

Supreme Court Gives Pro-Life Pregnancy Center a Win in Battle Against Blue State

The Supreme Court handed the First Choice pro-life pregnancy center a huge victory Wednesday, ruling that it can challenge a New Jersey investigation seeking its private donor information.

In a 9-0 opinion written by Justice Neil Gorsuch, the high court held that the state attorney general's 2022 subpoena, sent after the creation of a "Reproductive Rights Strike Force," was chilling to First Amendment freedoms.

"The First Amendment guarantees all Americans the rights to speak, worship, publish, assemble, and petition their government freely," the Trump appointee wrote. "Each of these rights necessarily carries with it 'a corresponding right to associate with others.' Associational rights carry special significance for political, social, religious, and other minorities, protecting 'dissident expression' from marginalization or outright 'suppression by the majority.'"

"This Court has long held that 'compelled disclosure of affiliation with groups engaged in advocacy may constitute as effective a restraint on freedom of association' as more direct forms of suppression ... and thus has repeatedly subjected demands for private donor or member information to heightened First Amendment scrutiny," Gorsuch continued.



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"Throughout, the Court has recognized the critical role privacy plays in preserving protected association, and it has

acknowledged that official demands for private donor information ‘inevitabl[y]’ carry with them a ‘deterrent effect on the exercise of First Amendment rights.’”

He added, “Against this backdrop, First Choice has established a present injury to its First Amendment associational rights and therefore has standing. An injury in fact arises when a defendant burdens a plaintiff’s constitutional rights, and government demands for a charity’s private donor information have just that effect. Such demands inevitably discourage association with groups engaged in protected First Amendment advocacy and encourage groups to cease or modify protected advocacy the government disfavors.”

□ The Supreme Court unanimously rules that a crisis pregnancy center can challenge a New Jersey investigation seeking its donor information before enforcement, holding the subpoena itself chills First Amendment associational rights and creates standing.

– SCOTUS Wire (@scotus_wire) April 29, 2026

The Alliance Defending Freedom represented First Choice Women’s Resource Centers and outlined how this moment has been years in the making.

The center has been working with pregnant women since 1985 to give them “information and resources they need to make life-affirming decisions for themselves and their unborn children,” according to the ADF website.

In November 2023, New Jersey’s Democratic Attorney General Matt Platkin issued a subpoena to First Choice.

He wanted the group to hand over 10 years’ worth of documents, including “information provided to clients and donors, documents identifying personnel, copies of every First Choice

solicitation and advertisement, and information related to outside organizations with which it works.”

“Attorney General Platkin did not cite any complaints or evidence that First Choice had violated New Jersey law,” the ADF said in a case summary. “Rather, he is targeting First Choice because of its religious and pro-life views. Alliance Defending Freedom attorneys challenged the unlawful subpoena.”

ADF argued that the First Amendment shields donor identities “from unjustified disclosure and prohibits a state official from retaliating against speech with which he disagrees.”

“Thus, while First Choice responded to the subpoena and produced some 2,300 pages of documents, it filed suit in federal court to stop Attorney General Platkin’s attempt to obtain further documents,” the case summary continued. “Attorney General Platkin responded by filing his own lawsuit against the pregnancy center in state court, asking the court to compel First Choice to turn over First Amendment-protected information.

“Because of Attorney General Platkin’s state-court filing, the lower federal courts said First Choice must pursue its federal claims in state court. ADF filed a petition with the Supreme Court asking it to grant review of the case and hold that civil rights plaintiffs do not need to litigate first in state court but may bring federal claims, the same as any other person suffering constitutional injury at the hands of a state official.”

The Supreme Court reversed the original decision and sent it back to the lower court for further consideration.

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