



GOVERNOR GREG ABBOTT

November 19, 2025

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District Attorney Willis, District Attorney Creuzot, Sheriff Skinner, and Sheriff Brown:

It has come to my attention that certain entities in Texas—including in Collin and Dallas Counties—may be masquerading as legal “courts” staffed with “judges” issuing orders that purportedly carry the authority to bind individuals to Islamic codes, thereby preempting state and federal laws. Such practices appear to cross the line from permissible internal religious decision-making to violations of state criminal laws. *See* TEX. PENAL CODE §§ 32.48, 37.10–37.11, 37.13.

At the outset, the First Amendment’s protection of religious freedom provides wide berth for religious institutions to order their own affairs under the “church autonomy” doctrine. *See Our Lady of Guadalupe Sch. v. Morrissey-Berru*, 591 U.S. 732, 747 (2020). Accordingly, it is appropriate for houses of worship to adjudicate ecclesiastical questions concerning: religious doctrine, *Watson v. Jones*, 80 U.S. (16 Wall.) 679, 725–733 (1871); ecclesial governance, *Shepard v. Barkley*, 247 U.S. 1, 2 (1918); selection of clergy or other ministers, *Gonzalez v. Roman Catholic Archbishop of Manila*, 280 U.S. 1, 16 (1929); or internal discipline of members and congregants, *Bouldin v. Alexander*, 82 U.S. 131, 139–140 (1872). A Presbyterian session, a Catholic bishop, a Jewish beit din—all may inquire into wrongdoing and correct their members to preserve the purity, peace, and good order of a congregation.

It is different entirely, however, for religious groups to set up courts purporting to replace *actual* courts of law to evade neutral and generally applicable laws. *See Emp’t Div. v. Smith*, 494 U.S. 872, 828 (1990). One entity in the Dallas area appears to be doing just that: The “Islamic Tribunal” admits that it is “a unique institution of its kind in the United States of America.”¹ Because “there

¹ ISLAMIC TRIBUNAL, *About-IT*, <https://www.islamictribunal.org/about-it/>.

is no secularism or detachment from the tenets of faith,” it purports to exercise jurisdiction over all aspects of life—even over *non*-ecclesiastical legal disputes—and to subject them to “Islamic Jurisprudence and its Shari’ah or Law.”² Despite suggesting that submission to its jurisdiction is voluntary, the Tribunal commands that all “Muslims here in American are *obligated* to find a way to solve conflicts and disputes according to the principles of Islamic Law” and it steers them away from “[t]he courts of the United States of America [which] are costly and consist of ineffective lawyers.”³

In its founding charter, styled as a “Constitution,” the Tribunal holds itself out as authorized to “resolve any dispute among Muslims residing in the USA ... *under the approval of the Texas Judicial system*.”⁴ Its “judges” must have a degree in Islamic law “approved by a renowned Islamic institution.”⁵ And it claims the decisions those judges issue “will be final according to Islamic jurisprudence.”⁶ That body of Islamic jurisprudence, the Tribunal admits, includes “[s]toning adulterers, cutting of the hands, polyandry and the like.”⁷ But the Tribunal says not to worry—for such laws “can be explained in their Islamic legal mentality” and “only make[] up a fraction of the Shari’ah.”⁸ Given “the phenomenal growth of [Islamic] institutions” across America, the Tribunal hopes to “set a precedence that will be emulated and duplicated throughout the country.”⁹

In 2017, I signed H.B. 45 to limit the imposition of foreign laws like these to protect the rights of vulnerable Texans, including women and children, and to uphold Texas public policy in family law disputes. See TEX. GOV’T CODE §§ 22.0041, 22.022; *In re Ayad*, 655 S.W.3d 285, 289 (Tex. 2022) (per curiam). Our Constitution, founded upon “principles of liberty and free[dom],” contemplates a people governed *only* by the laws of Texas and the laws of the United States—enacted by their elected representatives and adjudicated by American courts. See TEX. CONST. art. I, § 1; *id.* art. V, § 1. No person may be compelled to adhere, instead, to “the whole of Islamic law” that some seek to impose in Texas and across the country through religious “courts” pretending to issue binding, final judgments. *Id.* art. I, § 6.

That is why it is a crime to pass off a document “as a genuine governmental record” or an official court “judgment” when it lacks government imprimatur. TEX. PENAL CODE §§ 37.10, 32.48(a). It is a crime for an individual to purport to exercise “any function of a public servant or of a public office, *including that of a judge and court*.” *Id.* § 37.11 (emphasis added). And it is a crime to use any document with “the intent that [it] be given the same legal effect as a record of a court created under or established by the constitution or laws of this state or of the United States.” *Id.* § 37.13. To the extent an extrajudicial tribunal holds itself out as a “court” that is authorized to issue “final” and “binding” decisions, resolving “any dispute” among American Muslims, who are “obligated” to submit to “an Islamic solution,” even to the point of “stoning”—all while claiming “the approval

² *Ibid.*; see also ISLAMIC TRIBUNAL, *Cases We Handle*, <https://www.islamictribunal.org/cases-we-handle/> (collecting a broad array of exemplary cases involving divorce, family law, commercial disputes, and community problems).

³ *Ibid.* (emphasis added); cf. *In re Ayad*, 655 S.W.3d 285, 287 (Tex. 2022) (per curiam) (describing how a wife “had been ‘defrauded’ into signing a premarital agreement” that subjected her to Islamic law).

⁴ ISLAMIC TRIBUNAL CONST. art. 1, <https://www.islamictribunal.org/our-constitution/> (emphasis added).

⁵ *Id.* art. 7.

⁶ *Id.* art. 12(a).

⁷ *Supra* n.1.

⁸ *Ibid.*

⁹ *Ibid.*

of the Texas Judicial system”—it strays far beyond traditional church autonomy and instead masquerades as a rival court in violation of the Texas Penal Code. The Constitution’s religious protections provide no authority for religious courts to skirt state and federal laws simply by donning robes and pronouncing positions inconsistent with western civilization.

I urge you, therefore, to investigate efforts by entities purporting to illegally enforce Sharia law in Texas. And I urge you to do so along with the Attorney General of Texas and the Director of the Texas Department of Public Safety, whom I have included on this letter and who have additional investigative tools at their disposal. *See, e.g.*, TEX. GOV’T CODE §§ 402.0231(b), 402.033, 411.002; TEX. BUS. & COM. CODE § 17.61; Tex. CODE CRIM. PROC. art. 2A.001.

Legal disputes in Texas must be decided based on American law rooted in the fundamental principles of American due process, not according to Sharia law dispensed in modern day star chambers.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Abbott", written in a cursive style.

Greg Abbott
Governor