

**February 11, 2026 Office of the Dean
University of Denver Sturm College of Law
2255 E. Evans Avenue
Denver, CO 80208**

Re: *Open Letter to the University of Denver, Sturm College of Law, Regarding Animal Law Programming, Donor-Intent Governance, and Baseline Disclosure in Public “Impact” Claims*

Dean Smith

Summary of requests

Within 14 days, provide a written response confirming whether any donor requested return of funds connected to the Animal Activist Legal Defense Project and/or Animal Law Programming, identify the gift instrument terms and any restrictions, and identify the university office handling the request.

Within 30 days, provide an accounting of the relevant funds (amounts, dates received, restrictions, expenditures to date), the policy basis for any decision to deny return, and the decision authority.

Within 60 days, conduct and publish an internal review of the Project/Program’s public impact statements to ensure they do not imply net benefit without disclosing baseline variables and modeling limits, and adopt a written standard for future impact reporting in this programming.

This letter is submitted to request institutional process and written clarification regarding the standards used to assess and publicly represent impact in animal law programming and related advocacy, based on information Fair Start activists received after terminating their role in the programming. It is not a critique of intent, nor a dispute over values. It is an inquiry into whether prevailing impact frameworks omit baseline variables in ways that may misstate net outcomes, distort competition among advocates, and impede coordinated correction of known harm. This is not infighting among advocates. It is a governance and public-reliance question about what is being claimed, what is being measured, and what is being omitted.

Those engaged in upstream reforms cannot compete with actors who benefit from inequitable growth dynamics while funding downstream advocacy and avoiding the implications of that growth. This is a collective-action problem: the system rewards omission and penalizes disclosure. That is why we are asking for institutional review and formal written answers rather than informal discussion.

Core Issue Under Review: *Whether “Impact” Claims are Bounded by Baseline Disclosure*

At the center of this concern is legitimacy. Public claims of value or impact are relative to what? They either remain accurate once assessed in full context, or they do not. When institutions claim public benefit while omitting legally relevant baseline variables, particularly those related to growth, political equity, and the creation of future persons, those claims can become structurally misleading even when program outputs are real.

The core issue is that the standards being used to assess and report “impact” can conflict with fundamental human-rights norms and the preemptive basis of legal legitimacy. Institutions should not imply net outcomes while omitting whether and how baseline variables are treated and what the modeling limits are.

To evaluate public-benefit claims, Fair Start uses what we refer to as the XYZ test, a minimum legitimacy check that asks whether public claims of value or impact (X) remain accurate once assessed against baseline inequity impacts during the value assessment and impact reporting, relative to children’s rights and political equity standards (Y), and the actual value and impact, on balance in the key context, accounting for the correct baseline Y (Z). The point is not that any single program controls all macro drivers. The point is that net-outcome implications should not be implied without disclosing whether and how these baseline variables are treated, and what the modeling limits are.

This presents an institutional governance issue. Where a law school supports or hosts programming that invites public reliance (students, donors, and the broader community), the standards used to describe “impact” must be stated with clarity, including any modeling limits. Institutions should be cautious about lending professional credibility to impact narratives that cannot survive full-context review, because institutional authority can become part of the mechanism that normalizes and propagates claims that are not actually being substantiated as net outcomes.

Legal and Compliance Context for Counsel Review (non-exhaustive)

This complaint is submitted to facilitate counsel review and internal escalation, not to litigate in correspondence. The University can evaluate the issues raised here against existing legal and compliance frameworks that already govern donor restrictions and public-facing representations, including:

Donor restrictions and gift-instrument compliance for institutional funds under Colorado’s Uniform Prudent Management of Institutional Funds Act (UPMIFA), C.R.S. § 15-1-1101 et seq., including provisions addressing release or modification of restrictions and Attorney General notice in certain circumstances (see C.R.S. § 15-1-1106).

Standards governing deceptive or misleading public representations in trade or commerce under the Colorado Consumer Protection Act, C.R.S. § 6-1-101 et seq., including deceptive trade practices provisions (see C.R.S. § 6-1-105). The relevance here is the governance principle: public statements that imply net outcomes should be bounded by disclosed assumptions and limitations to avoid materially misleading reliance.

Baseline non-discrimination and political equity principles reflected in widely accepted human-rights norms that legal educators routinely reference, including the International

Covenant on Civil and Political Rights (ICCPR), particularly Article 24 (protection of children without discrimination including by birth), Article 25 (equal suffrage and participation), and Article 26 (equal protection and non-discrimination, including on grounds of birth).

Our relationship to the programming

As you know, members of the Fair Start Movement assisted in the co-founding and operation of the school's Animal Activist Legal Defense Project and assisted with teaching in the Animal Law Program in roughly 2022, including participation in a key launch event that was recorded and framed the intended work of the program as a matter of total liberation, including environmental restoration.

