

No. 24-781

In the
Supreme Court of the United States

FIRST CHOICE WOMEN'S RESOURCE CENTERS, INC.,
Petitioner,

v.

MATTHEW PLATKIN, in his official capacity as
Attorney General of New Jersey,
Respondent.

**On Writ of Certiorari to the United States
Court of Appeals for the Third Circuit**

**BRIEF OF *AMICI CURIAE* O. CARTER SNEAD
AND THE CATHOLIC ASSOCIATION
FOUNDATION IN SUPPORT OF PETITIONER**

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INTEREST OF *AMICI CURIAE*¹

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The Catholic Association Foundation (“TCA”) is a non-profit organization dedicated to being a faithful voice for Catholics in the public square. To that end, TCA has filed *amicus curiae* briefs in this Court on matters of concern to the Catholic community. TCA responds to the call of the Catholic Church for members of the lay faithful to apply Catholic teaching, wisdom, and principles to the issues of the day. TCA strives toward achieving a society in which the common good and the dignity of every human person is upheld.

¹ No counsel for any party authored this brief in whole or in part, and no party or counsel made a monetary contribution to the preparation or submission of this brief. No person other than *amici curiae*, their members, or their counsel made a monetary contribution to the preparation or submission of this brief.

Amici submit this brief in support of Petitioner First Choice Women's Resource Centers, Inc. ("First Choice") to highlight the critical work that pregnancy resource centers perform—and to explain why the decision below threatens the progress they have made.

INTRODUCTION AND SUMMARY OF ARGUMENT

Pregnancy resource centers play a pivotal role in helping women and children to thrive. Indeed, these centers have become an essential part of the social landscape. The first pregnancy resource center opened in Hawaii in the late 1960s. Thousands more have opened since. And these institutions have played an especially prominent role in recent years supporting women and their families.

Day in and day out, these non-profit, faith and community-based centers promote maternal, child, and family well-being. And they help women facing uncertainty in their pregnancies to flourish as mothers. To these ends, pregnancy resource centers provide hundreds of millions of dollars annually in critical material assistance to women and families, in addition to medical aid and other important resources. They also help to support and house women facing emotional distress or fleeing coercion and violence. And they offer women who want to be mothers a pathway to stability and success. Their presence across the country is growing annually as they become a vital part of a growing pro-woman and pro-child movement.

But the decision below threatens to upend that progress and chill First Amendment freedoms. Though pregnancy resource centers depend on the generosity of donors, many of their benefactors wish to remain anonymous—and understandably so. Individuals who oppose the important mission of these organizations have increasingly resorted to violence, vandalism, and vitriol to terrorize and muzzle those with pro-life views. *See, e.g., Jane’s Revenge – Night of Rage Communique*, Jane’s Revenge (June 26, 2022), bit.ly/4n2k8Q1. And Respondent has launched a publicly funded “Strike Force” to target pregnancy resource centers in the Garden State. Press Release, N.J. Off. of Att’y Gen., AG Platkin Announces Actions to Protect Reproductive Health Care Providers and Those Seeking Reproductive Care in New Jersey (Dec. 7, 2022), bit.ly/4mYwKaC.

In this case, Attorney General Platkin employed his subpoena power to command the production of Petitioner’s private donor information. He brought a state-court enforcement action to coerce Petitioner’s compliance. And this campaign seems to be little more than a politically motivated “effort to oust the organization from the State.” *Ams. for Prosperity Found. v. Bonta*, 594 U.S. 595, 606 (2021) (citing *NAACP v. Alabama ex rel. Patterson*, 257 U.S. 449, 452–53 (1958)). The Attorney General has no evidence that First Choice engaged in any unlawful activity. Pet.App.139a. Rather, his transparent aim is to “harass First Choice and discourage individuals and entities from associating with [it].” *Id.*

