

April 8, 2026

Rob Bonta
Attorney General
California Department Of Justice
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Re: Request For Baseline-Disclosure Enforcement Guidance And Charitable-Solicitation Oversight

Attorney General Bonta,

FairStartMovement.org and TruthAlliance.global submit this letter to request an enforcement action to protect California residents from deceptive fundraising in a crucial context:

Public-facing “impact” and “public benefit” value assessments and impact claims regarding animal protection at the University of Denver that - made out of context - invite reliance, and should be treated as materially misleading because they imply net benefit while omitting the baseline assumptions that determine what the claims mean.¹

While at least one resident intends to file suit over the funds lost, including allegations that the conduct described below [constitutes unfair competition relative to a standard](#)

¹ The more specific allegation is that the University of Denver failed to disclose an underlying value assessment and impact reporting model that has and will do vastly more harm to animals than the public interest programming at the school did good, a model designed to illegally discount future lives - both human and nonhuman. While California has led the field in greenwashing and humanewashing cases, this involves first-order equitywashing, or how models value and report impacts regarding the creation and protection of life, [questions which can trigger preemptive standards based on measurable political equity](#) or the capacity of persons to influence the outcomes of their political systems.

The University’s modeling reflects that [by other nonprofits making out-of-context animal protection claims](#), claims that have led to proceedings [before the African Union](#) because of their racially disparate impacts, especially for areas of Africa facing devastation because of decades of misleading claims of granular progress by a public interest sector largely funded from the United States, progress that was being undone by the inequitable and disenfranchising growth that sector’s funders exploited.

Relative to that growth, the benefit the University created for animals was negligible, but rather masked impacts on a macro level that are devastating to the most vulnerable, and measured relative to the comprehensive [human-nonhuman relational autonomy baseline models the donor intended](#).

California is preemptively obligated to adopt, this letter urges the Attorney General to act given the public interests at stake, and the opportunity to have the greatest impact possible by ending an obscure practice: Equitywashing, or illegal baselining.

California has a specific enforcement interest because a California resident donor is now seeking return of all funds with interest, because they believe the funds were secured fraudulently.²

[See Appendix A](#): (Summary re: Materials submitted to the University of Denver).

California has authority to protect its residents participating in charitable markets under:

- the Supervision of Trustees and Fundraisers for Charitable Purposes Act (Gov. Code §§12580–12599.10)
- the California Unfair Competition Law (Bus. & Prof. Code §17200)

California has clear lanes for consumer protection and charitable oversight; the relevant claims and solicitation materials are typically public or reliance-facing; and the relief requested is disclosure-forward, scalable, regulator-legible, and survivable without ideological overreach.

The issue is whether reliance-seeking claims are presented in a way that causes a reasonable donor, consumer, regulator, or institutional partner to infer net outcomes without being told (in plain language) the baseline that decides what counts, what is excluded, and what “net” depends on.

Where institutions invite reliance on “impact” claims while omitting baseline assumptions and modeling limits, audiences may reasonably infer net outcomes when only program outputs have been demonstrated. The relevant question is whether charitable or educational actors competing for donations and reputational advantage used net-benefit language while omitting baseline assumptions necessary to prevent misleading reliance.

Core Position

A baseline is the set of assumptions that tells the public what counts as success and what costs are treated as “outside the frame.” Outputs (activities performed) are not the same as net outcomes (net effects once baseline variables, exclusions, discounting, and uncertainty are

² A different California resident donor contributed funds to the same program, and Fair Start and Truth Alliance believe other donors to the school - and not limited to this program - will come forward. This second donor states in an email to Fair Start advocates that the gift was made with the understanding that the funded work would implement an ecocentric baseline framework for evaluating public-benefit and impact claims. The donor stated: “When I made my gift to Sturm in 2022, it was my understanding that it would be used for an ecocentric baseline.”

included). In consumer-protection terms, this is a material-omission problem: define the representation, define the missing baseline context, explain why it changes what a reasonable audience would infer, then impose disclosure remedies that cure reliance risk.

California's interest in preventing consumer deception and unfair competition, plus charitable-solicitation integrity and charitable-asset oversight, make this matter ripe for state action.

Background

The matter began after an early 2026 complaint through www.FalseClaimsChecker.org led to inquiries about donor-fund governance and omitted baseline assumptions in claims tied to the Animal Law Program and Animal Activist Legal Defense Project. The [Fair Start Movement](#) says the school's responses did not resolve those concerns but confirmed suspicions that the school was using the same fundamental value assessment and reporting system [used by entities in an industry the program claims it is designed to eliminate](#), expanded questions about donor intent and fund use, and led it to ask the Federal Trade Commission and Colorado and California authorities to investigate.

