregarded established PRSA media policies.

- a) In the e-mails excerpted below, you were notified in advance of the media policies in effect for PRSA's 2010 Leadership Assembly, and notified afterward that you had violated several of the stated policies.

We look forward to having you attend the PRSA National Assembly on Oct. 16, in Washington, D.C. Because this is a working meeting of elected PRSA representatives, please note that the following press policies will be in effect for that day:

- (1) Only credentialed media will be permitted in the International Ballroom, where the National Assembly will take place.*
- (2) Audio recording of the assembly is not permitted.*
- (3) Photography of the assembly is not permitted; however, PRSA will have a photographer on site, and we will be happy to supply you with Assembly photos, upon request.*
- (4) There will be a designated seating area for the press; we ask that you please remain within the designated media area while the meeting is taking place.*
- (5) Interviews with assembly delegates are not permitted between the meeting hours of 8:30 a.m. to noon and 1:30 to 5:30 p.m.*
- (6) When interviewing assembly delegates, please keep in mind that they are choosing to speak on their own behalf; their comments may or may not represent official PRSA policies or positions.*
- (7) A lunch break is scheduled from 12 – 1:30 p.m.; your press credentials do not provide for admittance to the luncheon.*

Please respect these policies. Any member of the media who breeches these policies will be denied access to future PRSA National Assemblies.

(Source: Oct. 1, 2010, e-mail from PRSA's vice president of public relations to Jack O'Dwyer.)

You were dozing right in the middle of the afternoon session, which is extremely embarrassing to me personally: to have a reporter, to whom I granted press credentials, sleeping in front of 400 members and 17 Board members, all of whom I serve.

... I'd like to bring a few other behavioral items to your attention:

- A tape recorder went off in your bag — even though I told you weeks in advance that recording the Assembly proceedings was not permitted — causing at least three delegates to get up from their seats to ask you to shut it off.*
- You starting taking pictures when you arrived — even though I told you weeks in advance that you weren't permitted to take pictures — until one of the members of my staff asked you to stop.*
- You tried to sneak into the luncheon — even though I told you weeks in advance that you weren't allowed to attend the luncheon — and then you verbally assaulted (a PRSA past-President) and other delegates about the policy.*
- Following the Assembly, you got into a verbal (and by some accounts, physical) altercation with an Assembly Delegate, which was observed by a Board member and other conference attendees.*

(Source: Oct. 22, 2010, e-mail from PRSA's vice president of public relations to Jack O'Dwyer.)

Mr. O'Dwyer, we trust this fully satisfies your request for the reasons why PRSA has not, and will not, provide the J.R. O'Dwyer Company with more liberal access to our news, events, staff and volunteers.

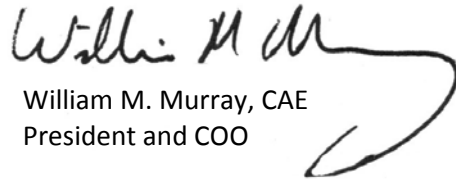
These reasons also are why we are denying your request (and that of any other J.R. O'Dwyer Company employee or assign) for media credentials to attend PRSA's Leadership Assembly and International Conference for 2011.

Sincerely,

The Public Relations Society of America



Rosanna M. Fiske, APR
Chair and CEO



William M. Murray, CAE
President and COO