The lower court believed that it must stand idly by while the Attorney General “imposes a widespread

burden on donors' associational rights.” *Ams. for Prosperity*, 594 U.S. at 618. That is plainly wrong. Section 1983 “guarantees ‘a federal forum for claims of unconstitutional treatment at the hands of state officials.’” *Knick v. Twp. of Scott*, 588 U.S. 180, 185 (2019) (citation omitted). And “[t]he risk of a chilling effect on association is enough” to ripen a First Amendment claim. *Ams. for Prosperity*, 594 U.S. at 618. Upholding the lower court’s contrary decision would cast a permanent chilling effect on pregnancy resource centers and their donors—thereby depriving millions of women of the crucial support that such centers provide. This Court should reverse.

ARGUMENT

I. Pregnancy Resource Centers Provide Vital Services for Women and their Families.

Pregnancy resource centers provide a host of critical resources to women and their families facing unexpected pregnancies. And they usually do so “at no cost to the women, men, and youth they serve.” Moira Gaul, *Fact Sheet: Pregnancy Centers – Serving Women and Saving Lives (2020 Study)*, Charlotte Lozier Institute (July 19, 2021), bit.ly/3Jynufi. In this way, pregnancy resource centers act as a lifeline to vulnerable and underprivileged women who want to be mothers but are facing economic uncertainty. Indeed, experts estimate that 828,131 “lives were saved during the five-year period between 2016 and 2020 as a result of women visiting pregnancy centers.” Charlotte Lozier Institute, *Pregnancy Centers Offer Hope for a New Generation* 11 (2024), bit.ly/45BQmfb. These centers empower women to choose life in many ways.

A. Pregnancy Resource Centers Provide Critical Material Assistance.

Consider first the material assistance provided by pregnancy resource centers. This material assistance encompasses a wide range of products, including maternity, baby, and sibling clothing, diapers and wipes, formula, grocery assistance, gift cards, diaper bags, strollers, car seats, baby bathtubs, cribs, and more. *See, e.g.,* Charlotte Lozier Institute, *Pregnancy Centers Stand the Test of Time* 51–52 (2020), bit.ly/3JqboEW. In one year alone, the Nation’s pregnancy resource centers served 1.85 million people and provided, among other things, roughly two million baby outfits, nearly 1.3 million packages of diapers, more than 19,000 strollers, and over 30,000 new car seats to women facing uncertainty in their pregnancies. *See id.* at 16, 24.

These provisions have a tremendous impact. For instance, Lindsay Smith, a bank teller who visited A Woman’s Concern pregnancy center in Pennsylvania, explained that she and her husband “didn’t have to buy diapers till after [their son Rocky’s] first birthday.” Stephanie Armour, *Pregnancy Resource Centers Spark Funding Row Between Biden Administration, Antiabortion Groups*, Wall St. J. (Jan. 1, 2024), bit.ly/467Fply. Lindsay was also able to earn a free stroller, car seat, and baby bath from the center’s baby boutique by attending one-on-one and group parenting meetings. *See id.*

Beyond supplying these goods, pregnancy resource centers provide a suite of free services to women. These range from medical-grade pregnancy tests, to ultrasounds, STD testing, prenatal care, parenting

classes, job and life skill training, rehabilitation services, and adoption referrals. *See, e.g., Fact Sheet, supra.* Some pregnancy resource centers also deliver access to birthing and housing centers. And “[c]are is provided by trained workers and licensed professionals through a holistic health paradigm taking into account emotional, social, mental, spiritual as well as physical health.” *Id.*

These provisions have expanded significantly each year. In 2022, the annual estimated value of material aid provided by pregnancy resource centers eclipsed \$78 million—nearly 200% more than the aid provided three years earlier. *See Pregnancy Centers Offer Hope for a New Generation, supra*, at 28. And when services such as ultrasounds and job training are included, that annual figure increases to more than \$367 million nationally. *See id.* at 19.

