2019 ANNUAL REPORT Upholding an America for All

_iberty

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he best of American history is made up of people who experience a moment of revelation that inspires them to fight against injustice.

Juan Williams, journalist & author



MESSAGE FROM THE EXECUTIVE DIRECTOR

Muslim Legal Fund of America (MLFA) entered its 18th year with high ambitions and renewed intentions. We made steady progress and welcomed important wins that fueled our belief that if we can aspire, we can achieve.

All this is **thanks to our supporters** who believe in our vision of an America in which constitutional rights and liberties are upheld equally for all, regardless of ethnicity, religion, or cultural heritage.

MLFA, together with its grant-funded law center, the Constitutional Law Center for Muslims in America (CLCMA), embarked on an organizational and strategic planning project to analyze our strengths, priorities, and milestone objectives as we carried on our mission to **advance equality and justice** for American Muslim organizations and individuals.

Through funding a **premier law center**, MLFA advances its mission by providing legal defense, promoting legal compliance, presenting legal education, and partnering with like-minded community organizations.

CLCMA's Immigration, Criminal, and Civil Litigation Departments worked diligently on cases that shared a common theme of government encroachment on constitutional rights in the name of national security. They handled cases ranging from immigration delays to No Fly Lists to selective prosecutions - and all the administrative challenges in between. They processed over 300 intakes and are currently litigating 35 cases across the nation.

The Nonprofit Practice Group, which began as a pilot program in 2016, expanded its services to provide a range of transactional pro bono legal services for **75 nonprofits** serving our communities.

In **eighteen years of work** dedicated to legal justice, we have built the infrastructure to empower and protect our communities from the inside out and for generations to come.

Although we have a long road ahead of us and critical work yet to accomplish, we march on a path paved with sincere effort and your generous support this past year. **Thank you.**

In faith and for justice,

Khalil Meek Executive Director, MLFA

OF OUR MISSION

OUR STORY

Muslim Legal Fund of America was established in 2001 by a coalition of civil rights activists seeking to redress systematic discrimination against Muslims, Arabs, and South Asians. While these communities have historically not been immune from discrimination, the tragic terrorist attacks of 9/11 caused a surge in Islamophobic rhetoric, hate crimes, and unlawful profiling by both public and private actors.

Nearly two decades after 9/11, Muslims are still feeling the sting of 'guilt by association' and have faced increasing challenges to their rights and liberties in many ways.

One specific way is through government security programs that affect our ability to travel, work, donate, build mosques, or fund charitable programs we care about. This can affect Muslims on individual and organizational levels. 'Guilt by association' can put innocent people on trial, separate families, ostracize communities, and drain everyone mentally, emotionally, and financially.

While a comprehensive approach was needed to address these challenges through education, advocacy, policy reform, interfaith, and outreach, American Muslims were still being targeted and rights continued to erode.

Faced with a government fueled by Islamophobia and backed by billions of dollars earmarked for the so-called War on Terror, American Muslims needed to be able to fight back. As Americans, we stand up for the rights our Founding Fathers fought so hard to establish, and as Muslims, we have a duty to help the vulnerable and oppressed. That is why an organization like Muslim Legal Fund of America exists. America is a nation of laws and of due process. We live in a country where legal power is real power. Moreover, legal power can provide a community its foundation to protect its people and its assets. We believe that American Muslims are entitled to the same constitutional protections as every other American, but we've been put in a position where we must fight for them in the courts.

Access to the courts is integral to justice. If we do not fight for our rights, we lose them. MLFA stepped in to ensure that Muslims received fair trials and that the government fulfilled its duty to abide by the Constitution.

Without justice, there is no freedom or liberty. MLFA has been working tirelessly to fund legal work and programs that will benefit not only Muslims, but all those who believe in the promise of America.

Over the years, MLFA has been learning, growing, and developing its strategies to combat erroneous assumptions about Muslims and flagrant abuses of power by federal agencies. It has funded a law center that is becoming a leading expert on national security law in order to challenge the misguided notion of "guilt by association" that has allowed government actors to infringe on the rights of innocent Muslims today, before these tactics are expanded to target more Americans tomorrow.

Along with our supporters, we enter this new decade with a vision of a brighter future for American Muslims and a mission to **uphold an America for all.**

OUR GUIDING PRINCIPLES JUSTICE

Injustice against one is injustice against all. Without justice, there is no liberty or freedom. We fight to protect and promote fair and equal treatment for American Muslims under the law.