The donor-fund issue became concrete when A. F. Rothschild, PhD, Director of the Center for Contemporary Equine Studies (CCES), sought accounting for two years regarding Center funds without an on-point response. After Dean Bruce P. Smith was contacted, Smith wrote in February 2026 that more than \$90,000 had been charged during 2023-24 for salary, benefits, and travel tied to proposed equine initiatives; that SCOL and CCES could not align on priorities; that equine-related work had been paused; that no charges had been made since August 2024; and that \$158,403.24 remained. Donor materials identify the total award as \$250,000.

Fair Start asks why the roughly \$150,000 has not been returned or formally resolved for two years. Those disclosures turned the matter into a donor-intent and fund-governance dispute involving a named donor, a designated equine fund, and unresolved questions about whether representations matched the status of the funded work.

The school received two written inquiries: one on donor-fund use and donor intent tied to equine-designated funding raised by Rothschild, and another from The Fair Start Movement seeking baseline clarity for benefit claims tied to those programs. Both received responses, but the issues expanded rather than narrowed, and the matter has since reached the Colorado Attorney General, Colorado Secretary of State, and California Attorney General.

On February 25, 2026, Dean Smith wrote that the Animal Law Program supports research, affiliated faculty, public events, a certificate program, courses, externships, and the Animal

Activist Legal Defense Project. Fair Start argues that this did not answer its narrower question: what evaluative baseline governs the school's benefit claims. That matters because the Program's Annual Report says it will enhance animal protection in the United States and globally for generations, is a Colorado hub for education, advocacy, and compassion, elevates the voices of all beyond human animals, and will expand its impact throughout Colorado and across the nation.

Fair Start says the issue is not whether activity occurs, but whether impact or benefit claims disclose the evaluative baseline needed to interpret them, including what counts as benefit, excluded harms or costs, counted populations, time horizon, and treatment of uncertainty and tradeoffs. [Suriya Khan, co-director of the Fair Start Movement](#), said the inquiry has become a formal case because the reply did not identify the baseline used for public-benefit language or the disclosure limits attached to those claims.

Zahara Nabakooza of TruthAlliance.global said the matter reflects misdirection of funding from macro-level benefit to infants and animals together and requires accountability, transparent measurement, and a zero-baseline approach tied to future human and nonhuman outcomes.

The matter now presents an investigative issue under omission, donor-reliance, and misleading-net-impression theories reflected in FTC deception standards and California unfair-competition law, including FTC material-omission principles, California's UCL and false-advertising rules. It argues that the school cannot seek trust, money, credibility, or public reliance through claims of impact, public benefit, well-being, compassion, or protection while leaving unstated the assumptions that determine those terms.

The dispute may affect how universities, nonprofits, and advocacy programs describe public impact, outcomes, and benefit claims. Fair Start directs journalists, donors, advocates, and institutions to www.FalseClaimsChecker.org to screen such claims, force baseline clarity before reliance, and identify similar false or omission-based claims across sectors and worldwide.

Why California Should Act: Illegal Baseline, and Equitywashing, is the Fundamental Driver of Harm.

While the state could engage in top-down strategic impact litigation over illegal baselining, the fundamental problem derives from how everyday language limits the way in which the average person thinks about and reports value, as well as impact. Typically persons derive both in a system that enriches some at cost to others, and at cost a fundamentally inclusive or legal zero-baseline of infant and animal health captured in the unifying value of birth-based political equity.

Consumer protection actions, which are also widely available to the public and affordable, are a frontline and effective method for getting at illegal business models/baselines and the false claims they produce.

The fundamental legal baseline, best captured in principles of “one person, one equal and influential vote,” stands in contrast to the rampant use of random and shifting baselines - moving goalposts - that allow claimants to appear to create value and beneficial impact with no functional protections for the most vulnerable, infants and animals, as the climate crisis, autocracy, and massive inequity worsens. That means the impact claimed is being undone relative to the minimum legally required threshold, and there is at use an illegal baseline - illegal because [it does not account for legitimacy, or the need to measurably empower those subject to the legal system](#), including ensuring minimum levels of health-as-enfranchisement for all infants.

This zero-baseline increases damage assessments for things like fraud that conceals liability for climate damages by five times or greater **it deals with compounding causes:** Like inequitable and disenfranchising growth that [treats children of color as deserving less than white children](#), and that simultaneously increases already excessively permissible levels of climate emissions, while bringing children into the world without the resources to deal with the impacts of those emissions, and without the political equity of level of influence over their political system to limit the harm being caused.

That growth was enabled by the legal fiction that having children is more self-determining for the parents than the children and the communities they comprise, and animals and ecologies they impact. The move blocked, horizontally, the elimination to massive racial gaps between children and their families. And it also blocked, more vertically and in the long run, the rights of future generations - which ensured unsustainable growth and catastrophic environmental impacts. That fiction privatized and atomized human relations and the concept of freedom, and in turn enabled a whole valuation and reporting model where freedom is assessed from the value of a disembedded economic actor, not an embedded political actor able to influence outcomes of the political system.