Pregnancy resource centers are just as critical in New Jersey as they are in other States. New Jersey centers served over 23,000 women, men, and children in 2022. *See* Charlotte Lozier Institute, *Pregnancy Center State Impact Report – New Jersey*, at 1 (2024), bit.ly/45xzkyK. In that year alone, the clients of these centers received 8,713 pregnancy tests, 6,872 ultrasounds performed by registered nurses or medical sonographers, 9,025 packs of diapers, 75,472 baby outfits, and 1,658 cans of formula, among other things. *See id.* at 1–2. These millions of dollars in goods and services were all provided for free. *See id.* And they provided a lifeline to mothers and families in need.

B. Pregnancy Resource Centers Provide Support and Counseling to Women Facing Despair, Coercion, or Violence.

Pregnancy resource centers also provide an outlet from abuse. Studies have estimated that three to six percent of women face domestic violence while pregnant, with others pinning the number as high as fifteen percent. See Beth A. Bailey, *Partner Violence During Pregnancy: Prevalence, Effects, Screening, and Management*, Int'l J. of Women's Health, June 2010, at 183, 184–85. At the same time, another study estimated that roughly one in four women report their abortion as “unwanted or coerced.” David C. Reardon et al., *Hidden Epidemic: Nearly 70% of Abortions Are Coerced, Unwanted or Inconsistent with Women's Preferences*, Charlotte Lozier Institute (May 15, 2023), bit.ly/4IIMxJO. And another study found that 61 percent of women reported “high levels of pressure” to have their abortions. David C. Reardon & Tessa Longbons, *Effects of Pressure to Abort on Women's Emotional Responses and Mental Health*, Cureus, Jan. 31, 2023, at 1, bit.ly/3HTPSYB.

Pregnancy resource centers offer these distressed women a pathway to make the choice they want, without coercion. Take the story of Chasty as an example. She was four months pregnant when she first came to Aid for Women, a pregnancy resource center in Illinois. See Aid for Women, *News – Spring 2025*, at 5, bit.ly/4fPZ3pu. Chasty had met her baby's father a few years prior and became pregnant, but he pressured her into an unwanted abortion, which led to her becoming depressed. See *id.* When she became pregnant again, the father “began treating Chasty as

an enemy” and became “abusive.” *Id.* But Chasty knew she was unwilling to abort another child. *See id.* Aid for Women not only gave Chasty the material needs and housing stability to have her baby, but also the emotional support to leave an abusive relationship and to thrive as a mother. *See id.* As she explained:

I was looking for a place to live, but I found so much more. I moved into [the maternity home] and was given so much support, not just with my material and physical needs, but also with my emotional and spiritual needs. I was given a community, a home, and a place to feel safe.

Id. Chasty said she does not “know where [she’d] be if [she] didn’t have their support.” *Id.* It is the “generosity [of donors] that makes the life-saving work of Aid for Women possible and that has given [Chasty] and [her daughter] Zerah the opportunity [they] need to have the amazing life [they’re] working towards[.]” *Id.*

Chasty’s story is far from unique. Another woman, Monica, moved into Heather’s House on Valentine’s Day, after fleeing domestic violence and homelessness. *See* Interview by Aid for Women with Monica (Aug. 13, 2025) (on file with Aid for Women). The maternity home, which is associated with Aid for Women, took Monica in immediately and helped her on her way to delivering a baby boy. *Id.* Monica was so grateful for the help she received that she now works for the center:

I am very proud to say that I am now working for Aid for Women, the center that helped me. I work in the maternity homes as a Residential Assistant, serving other women who are now

where I was almost 3 years ago. My son, Aaron, will be celebrating his second birthday next week and he is learning so much in his daycare.

Id. The assistance of Heather's House also lasted well beyond Aaron's birth. Monica credits the center with helping to watch her infant son so that she could get on her feet, learn English, and form a stable family:

I can't even begin to express how much Aid for Women has impacted my life. . . . I was able to work on establishing a life for me and my son. It is because of the English as a Second Language classes I was taking that I met my husband at the local City Colleges location and fell in love. Without someone to watch Aaron while I went to classes and support me in my learning, I wouldn't have met him. Everything in my life has been touched by Aid for Women and their support of me, not just having a place to live, but real support of me as a woman and as a person.