We are writing now as part of the Fair Start "Tell the Truth" campaign -

while we do not

represent the funders in any capacity, given our role in recruiting them for Sturm, we are communicating information they shared with us.

The intent of our prior work with the school was, consistent with animal liberation and right to rescue advocacy, to eventually end animal propertyhood at both a micro-level, through criminal liability and food reforms, and at a macro-level through baseline-corrected family reforms needed to ensure net outcomes are not reversed by upstream dynamics. A quick assessment shows that not only were more animals subject to abuse and suffering during the relevant time period than the programming was able to save, but more children were subject to abuse, neglect and suffering than animals saved during that time.

The programming at Sturm formed in the wake of controversy around another animal protection organization hiding historic liability for having used the lower standard for evaluating animal/environmental policy. The media covered the baseline controversy explicitly. See: <https://www.newsweek.com/secret-war-natural-rights-children-opinion-1771365> and <https://prismreports.org/2023/06/26/animal-legal-defense-fund-toxic-workplace/>

Our recent research for litigation against Coca-Cola's factory farming operations showed 5x or more the damages if we account for illegal baselining/discounting, which makes public interest interventions that also illegal baseline/discount a deadly charade: See <https://healthpolicy-watch.news/climate-change-is-here-and-its-killing-millions>

The macro framework is disfavored by funders because while food law and even criminal law reforms can ensure good media that support existing entitlements and investments, the family law and other reforms that the macro entails pose potential preemptive liability for value assessments and impact reporting around micro, downstream-level interventions undone by macro, upstream-level forces that illegally enriched some at deadly cost to others.

That macro framework was not speculative or external to the institution. It was developed and publicly articulated in collaboration with University sustainability leadership, including co-authored peer-reviewed work involving university staff identified in public materials as Clinical Professor and Faculty Director, Center of Sustainability. Fair Start further understands that, after an attempted implementation effort with University stakeholders, the professor withdrew from participation.

That was despite extensive peer-reviewed research that shows measurable birth-equity as a preemptive legal standard, one that makes accounting for and offsetting birth positionality a necessary part of academic neutrality and accurate research. The deadly costs of "separate but equal" reproductive rights, versus "no child is worth more than another" will kill millions: <https://www.kff.org/racial-equity-and-health-policy/disparities-in-access-to-air-conditioning-and-implications-for-heat-related-health-risks/>

Due to the role of key funders involved, who reject the need for assessing value and reporting impact in the context of child inequity exacerbated by growth, and who reject macro-level reforms that would treat measurable birth equity as a fundamental human right, we do not believe the Project or Program ultimately met the macro goals originally contemplated.

We also understand that funders were aware of the larger context, including prior national discussion condemning animal protection efforts that failed to account for countervailing impacts of inequitable growth and birth-based political equity.

During the resulting schism, efforts were made to reframe Fair Start's work as downstream population activity rather than the upstream equity override it is. This included the elevation of a partner organization that subsequently received a substantial grant and removed Fair Start-related content from its public materials. The effect was to obscure the equity analysis originally understood by all parties and to avoid confronting the legitimacy implications of the baseline issue described here.

We are aware that Fair Start's relationship to a professional funder complicated matters, and we have since severed ties and are pursuing similar requests for reforms around conflicts of interest standards before the Association of Fundraising Professionals to address the problem.

Our First Request: donor funds, donor intent, and remedy

We understand that at least one donor who supported the upstream, baseline-disclosure work originally contemplated for this programming later requested return of funds after the upstream framework was not implemented, and that the school declined. We request written confirmation of:

- Whether a return request was made, by whom, and the date received
- The gift instrument terms (restrictions, purpose language, any conditions)
- The office and decision authority that denied or is evaluating return
- The policy and legal basis for denial (including any UPMIFA analysis)

Requested remedy

We request one of the following, in writing, with a dated implementation plan:

Return: *full return of the relevant funds to the donor(s), with a closing accounting; or*

Restricted reallocation: *transfer of the relevant funds into a segregated, restricted account used only for the upstream work that was originally contemplated and that resolves the reliance issue at the center of this complaint, including:*

- *Adoption of a written impact-reporting template (baseline disclosure + modeling limits + outputs vs net outcomes)*
- *Internal review and correction/disclaimer of any public statements implying net outcomes without disclosure*
- *Publication of a short standards memo describing the baseline used for any impact language going forward*

Escrow pending review: *placement of the funds into escrow pending completion of the 60-day internal review and any required notice/review by appropriate oversight channels.*

If the University asserts that return or reallocation is not feasible, we request a written alternative resolution proposal that is functionally equivalent in integrity terms, including documentation of constraints, responsible offices, and next steps.