COURAGE

The work we do requires the courage to speak up and take a stand against the unjust treatment of American Muslim organizations and individuals who are impacted by extreme vetting policies related to national security law.

EXCELLENCE

We leverage our expertise and experience in national security law policies, extreme vetting procedures, immigration law, civil rights law, and corporate governance to provide our beneficiaries with the most helpful resources to achieve the best possible outcomes on their behalf. We strive to achieve excellence in all areas of our work and service.

ACCOUNTABILITY

We hold ourselves and one another accountable to our commitments to do our strongest work on behalf of our beneficiaries, and in relationship with our colleagues, partners, and donors. We believe in the principle of transparency in all aspects of the law and in our own operations.

COMMUNITY

As a community, we need to work together and pool our collective resources to make the greatest positive impact on the state of justice for Muslims in America.

a look back

THE CASE-FUNDING MODEL

PHASE I

From 2001 until 2014. MLFA raised funds to secure the highest quality legal representation for individuals facing adverse immigration, civil and criminal matters.

MLFA opened legal funds for Imams, community leaders, activists, organizations, or any American Muslim individual we believed was being treated unfairly by the legal system.

During this time, MLFA funded representation on an ad-hoc basis, with nationally recognized private attorneys in cases throughout the United States.

The case-funding model, while successful at first, had its limitations. The cost of funding private attorneys was too high. There was little retention or development of institutional knowledge, and few opportunities to train Muslim attorneys for public service in order to build capacity for such work.

Furthermore, MLFA was often unable to fund meritorious cases without local community support, and could not take advantage of pro-bono assistance due to retaining private attorneys. In order to address these shortcomings, MLFA envisioned a better, more strategic way to address the legal needs of the community.

Fueled by a passion for justice while discussing the state of constitutional rights over a cup of coffee, the idea for a law center dedicated to the American Muslim community was born.



a vision forward

THE LAW-CENTER MODEL

PHASE II

In 2014, MLFA established the Constitutional Law Center for Muslims in America (CLCMA), staffed with some of the brightest minds in the legal field, and specifically, in national security law.

By funding a law center, MLFA is able to take on a greater number of cases at a significantly lower cost without sacrificing the quality of representation that has been MLFA's hallmark.

Over the past five years, MLFA has been able to reduce the average hourly rate for attorney fees from \$250-\$350 per hour to \$85 per hour. This allows us to provide three to four times the amount of legal services for the same cost.

The increased efficiencies of the law center model permits MLFA to significantly expand its work on behalf of meritorious cases that may not otherwise be known in the community.

CLCMA recruits individuals from leading law schools, seeks staff made up of individuals familiar with the language and culture of its clients, and solicits pro-bono assistance from major law firms. One of the greatest benefits to the law center model is institutional knowledge and learning capacity. Having the same attorneys and staff working on similarly related issues in immigration, civil, and criminal cases over time increases everyone's aptitude and experience moving forward. This creates higher efficiency, greater expertise, and overall more effective representation.



the future is here

WHERE WE ARE NOW

One of the earliest cases MLFA funded was the Holy Land Foundation (HLF), which at the time was the largest Muslim charity in America. HLF was targeted by a politically-motivated DOJ, denied due process, and shut down just weeks after the tragic events of 9/11.

Then, five of its associated humanitarian leaders were over-zealously prosecuted under newly introduced national security laws and punished with excessive sentences in what is regarded by many today as one of the worst miscarriages of justice in U.S. history.

More organizations were to follow. In 2016, MLFA learned that over 300 American Muslim nonprofit organizations lost their tax-exempt status between 2011-2015 due to heightened government scrutiny.

An opportunity emerged.

PHASE III

That year, the law center launched the Nonprofit Practice Group (NPG) as a pilot project in September 2016, with a mission to transform the Muslim community by equipping its nonprofit leaders with the skills, confidence and resources they need to make their organizations effective, innovative and sustainable.

NPG's work consists of assisting charitable, community and faith-based Muslim nonprofits in strengthening their organizational and programmatic infrastructure, so that they may achieve their mission and withstand heightened govern⁼ ment scrutiny.

MLFA conducted the Muslim Non⁼ profit Leadership Conferences over the next two years to deliver practical information about laws impacting our communities to Muslim leaders, Imams, and nonprofit boards all across the U.S.