Id. Simply put, these types of life-changing and life-giving experiences would not be possible without pregnancy resource centers.

C. Pregnancy Resource Centers Help Women Achieve Stability.

Many other women feel that carrying their child to term is impossible because they lack stability in their lives. In fact, researchers estimate that sixty percent of women who have abortions would have preferred to have their baby "if they had received either more emotional support or had more financial security." Reardon et al., *Hidden Epidemic*, *supra*. Pregnancy

resource centers serve to provide that aid to millions of Americans each year, particularly “underserved women and families.” Danielle G. Pimentel & Hannah Ward, *The Rising Need to Support Pregnancy Resource Centers*, Americans United for Life (Apr. 26, 2023), bit.ly/466ANfv. In addition to providing material, medical, and emotional support, most offer women pathways to stability through classes on budgeting and financial literacy, job and life skill training, and referrals for housing, employment, and education. See, e.g., *Fact Sheet*, *supra*; *Pregnancy Centers Stand the Test of Time*, *supra*, at 45, 49, 61–62.

The story of Shawnte Mallory is illustrative. In 2014, the mother of two “lost her job and struggled to pay rent” when she became pregnant with her third child. Tori B. Powell, *Shelter Aims to Help Underserved Pregnant People Find Stability: “We Turn No One Away”*, CBS News (June 28, 2022), bit.ly/4lLdQmU. She “reluctantly decided to get an abortion,” because “everybody was telling [her] to do” so and she “felt like that was really [her] only option.” *Id.* But then she discovered Mary’s Shelter, a faith-based organization in Virginia that has provided “group housing and resources” to help over 300 “clients and their children get back on their feet.” *Id.* With a roof over her head and the support of others, Mallory recognized that “abortion isn’t the only option,” and she “didn’t have to give up or get rid of a child that [she] knew [she] wanted just because things got hard.” *Id.* Mallory now has five daughters “and works as a peer recovery coach helping people who struggle with addiction and trauma.” *Id.*

A similar story played out for Nikki. She “was transitioning out of her home and her career when she found out that she was pregnant.” Aid for Women, *News – Spring 2025, supra*, at 7. “With no steady work or place to live, all of the important people in her life” told her that “she would be ruining her life if she had her baby.” *Id.* Yet she found a pregnancy resource center to help. The staff there “made her feel loved and supported,” and her sense of community at the maternity home “helped her grow in confidence.” *Id.* Nikki delivered a healthy baby boy and, with the center’s support, she soon “[found] work to support herself and her son” Kayden. *Id.*

D. Pregnancy Resource Centers Empower Women to Thrive.

As these and countless other stories show, pregnancy resource centers do so much more than meet the immediate needs of women facing crisis pregnancies. They help those women to go on and thrive as women and as mothers. And they give them a sense of agency and confidence in their role as mothers.

Consider the testimonial of Nieka. She stated that upon finding out she was pregnant, “[t]he baby’s father and I weren’t sure what to do.” Interview by Aid for Women with Nieka (2025) (on file with Aid for Women). She was “in a bad space, nervous and sad, and confused.” *Id.* But she learned of a pregnancy resource center and quickly realized that everyone there “was very helpful and reassuring.” *Id.* “They kept telling me that it was going to be ok . . . that they were there to help . . . and they were right.” *Id.* “They gave me reassurance, and referrals, telling me that I

could do it, and telling me about resources that could help.” *Id.* Nieka is now proud of the work that she does, helping others at a firm that dispatches transportation for wheelchair-bound people who need assistance getting to doctor appointments, dental appointments, and therapy. *Id.* She is also proud of her son Jameer, a university student studying finance who she describes as “very smart.” *Id.*

Meanwhile, Claire Anctil-Cathey was affected so positively by her experience that she went on to start a pregnancy resource center herself. A co-founder of St. Maria’s Home in Portland, she understands exactly how women in crisis pregnancies feel:

I am one of these women. I went through a crisis pregnancy myself and that’s how I had my son, who’s now nine. And if I hadn’t had the support that I had and the resources that were available to me, I don’t know what I would have done. And I certainly wouldn’t have the life that I have today.