Illegal baselining is an easy area to resolve because embedding the actor simply takes ensuring a [traditional intergenerational threshold of empowering relations beneath which no child should be born](#), and the rejection of freedom as a guise to treat children of color as deserving less than white children - a guise that given the climate crisis did more to harm our basic and shared values than any one of us did to further them.

The University of Denver is holding the funds because they believe returning them will constitute an admission of fault, while at the same time, they will not spend the funds consistent

with donor's intent because the school's dominant model / baseline is not to benefit animals, but maximize school's income by appearing to do so.³

Initial Requests

Request 1: Baseline Disclosure Guidance

Publish enforcement guidance stating that baseline omissions can be materially misleading where public-facing claims imply net benefit in high-trust reliance settings, including:

1. consumer persuasion and “ethical/sustainable/impact” marketing,
2. charitable solicitation and “impact” fundraising pages,
3. certification and verification narratives used to induce trust,
4. institutional recruiting, procurement, and partnership “impact” marketing.

Request 2: Charities Oversight Inquiry

Open (or publish the criteria for opening) a charities-oversight inquiry posture for solicitation materials that invite reliance on “impact/public benefit” representations while omitting baseline assumptions that would change what a reasonable donor would infer. This is the same material-omission logic, applied to charitable-solicitation integrity and protection of charitable assets and donor intent.

Request 3: Defined Corrective Remedies

³ The experience of witnesses closely involved with the program buttresses the reasons Fair Start and Truth Alliance formed: Wealth created by not having to pay the actual costs of protecting future generations, and children of color in particular, now funds a world of omissive public benefit and impact claims that make up a facade of social justice and public interest that is easily dispelled when political equity - or the measurable influence one has over one's political system to ensure its legitimacy - is factored in.

If it's illegal to use a business model that prohibits hiring or housing persons of color, it's illegal to use valuation and reporting models that enrich some children at disenfranchising and deadly cost to children of color. Use of that model [hides liability for the deaths of tens of millions as the climate crisis intensifies](#), and reflects the academic and public interest practice that ensured the polycrisis: Constantly moving goalposts away from the infant-health-as-enfranchisement standard necessary for political legitimacy in order to falsely claim truth, or victories, and to thus raise funds. There is a difference between academics abstractly promoting values versus being forced to live the costs and benefits of them.

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, autocracy deadly inequity, etc. – the person or company making the claims was using an illegal baseline, [a Ponzi/equity-fraud standard that benefits them at deadly cost to others, and mostly children of color](#).

Adopt and publish a standard corrective-remedy menu that your office can require or negotiate in appropriate cases:

A. Baseline Disclosure Block (Immediate)

For each flagship claim, require a short, plain-language disclosure block that states:

- what is counted,
- what is excluded (“what is not counted”),
- the rights-holder baseline (whether children and future communities are treated as protected rights-holders in the baseline),
- the time horizon, discounting posture, and uncertainty treatment (including decision thresholds),
- the causal pathway (how outputs are supposed to translate into net outcomes),
- verification (who verifies, how often, what is public), and
- correction triggers (what falsifies the claim; what happens if assumptions do not hold).

B. Corrective Clarification Language (Near-Term)

Where claims could reasonably be read as implying verified net outcomes, require short “what this does not mean” constraints that prevent induced reliance (goal vs guarantee; scope boundaries; dependencies on assumptions; limits of verification).

C. Verification Hooks (Medium-Term)

Tie any required internal compliance review, certification, or notice-and-cure mechanics to completion of the baseline disclosure checklist for each flagship claim (not just phrasing changes).

D. Correction Triggers (Enforceable)

Require explicit triggers that mandate correction or withdrawal of the claim when baseline assumptions fail or verification is absent. These are compelled-disclosure style remedies designed to cure deception by omission rather than suppress advocacy.

Respectfully submitted,

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References

Charities Complaints Lane: <https://oag.ca.gov/charities/complaints> (California DOJ)

Consumer Complaint Intake:

<https://oag.ca.gov/contact/consumer-complaint-against-business-or-company> (California DOJ)

FTC Deception Framework (Material Omissions):

https://www.ftc.gov/system/files/documents/public_statements/410531/831014deceptionstmt.pdf
(California DOJ)

Compelled Disclosure Support Doctrine: <https://law.cornell.edu/supremecourt/text/471/626>
(LegiInfo)

California UCL Definition (Unfair Competition):

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=BPC§ionNum=17200 (California DOJ)

California Charities Oversight Statute Container:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=12580 (LegiInfo)