PHASE IV

MLFA is developing its strategies to expand on its expertise in order to effectively challenge government encroachment on individuals and communities. It is not a matter of if, but when, and we aim to be ready as the leading experts on national security law.



snapshot of strategic milestones

BUILDING LEGAL POWER FOR AMERICAN MUSLIMS



MLFA conducted legal conferences in cities all across the U.S. in conjunction with CLCMA's new Nonprofit Practice Group and local Mosques and organizations. We also held 3 National Conferences in Dallas, TX benefitting hundreds of community leaders, Imams, & boards.

MLFA was established in Richardson, TX by leaders and activists after one of the first terror prosecutions in the nation affected members of their local community. MLFA's grassroots efforts took off and now enjoys the support of thousands of Americans of diverse backgrounds who supprt the work of justice.

YEAR IN Review

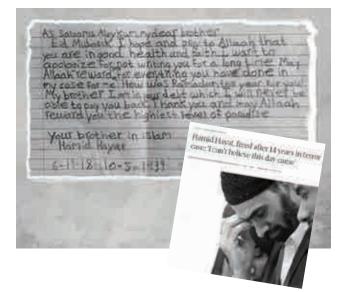
The Constitutional Law Center for Muslims in America filed lawsuits on behalf of clients facing challenges to their rights from federal agencies. They filed a lawsuit on behalf of Hoda Muthana's father after a Presidential "tweet" threatened to unilaterally rescind her citizenship - a problematic development that could negatively impact due process rights for many. They also succeeded in getting client Lassana Magassa's TSA badge reinstated after a 3 year long battle, and continued to pursue justice on his behalf by suing the agencies involved for lost wages, among other grievances, and to ensure this does not happen again - to him, or anyone else. A judge ruled CLCMA client Haisam Elsharkawi's case against the government regarding his airport detention and violation of rights while on his way to Mecca from LAX has merit and is allowed to move forward. One month later, the government offers the full amount of damages sought. Multiple clients, including scholar Dr. Main Al-Qudah, secured permanent residency or citizenship after lengthy delays. CLCMA also challenged the government's No Fly List on behalf of many clients.

The road to justice may sometimes be long and winding, but victory is possible.

From an overturned terror conviction to removals from the No Fly List and securing citizenship after lengthy delays, MLFA funded the work that made justice possible.

A VICTORY MANY YEARS In the making _____

The Unilted States of America vs. Hamid Hayat



MLFA beneficiary **Hamid Hayat** was unjustly convicted in a highly publicized terror prosecution shortly after 9/11, based on nothing more than a false confession and a zealous government intent on criminalizing innocent Muslims in pursuit of the 'War on Terror.'

For 5 years, MLFA funded critical assistance in his case, leading to a federal judge recommending overturning his conviction, citing gaps in his representation and a lack of evidence produced that could have exonerated him. Hamid was finally set free after serving 14 years behind bars for what ultimately turned out to be one of many tragedies in a 'War of Error.'

BY THE NUMBERS



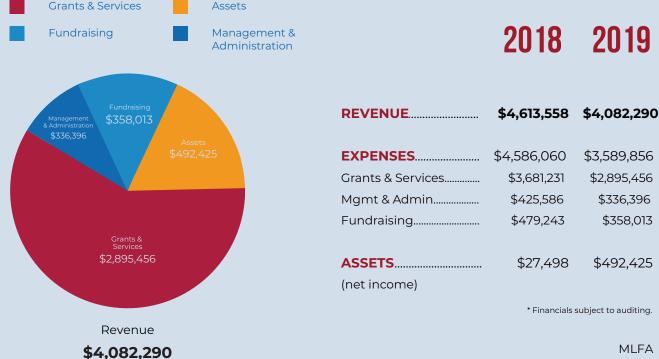
35 CASES CURRENTLY IN COURTS ACROSS THE COUNTRY