Tr. of Interview by Leigh Snead with Claire Anctil-Cathey, at 1 (July 28, 2025) (on file with Prof. Snead). Claire described her crisis pregnancy as like “being in total darkness” and then encountering assistance from a pregnancy resource center as “being led into the light by people who just stepped in and cared for me and provided me the support that I needed one step at a time to get to a place where I was . . . on my feet.” *Id.* at 6. Now, Claire is doing the same thing for her clients. Her center’s “main goal is to provide these women with the same sort of support that they would have from a loving healthy family.” *Id.* “They’re calling because they’re pregnant and they want help,”

and many are coming from clinics where “no one’s ever given them any other option” to have their babies. *Id.* at 4. St. Maria’s Home provides that empowering choice to women—as do hundreds of other pregnancy resource centers across the country each day.

E. Pregnancy Resource Centers Are Growing in Impact.

The positive impacts of pregnancy resource centers continue to grow. As of this year, over 2,700 centers across all 50 states and the District of Columbia provide women with access to quality care and support. *See* Press Release, Rep. Chris Smith, Bill to Protect Crucial Services Provided by Pregnancy Care Centers Unveiled (Mar. 24, 2025), bit.ly/4mU3YIk. That represents a 35% increase in centers nationwide since 2010. *See* Ramiro Ferrando, *While Abortion Clinics Diminish, Crisis Pregnancy Centers Flourish*, Investigate Midwest (Feb. 19, 2019), bit.ly/45VBG9C. And pregnancy resource centers now outnumber abortion clinics in the United States by a ratio of more than three to one. *See* Kimberlee Kruesi & Leah Willingham, *Anti-Abortion Centers to Grow, Wield More Influence Post-Roe*, Associated Press (June 27, 2022), bit.ly/3HRQnSV.

The growing presence and impact of pregnancy resource centers underscores the essential role they play in our country. Indeed, shifting public priorities have emphasized a need for such services that enable vulnerable and underprivileged women to choose life. And the work of these organizations promoting maternal, child, and family well-being boasts broad public support. One recent poll found that “70% agree with using public funding for local pregnancy resource

centers that offer prenatal care, diapers, cribs and other services, but not abortion.” Valerie Richardson, *Poll Shows that Most Voters Support Defunding Planned Parenthood When Told About ‘Substandard’ Care*, Wash. Times (June 23, 2025), bit.ly/45xMITu.

Consistent with this public opinion, States have increasingly directed funding towards these essential providers of services for mothers and their babies. See, e.g., Ali Rogin & Andrew Corkery, *Why Support for Crisis Pregnancy Centers Is Surging After the End of Roe v. Wade*, PBS News (Mar. 2, 2024), bit.ly/4msWexb. Public funding for pregnancy resource centers has therefore surged “nearly fivefold” from a decade ago. Kimberlee Kruesi, *Millions in Tax Dollars Flow to Anti-Abortion Centers in US*, Associated Press (Feb. 5, 2022), bit.ly/4lO6Zcl; see also Jeanneane Maxon, *Fact Sheet: State Alternatives to Abortion Funding*, Charlotte Lozier Institute (Feb. 25, 2025), bit.ly/45MS3oM (detailing state programs).

These numbers reflect a growing consensus among Americans and their elected representatives. They recognize the indispensability of pregnancy resource centers, as these organizations provide material, emotional, medical, professional, and personal aid to help women thrive. In doing so, pregnancy resource centers offer women a true choice, as well as a sense of agency and purpose in their role as mothers. They thus promote a pro-woman, pro-child, and pro-family society.

