



PUBLIC STATEMENT FROM THE BEAUTIFICATION COUNCIL REGARDING TURNER GROUP CONSTRUCTION

04-24-2017

What is the Real Story?

The media has once again latched on to a story, fat on hyperbole and lean on facts. Its April 7, 2017 article titled “Well-known Oakland contractors conspired to cheat government” presents Turner Group Construction as already convicted of conspiracy to defraud the government through some “inside advantage.” This is irresponsible reporting. More likely, the Bay Area News Group saw an opportunity to publish a splashy story and didn’t bother to do any research nor balance both sides.

A review of the U.S. Justice Department’s press release presents a less dramatic version, clearly stating the Turner contractors are being *charged* – not convicted – of conspiracy. The federal indictment names eight individuals, the last two of which are Len and Lance Turner. Like all well-organized complaints, it names the individual charged with the more serious offenses -- “Receiving a Bribe and Reward by Agent of Organization Receiving Federal Funds,” and “Making a False Statement in violation of Title 18” – and siphons down to the last two charged with one count each. So why did Bay Area News Group twist things around to make it appear that the Turners were primary defendants? And what does this have to do with “Shrimp Boy” Chow? On its face, the indictment appears to be nothing more than a “fishing expedition” by the federal government. Others might say it’s entrapment. But we won’t know this until the case proceeds to trial. The point is not about the indictment itself, but about the irresponsible reporting by the Bay Area News Group.

First of all, let’s examine what an indictment is. An indictment is not a guilty conviction. It is merely the method by which a prosecutor initiates proceedings. The defendants are told what they are charged with, then they go to court and plead “guilty” or “not guilty.” Months later there may or may not be a trial, where there may or may not be a conviction. So the headline itself -- “Well-known Oakland contractors conspired to cheat the government” -- is a completely false statement. Shame on any news media outlet to allow a flat-out lie to drive its numbers. Reporters know what an indictment is, and they also know to laypeople the word “indictment” *sounds* like big story, so irresponsible reporters use it to inflame its readers or enhance a story that is not all that newsworthy.

Further, a conspiracy charge is often a tool used by prosecutors to get smaller fish to give up information about bigger fish. Indictments are often amended several times before going to trial, and before trial, charges are sometimes dropped against the least offenders because there isn’t enough evidence to hold up in court. At the very least, this article should have focused on the primary defendants, and not the two names at the end. Yet it *begins* with “the two founders of Turner Group Construction” before listing the other defendants accused of more serious crimes.



Is this because the media is constantly confusing Turner Group Construction with Turner Construction -- a much larger fish in the construction pond -- so that its story looks bigger? Or is there a more politically motivated reason?

Turner Group Construction is a small Oakland construction company founded by Oakland-born family members. They made their way up the contractor industry ladder through hard work, trial and error, and sheer persistence. Today Turner Group is best known for its commitment to the community. The Turners promote safe work practices and healthy communities in their LEED building practices. They lease office space at low cost to start-up companies. They promote the creation of local jobs. They were instrumental in bringing back the Northern California Chapter of the National Association of Minority Contractors (NMAC). They have mattered to black lives long before the Black Lives Matter movement began.

The Turners' mission is to provide equal access for communities immersed in poverty and crime. They support a home for juveniles. They train and employ members of the community that no one else will hire. They support children's outreach programs for safety and healthy eating. They sponsor beautification projects. They provide summer internships for local youth. One year ago, the Turners published a construction "how to" textbook to empower small contractors to succeed in business. That textbook was vetted at Laney College where local college students can learn a viable trade. These efforts have provided hope and stability to families struggling in the Bay Area's growing socioeconomic divide.

But all this wasn't enough for the Turners. Last year they opened the Bay Area Resource Center that provides at low cost construction classes and ongoing assistance to local contractors. When it comes to support for the community, few others compare to Turner Group Construction. Does this sound like the type of company that would conspire against the federal government? Does this fit the profile? Why would the media target the owners of this small, successful company?

In its ill-researched article, the Bay Area News Group refers to a 2013 City audit that named Turner Group Construction and accused Oakland Councilmember Larry Reid of "directing staff" with regard to a demolition project at the Oakland Army Base. What is now known about that audit was the auditor herself, Courtney Ruby, had political ambitions at the time, which came to light when she unsuccessfully ran for Mayor of Oakland the following year. The audit proved to be nothing more than a racially biased, unsubstantiated "witch hunt" to unseat two black councilmembers and bolster her mayoral campaign. The audit resulted in no charges brought against any of the named individuals. Why? Because there was no wrongdoing! But in the present article, this reporter presents her story as if "dots are being connected" because of a coincidence that one of the accused conspirators is the son of Councilmember Larry Reid. This has no bearing whatsoever on the allegations of this indictment. Again, this is irresponsible reporting.

The truth is, after publishing the audit, then-City auditor Courtney Ruby was told that not only did her report fall short of Generally Accepted Government Auditing Standards (GASA), her statements concerning the Turners was misleading. The facts revealed that City staff had improperly attempted to sole source a contract to an out-of-town company, to which the Turners,



who are known to hire local residents on its jobs, objected. They were simply fighting for equal access, as mandated by the City's own ordinance that requires 50% local participation. In standing up for their community, they were vilified by the auditor and media. The Turners were never granted the demolition contract. Their "high profile" projects consist primarily of elementary schools. And while Turner Group Construction was a subcontractor on the Fox Theater Renovation Project, the larger company -- Turner Construction -- was the primary, "well-known" contractor on that job. Get your facts straight!

In a twist of irony, when it comes to Len Turner himself, this reporter could not have picked a more upstanding community member to excoriate. Len Turner is a well-respected, reputable businessman. If Len Turner is guilty of anything, it is being too trusting and open. People constantly seek him out to discuss business or garner advice. There are hundreds, if not thousands, of community members who can -- and will -- attest to this fact.

At this time, no one but the federal government knows the content of any conversations that Len or Lance Turner may or may not have had with an undercover agent. But as we all know, human conversations can be misconstrued to fit an agenda, in this instance, the federal prosecutor's case. This brings up one more question: Why are only black businessmen named in this indictment? *What is the real story?*

Responsible reporters would do more research before slapping together an ignorant article and pushing it out to print. Responsible editors would not allow slanderous headlines. When one looks at all of the publicly known facts, a completely different story emerges. This article was premature, void of factual content, and may even constitute libel. Unfortunately, reporters rarely recant their stories. Rarely do they write follow-ups that contradict their original articles. Whether intentional or not, writing irresponsible stories causes collateral damage, all because of the media's self-serving desire to grab its readers' attention and garner more "clicks" on the Internet. We would hope that a responsible news media outlet would retract and correct its story.

Respectfully submitted,

The Beautification Council