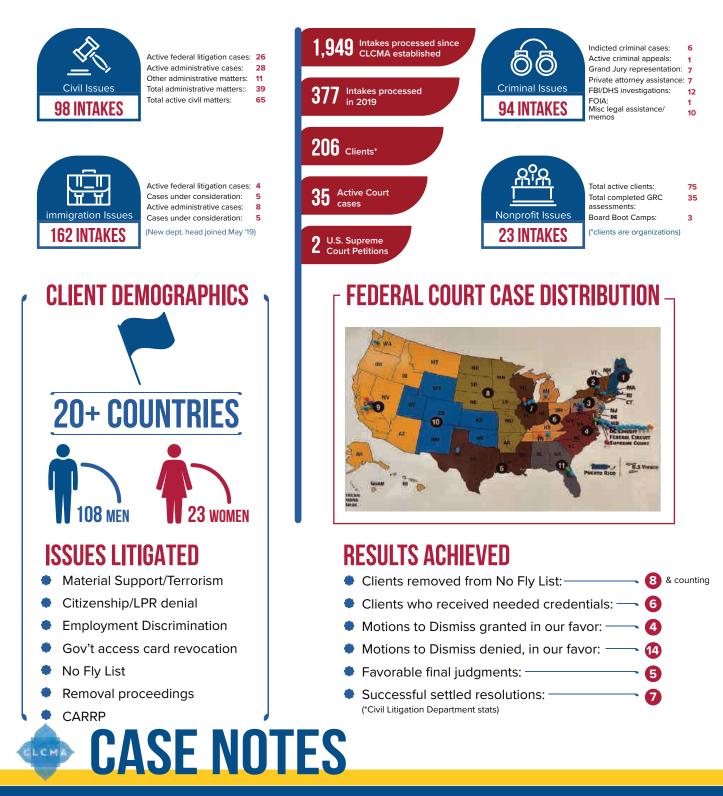
SCAN FOR VIDEO & MORE!







2019 AT A GLANCE



CLCMA receives hundreds of inquiries a month, which are filtered for cases that are within the scope of CLCMA's mission. Generally, this means issues at the federal level with a national security component. Qualifying intakes are then processed for further evaluation. Cases are accepted based on potential **community impact** and **capacity** - which is largely impacted by **funding**. Cases can overlap departments and span multiple years, and their status can change from administrative proceedings to active litigation, making case loads a fluid number from year to year. (Intakes above represent website submissions and do not include phone/in-person intakes. Total intakes are actually higher than reported.)

The more funding MLFA secures, the more clients CLCMA can serve.

TESTIMONIALS

I wouldn't be where I am today as a professional if it weren't for the innumerable young men and women who decided to not turn a blind eye to discrimination. CLCMA has been one such component on my road to living as a Muslim American and Federal Employee. Their shrewd legal team has been the drum major for justice and has been consistent in assisting me confront the infringements against the civil liberties of Muslims within the United States Department of Justice."

Mr. นุ่เ์ma | MLFA Beneficiary

in their words

I pray that this service spreads far and wide so more people are aware of it and they know where to turn to in case they become a victim in these trying times."

Client E. | MLFA Beneficiary

I cannot put into words how much gratitude and appreciation I have for CLCMA and MLFA for their selfless work in fighting discrimination against the Muslim community. I pray all of us stay united in helping them take their goals to the next level."

Ahmad S. | MLFA Beneficiary



ATTORNEY PROFILE

Out of the roughly 1.2 million licensed attorneys in the U.S., **Charles Swift** was named by National Law Review as one of the **top 100 legal minds** and one of the **top five civil and human rights attorneys** in the nation. Beyond the accolades, Charlie is one of the most passionate, articulate, and down-to-earth people you will ever meet. Charlie was introduced to MLFA Executive Director Khalil Meek over a cup of coffee at Starbucks - and the rest is history. Charlie joined MLFA as the Director of the Constitutional Law Center for Muslims in America, leaving behind a thriving private practice in Seattle, Washington after a decorated military career in the U.S. Navy Judge Advocate General's Corp - a testament to his passion for justice. Believing in the opportunity to address the pressing constitutional law issues of our time and **changing the game**, he has assembled a world class team of attorneys to work on behalf of Muslims in America.



CRIME SCENE DO NUL GRUSS a closer look **CRIMINAL LAW**

The Criminal Department works to ensure that in the criminal arena, all people have the same rights guaranteed under law by the Constitution, regardless of one's race, religion, or country of origin. They handle and assist in federal criminal cases where government assertions of national security have the potential to compromise the constitutional rights of the defendant and are of importance to the Muslim community.



Did You Know?

We are thankful to our clients who inspire us daily to fight against injustice. wherever and whenever we find it.

Catherine McDonald | Managing Attorney

In the 184 terrorism cases that had gone to a jury since 9/11, there have been only three acquittals, and only one in an ISIS case, that of Noor Salman. She was represented by CLCMA Director Charles Swift and Counsel Linda Moreno.