II. The Decision Below Threatens to Deprive Pregnancy Resource Centers of the Donations They Need to Survive.

Despite the growing public support for pregnancy resource centers, many of the centers continue to rely extensively—if not exclusively—on “private financial donations.” *Donors, Living Alternatives*, bit.ly/4mr4kX4 (last visited Aug. 28, 2025); see Pet.App.180a. Indeed, data from 2019 suggests that “at least 90 percent of total funding for centers is raised through private donations.” *Pregnancy Centers Stand the Test of Time*, *supra*, at 92.

These contributions, of course, serve as “general expression[s] of support” for pregnancy resource centers. *Buckley v. Valeo*, 424 U.S. 1, 21 (1976) (per curiam). And many donors “support [their] causes anonymously.” *Watchtower Bible & Tract Soc’y of N.Y., Inc. v. Vill. of Stratton*, 536 U.S. 150, 166 (2002). These decisions “in favor of anonymity may be motivated by fear of economic or official retaliation, by concern about social ostracism, or merely by a desire to preserve as much of one’s privacy as possible.” *Id.* (citation omitted). Whatever the reason, though, “[t]his Court has recognized the vital relationship between freedom to associate and privacy in one’s associations.” *NAACP*, 357 U.S. at 462. “[C]ompelled disclosure, in itself, can seriously infringe on privacy of association and belief guaranteed by the First Amendment.” *Buckley*, 424 U.S. at 64.

That is true here. The Attorney General’s demand that First Choice disclose its donor identities “creates an unnecessary risk of chilling’ in violation of the First Amendment.” *Ams. for Prosperity*, 594 U.S. at 616

(citation omitted). And the record makes that clear. Donors fear they will be “harmed” by disclosure of their identities “as supporters of a pro-life ministry.” Pet.App.175a; *see also* Pet.App.182a.

That fear is well-founded. “At least 96 pregnancy resource centers and pro-life groups have been attacked and vandalized” in the past three years alone. *Tracking Attacks on Pregnancy Centers & Pro-Life Groups*, CatholicVote (Jan. 21, 2025), bit.ly/4oUlxd8. And many other pro-life individuals have been personally attacked because of their beliefs. For example, “an 84-year-old Michigan woman was shot in the back by an abortion supporter while she canvassed against a pro-abortion amendment.” Melanie Israel, *Stop the Attacks Against Peaceful, Pro-Life Americans*, Heritage Found. (Oct. 6, 2022), bit.ly/47Pkm8F. In Virginia, “an abortion supporter threw a cup of urine at two pro-life students while the group was peacefully displaying information about a pro-life campaign.” *Id.* And in New Jersey, “a rowdy pro-abortion protest by students resulted in the physical and verbal assault of a sophomore holding a pro-life sign.” Joe Bukuras, *Catholic Pro-Life Student Attacked at Public School, School Criticized for Lack of Protection*, Nat’l Catholic Register (May 26, 2022), bit.ly/3JvFiYp.

It is no surprise, then, that individuals are “less likely to donate” to pregnancy resource centers if they know their identities “might be disclosed to an official hostile to pro-life organizations.” Pet.App.177a. And the harm caused by the decision below stretches far beyond First Choice and the donors in this case. Ruling for the Attorney General here will only

“dissuade others” from donating to pro-life causes “because of fear of exposure of their beliefs shown through their associations and of the consequences of this exposure.” *NAACP*, 357 U.S. at 463. As a result, pregnancy resource centers across the country will lose the private donations they need to survive.

That will in turn deprive women and their families of the critical goods, services, and support that pregnancy resource centers provide their clients. *See supra* Section I. And it will unwind the progress that these important organizations have made.

The Court cannot sanction that intolerable result. First Choice is “guaranteed a federal forum under § 1983” to vindicate its First Amendment freedoms. *Knick*, 588 U.S. at 189. The lower court erred in holding to the contrary.

CONCLUSION

The Court should reverse the judgment below.

Respectfully submitted,

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