Core disclosure standard requested (for institutional adoption)

We request adoption of a written standard for animal-law programming communications that:

- States the baseline used for any impact language,
- Discloses modeling limits relevant to any net-outcome implications, and
- Distinguishes outputs (services performed, cases handled, rescues supported) from net outcomes.

Campaign posture and standards pathway (non-punitive, process-driven)

This request is process-driven and non-punitive. The objective is early alignment on a baseline (not “purity”), with a voluntary, pass/fail diagnostic standards pathway that organizations and institutions can use to test whether their metrics and assumptions are structurally coherent with their stated missions. The goal is documented governance, donor-intent compliance, and corrective disclosure so that public reliance is not induced by net-outcome implications the institution is not substantiating.

Illustration of the standard problem: institutional narratives and campaign dynamics

Baseline errors are not confined to any one domain. They recur wherever outputs are narrated as net outcomes without disclosure. For illustration, we will be addressing these same modeling issues in the context of Denver’s 2024 slaughterhouse ban effort (Ordinance 309), where competing public-benefit claims in a high-salience context illustrate why modeling limits and baseline disclosure matter.

Preemptive standards referenced

A central obstacle to reform is the collective action problem. Because major actors depend on the same flawed impact standard, any institution that corrects it independently can incur disproportionate reputational and competitive harm. Our response has been to turn to state law and to legally preemptive standards that align public-benefit claims with measurable empowerment and political equity.

Continued use of prevailing standards for evaluating value and reporting impact out of context misaligns legal obligations and the coercive power of the state from the objective empowerment and self-determination of those subject to them.

These standards are outlined here:

- <https://fairstartmovement.org/fair-start-today-moves-to-standardize-climate-damage-evaluations-at-the-un-and-override-any-conflicting-standards/>
- <https://fairstartmovement.org/wp-content/uploads/2025/11/Fair-Start-Movement-ACPHR-Petition-3.pdf>
- <https://markets.businessinsider.com/news/stocks/fair-start-movement-urges-california-attorney-general-to-recognize-full-justice-standard-as-preemptive-of-fraud-claims-1035104323>
- <https://fairstartmovement.org/fair-start-and-truth-alliance-file-notice-of-preemptive-standards-with-the-california-attorney-general/>

Recent enforcement efforts, including Truth-in-Legitimacy compliance initiatives at the state level, reflect the beginning of an effort to enjoin business models whose public-benefit claims rely on these same flawed standards. These efforts operationalize the legitimacy principles described above and are relevant to how institutions should evaluate and bound public-facing impact claims.

Public representations at issue

We are specifically concerned with public statements and materials that could reasonably be read as implying net benefit without disclosing baseline variables or modeling limits. For counsel review and institutional handling, we request identification and review of the specific items below:

“Supporting animal activists in their efforts to elevate awareness and understanding of animal well-being”

“Developing best practices in the counseling and representation of activists, whistleblowers, and investigators”

“Catalyzing a network of attorneys positioned to advance the welfare of non-human animals”

“Exploring new and compelling narratives designed to elevate understanding of animal suffering”

“Partnering with key stakeholders and supporters, including, without limitation, plant-based and other humane producers, academic institutions, non-profit organizations, labor activists, reformist professional associations, and environmental organizations”

“Forging a more inclusive, populist, and activist-centered animal welfare movement.”

“While the AALDP cannot agree to take cases without screening, we are eager to hear from activists in need of our assistance. Please contact the AALDP.”

“Interested in working with the AALDP as a volunteer attorney? Please complete the volunteer attorney sign-up sheet.”

That said, it is less about the claims, and more about the baseline numbers behind the claims, and deviation from what would be accurate and legitimate accounting for illegal shifting of costs/harms onto the most vulnerable.

Fair Start states the baseline-disclosure dispute is inseparable from donor intent and institutional reliance because at least one donor has stated, “When I made my gift to Sturm in 2022, it was my understanding that it would be used for an ecocentric baseline,” and Fair Start further states that since January 2023 funders and institutional stakeholders have “doubled down on the anthropocentric standard,” creating a material mismatch between what was reasonably understood to be funded and what baseline governed “impact/public benefit/liberation” representations.

Anthropocentrism is human-centered valuation; ecocentrism recognizes intrinsic ecosystem and nonhuman value, and Fair Start’s position is that the University must state baseline choice (including any turn to animal-centric and human-centric systems) with modeling limits because it determines whether outputs are being narrated as net outcomes and can create downstream harm when donors, students, and the public rely on implied net benefit. Funding for this effort rests on a simple premise: the baseline must be explicitly defined, measured, and audited against collective-action incentives, with specific protection for those most likely to absorb harm when claims outpace evidence, including protected classes under civil-rights and anti-discrimination law.