Issues addressed by the criminal litigation department include:

- National Security issues as they intersect with criminal matters in issues of 11 importance to the Muslim community.
- Representing individuals in FBI interviews. 1
- Providing guidance and representation in Grand Jury Subpoenas. 1

NOT CROSS

Providing advice and assistance to appointed attorneys representing individuals × on National Security cases across the country.

Few attorneys and firms have the extensive experience, success record, and background of knowledge on how national security cases are played out, and few are CRIME SCENE DO NOT CROSS able to achieve the types of results CLCMA achieves.

- SCENE D

DEPARTMENT OVERVIEW

The criminal department experienced an increase in requests for assistance regarding investigations of friends and family of alleged terrorism supporters, of allegations of obstruction of justice, and of Grand Jury subpoenas targeting Muslim non-profit organizations. In multiple cases, the government's theory of prosecution represented a novel expansion of criminal liability. Through early intervention, in most cases, the criminal department prevented the government's attempts at overzealous expansion of criminal liability.

BREAKDOWN

Indicted criminal cases:	
Active criminal appeals:	
Grand Jury representation:	7
Private attorney assistance:	7
FBI/DHS investigations:	12
FOIA:	1
Misc legal assistance/memos:	10

25% percentage of overall intakes \$375K

Total case intakes:

TOP 3 ACCOMPLISHMENTS OF 2019

94

90% of the clients that the CLCMA criminal department accepted during the government's investigative stage were ultimately not charged with any crimes. Successful sentencing advocacy by CLCMA attorneys for clients accepted post-indictment, resulting in sentences less than half the average awarded for similar charges.

2019 Budget

CLCMA identified and accepted cases which allowed us to challenge the government's attempts to expand criminal liability for material support and obstruction of justice.

a closer look CIVIL ISSUES

The Civil Litigation Department challenges government decisions through the federal court system. They currently have cases pending which range from a petition to the Supreme Court of the United States, down to several federal appellate courts, dozens of federal district courts across the country, and dozens more which they are still challenging at the administrative levels.

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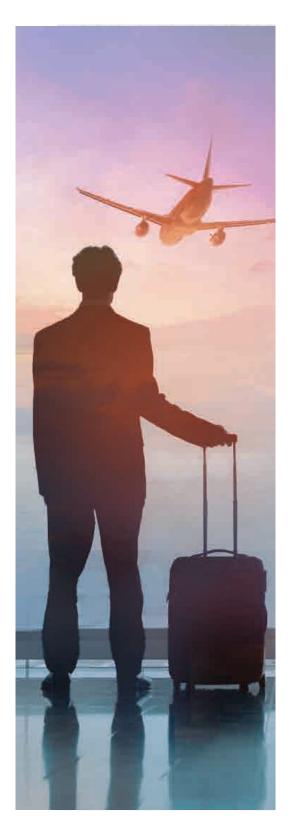
Our team works hard to uphold the due process rights guaranteed in the Constitution to all Americans, so that our clients have the same opportunities and freedoms as those of any religion or national origin - no more, and no less.

Christina Jump | Department Head

Issues addressed by the civil litigation department include:

- Security Threat Assessment Challenges
- Worker Identification/Access Card Appeals
- Religious Discrimination
- Land Use/Zoning Challenges
- No Fly and Quad S/travel related challenges
- Citizenship Protection

Judges have recognized that CLCMA's federal court filings provide "a detailed account of the underlying factual events and alleged conduct by the government's employees" as well as "clear statements of the legal theories under which [Plaintiff] asserts the government might be liable for such conduct."



DEPARTMENT OVERVIEW

The MLFA-funded law center welcomed Najmu Mohseen as an Equal Justice Works Fellow sponsored by law firm Akin Gump Strauss Hauer & Feld, LLC. Under the supervision of Christina Jump, Department Head of the Civil Litigation Department at CLCMA, Ms. Mohseen seeks to create materials that address prisoner rights.

BREAKDOWN

Active federal litigation cases:	26
Active administration cases:	28
Other administrative matters:	- 11
Total administrative matters:	
Total active civil matters:	

Total case intakes:



TOP 3 ACCOMPLISHMENTS OF 2019

98

Defeated the government's
arguments against clients' right
to challenge searches and
detentions at the airport and won
a full monetary judgment for
client on his tort claims against
the United States.

Successfully challenging and forcing answers as to why clients have been designated as security threats, helping multiple clients get worker identification/access cards restored.