Fair Start states return requests have been made and should be treated as a reliance signal requiring documented resolution, including Frank (A. F. Rothschild, PhD, Director, Center for Contemporary Equine Studies) stating the institution should “either return CCES’s grant or implement our funding for the designated purpose stated in our Agreement with DU Sturm, as promised,” and requests written baseline clarity (promised vs applied), a full accounting, and a written remedy of return, restricted reallocation to the designated baseline purpose, escrow pending review, or a functionally equivalent integrity remedy.

Systems shouldn’t teach, assume, or operationalize legal authority unless there is measurable empowerment of the people subject to that authority. Otherwise, we’re just automating “*separate but equal*” under a technological veneer.

Fair Start’s model in Denver is that we don’t build new institutions, we require existing institutions to replace non-compliant parts. The same logic would apply to AI governance. If the language doesn’t invert toward “*no child worth more than another*,” it fails the baseline.

We propose a standardized reusable legal injunction mechanism triggered by consumer-protection style action when a public-facing impact/benefit claim materially implies

net benefit without disclosing the baseline and model limits pushing institutions and government to either prove benefit under a stated baseline or correct the claim.

Our Second Request: participate in the Tell the Truth campaign and assess value and report impacts in context.

Fair Start Movement and TruthAlliance.global offer a legitimacy-based framework grounded in the principle that all facts are relative to values, and that value and impact claims either constitute or deconstitute legitimate political systems relative to a legally required ideal of measurable empowerment.

Participation in the Tell the Truth campaign, as it relates to the College of Law, would minimally include:

- A public clarification distinguishing program outputs from net outcomes
- An updated impact-reporting template that discloses baseline variables and modeling limits
- A non-punitive, voluntary pass/fail diagnostic standards pathway that can be used
- Internally to test structural coherence of impact language and underlying assumption
- A meeting hosted by the College where competing impact standards are evaluated in a structured, evidence-based format

The fundamental driver is illegal baselining/discounting, and birth-inequity based growth that enriches funders, but does more harm than good by the advocates' and funders' own professed values - saving animals. Illegal baselining assumes children deserve what they are born with, even as growth degrades their prospects, rather than what rights and political legitimacy require. That said, we recognize that fundamental equity reforms are a collective action problem - so we ask all as part of the Tell the Truth campaign to back the development and implementation of model constitutional injunction to block illegal baselining in business models. If it's illegal to not hire persons of color, it's illegal to enrich mostly white children at deadly cost to children of color.

See:

<https://markets.businessinsider.com/news/stocks/fair-start-movement-urges-california-attorney-general-to-recognize-full-justice-standard-as-preemptive-of-fraud-claims-1035104323>

Unless a person or company claiming to add value to the world can show they were evaluating and reporting by accounting for the preemptive costs of having to measurably empower all children equitably as they enter the world—and at a standard where those children could protect themselves from the climate crisis—the person or company making the claims was using an illegal Ponzi/equity-fraud standard and benefiting at deadly cost to others, mostly children of color.

Those willing to account for those costs, to legitimate political systems and engage in the most just and effective reforms possible, cannot compete with those who do not - but they don't have to.

Given the specific funders at issue, a fair application of the baseline would center on the on-balance and birth-inequity / growth impacts on animals used in ejiao production, as well as the vulnerable populations who rely on these animals and experience the related oppressive impacts of the industry.

Systems shouldn't teach, assume, or operationalize legal authority unless there is measurable empowerment of the people subject to that authority. Otherwise, we're just automating "*separate but equal*" under a technological veneer.

Fair Start's model in Denver is that we don't build new institutions, we require existing institutions to replace non-compliant parts. The same logic would apply to AI governance. If the language doesn't invert toward "*no child worth more than another,*" it fails the baseline.

Meeting request

To resolve these issues efficiently, we request a meeting with the appropriate University representatives (College of Law leadership and the office(s) responsible for donor funds and public communications for the relevant programming). Proposed agenda: donor funds status, accounting, restrictions, and decision authority the specific public impact statements identified above and what corrections/disclaimers are needed adoption of an impact-reporting standard for animal-law programming and next steps with dates

Conclusion

We encourage the University of Denver and the Sturm College of Law to address the donor funds issue, to correct public representations where necessary, and to engage in the Tell the Truth campaign by adopting an impact standard that does not omit baseline variables and that clearly distinguishes outputs from net outcomes.

About FairStartMovement.org and TruthAlliance.global

Fair Start Movement and TruthAlliance.global are solution-focused, compliance-oriented organizations. Our objective is to secure accurate disclosures, lawful handling of donor-restricted funds, and governance processes that allow institutions to correct public-facing statements where needed. Where an institution is willing to engage, we can provide structured documentation, draft disclosure templates, and a defined process for separating outputs from net outcomes in impact communications, with clear modeling limits suitable for counsel review and institutional adoption.

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