The Bureau of Prisons and the Department of the Treasury signed off on changes to policies which better protect true religious freedoms and the right to observe religious practices consistent with sincerely held religious beliefs.

a closer look IMMIGRATION

The Immigration Department primarily represents individuals with lengthy delays or denials of applications for lawful permanent residence and U.S. citizenship applications filed with USCIS, refusals to issue U.S. passports to natural-born or naturalized citizens, and a few other general immigration issues, if they touch upon constitutional issues or national security concerns.

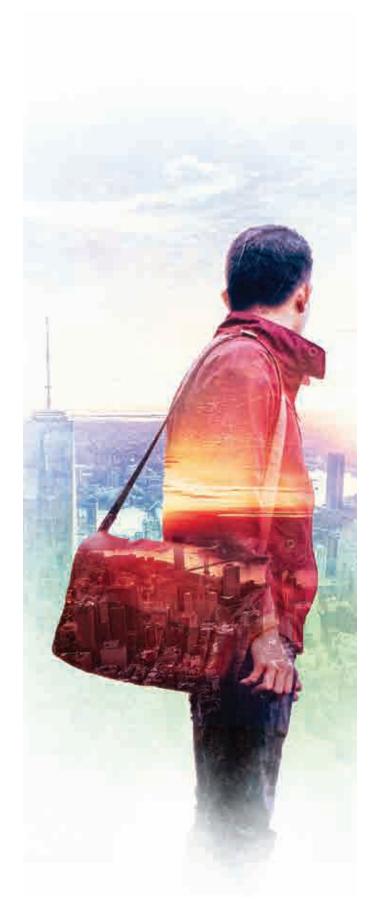
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We are dedicated to the fight against the systematic injustices that occur when the government tries to infringe upon an applicant's rights to seek lawful immigration status. We have courageous attorneys who are committed to battling to protect the constitutional rights of immigrants.

Kathryn Brady | Department Head

CLCMA's immigration department seeks immigration cases that are delayed and denied after experiencing aggressive tactics by USCIS, FBI or other government agencies making accusations about national security risks. Attorneys are especially looking for cases that may be similar within the same geographic area to show a pattern of unfair targeting by the government.

The department's strength is in their ability to identify immigration cases for continued services that will make a larger impact in the community.

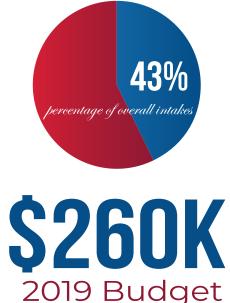


DEPARTMENT OVERVIEW

The MLFA-funded Constitutional Law Center for Muslims in America welcomed Kathryn Brady as Head of the Immigration Department in May of 2019 to oversee increasing demand for immigration litigation at the federal level.

BREAKDOWN

Active federal litigation cases: Cases under consideration:	4 5
Active administration cases:	8
Cases under consideration:	5
Total case intakes:	162



TOP 3 ACCOMPLISHMENTS OF 2019

Co-counsel on district court case for client Manoucher Jafarzadeh, granting him lawful permanent residence & exposing documents related to the CARRP program. Responding to prior inquiries of community members seeking representation and providing resources to those whom CLCMA is unable to represent.

Building an immigration department with a deep reservoir of experience and knowledge in both administrative and litigation areas.

a closer look **NONPROFIT ISSUES**

The Nonprofit Practice Group's mission is to transform the Muslim nonprofit community by equipping its leaders with the skills, confidence and resources they need to make their organizations effective, innovative and sustainable. This work consists of assisting charitable, community and faith-based Muslim nonprofit organizations (NPOs) nationally to strengthen their governance, operational and programmatic infrastructure, so they may achieve their mission and withstand heightened government scrutiny.

Through community driven, missionsensitive strategies, NPO offers Muslim nonprofits a range of transactional pro bono legal and compliance services, regulatory guidance and technical support, during their start-up, continuation, or expansion phases, while seeking to minimize operational disruption and legal risks.

Sustainable change, after all, depends not upon compliance with external mandates or blind adherence to regulation, but rather upon the pursuit of the greater good."

Douglas B. Reeves

This approach leads to:

- Increased awareness of compliance laws & regulations.
- Increased number of governing bodies understanding their fiduciary obligations.
- Increased proactive strategies to measure, assess, evaluate and mitigate risk.
- Increased engagement amongst
 Muslim nonprofit organizations.

Full Lifecycle of the Governance, Risk & Compliance (GRC) Process:



DEPARTMENT OVERVIEW

Although the Nonprofit Practice Group (NPG) has a limited staff, NPG has been effective in building Muslim nonprofits' capacity by providing targeted personalized training and essential resources. NPG has a high demand for its pro bono services and a successful record of accomplishment in education, outreach, and legal counsel. In response to this demand, NPG has designed, developed, and delivered several Board Boot Camps (BBC), which includes a one day seminar with board chairs, executive directors, and leaders. NPG partnered with IRUSA for a pilot program to implement Board Boot Camp in 2020.

BREAKDOWN

Total active *clients:	75
Total completed **GRC	35
assessments:	
Board Boot Camps:	3
Total case intakes:	23

- clients are organizations
- ** GRC = Governance, Risk, & Compliance



TOP 3 ACCOMPLISHMENTS OF 2019

Expanding Muslim NPOs leadership's ability to identify, prioritize and resolve key vulnerabilities resulting in active and engaged boards who are accountable, transparent, and competent in carrying out their fiduciary duties. Increasing awareness of the board's fiduciary roles with regard to governance, risk and compliance regulations and laws resulting in less risk and liability.

Decreasing the number of incidents filed against Muslim NPOs who have attended Board Boot Camps, e.g., workplace harassment, child endangerment, board disruption, government investigations and/or sanctions, debanking and fraud allegations.

* NPG received outside grants to support its programs, for a total operating budget of \$425,000 in 2019.

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REFLECTIONS ON JUSTICE

Growing up in Brooklyn, New York, my first memory as a four-year-old was seeing people running, screaming and crying down our street, as the soft spring air was billowing with smoke. I was frightened and clung to my maternal grandmother, asking what was happening. She said that we lost a hero, and the whole world was weeping. Martin Luther King, Jr., was assassinated and a couple of months later, Democratic presidential candidate Robert Kennedy Jr. suffered a similar fate.

It was a cruel, chaotic and coarsening summer of 1968, with the death of my communities' heroes and the Vietnam War violent protests. Witnessing the volatility made the words in the pledge of allegiance we recited in school ring hollow – there was no "liberty and justice for all!"

My family tried to shield my sisters and I from the rampant racism and violence for which they quickly realized there is no refuge. Like a pandemic, it's everywhere. As we could not escape it, we fought it.

As I got older, my family participated in peaceful marches, supported economic protests and attended church organizing meetings. I often complained about the time-consuming and tedious gatherings, preferring to play with my friends. My grandmother's response reminded me of a quote from my favorite novel, To Kill a Mockingbird, written by Harper Lee: "I wanted you to see what real courage is, instead of getting the idea that courage is a man with a gun in his hand. It's when you know you're licked before you begin, but you begin anyway, and you see it through no matter what. You rarely win, but sometimes you do."

The protagonist's youthful experience resonated with mine, dealing with issues of prejudice, human morality & injustice. It served as the impetus for my legal career. Today, as a 25-year practicing lawyer, whether in the courtroom or the boardroom, I continue to use my profession as a platform to create social change and demand equal treatment under the law as the Constitution guarantees. The government cannot just discard these rights due to challenging times.

What I enjoy most about working for CLCMA and establishing its inaugural Nonprofit Practice Group, is that I can continue to fight for liberty and justice for the maligned and marginalized by protecting and defending one of their most precious assets – nonprofits. Just like the discrimination perpetrated upon enslaved Africans, women, and immigrants before them, Muslims and Muslim-based nonprofit organizations are continuing to lose their civil liberties through profiling, surveillance, religious intolerance, and guilt by association.

CLCMA's NPG is now needed more than ever as it provides its services pro bono, expanding its legal reach to benefit thousands of Muslim charitable, community, and faith-based nonprofits. Nonprofits serve as a safety-net for human and health services and a catalyst for social change. Without these institutions, we are depriving millions of people in the U.S. and across the world of social, medical, educational, and legal resources. Our legal support enables Muslim nonprofits to put their mission into action and live out their values so that we may all strive for a better world, together.

Shari Crittendon



Senior Corporate Counsel & Director of Outreach and Compliance





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An America in which constitutional rights and liberties are upheld equally for all, regardless of ethnicity, religion, or cultural heritage.



To advance equality & justice for American Muslim organizations and individuals by promoting legal compliance and protecting their rights in matters concerning national security law.

Funding the Work that Makes Justice Possible.