

FREEDOM FROM RELIGION *foundation*

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November 7, 2022

SENT VIA EMAIL & U.S. MAIL: kurt.gibbs@co.marathon.wi.us

Kurt Gibbs
Chair
Marathon County Board of Supervisors
500 Forest St.
Wausau, WI 54403

Re: Proposed County Partnership with Crisis Pregnancy Center

Dear Chairman Gibbs:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional concern regarding Marathon County's potential partnership with a crisis pregnancy center. FFRF is a national nonprofit organization with over 38,000 members across the country, including more than 1,600 members and our headquarters in Wisconsin. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned Marathon County resident reported that the Marathon County Board of Supervisors ("the Board") is considering a proposal to begin partnering with a local crisis pregnancy center, Hope Life Center. We are told that this proposal was submitted by Jack Hogendyk, Hope Life Center's executive director, and requires the County to partner with Hope Life Center and cease using the public health care program, the Nurse Family Partnership Program.¹ Our complainant reports that numerous Marathon County residents oppose this proposal and have serious concerns over the negative effects defunding the Nurse Family Partnership Program would have on their community.

Hope Life Center is a specifically Protestant Christian organization:

Our mission at Hope Life Center is to reach the community with the gospel of Jesus Christ by meeting physical, emotional, and spiritual needs of women, men, and their unborn children.²

Additionally, Hope Life Center partners with and promotes Deeper Still, an overtly Christian retreat program. Hope Life Center's website states that "God brings healing to people in a variety of ways," describing its partnership with Deeper Still.³

Deeper Still's Statement of Faith includes:

¹ Marathon County, *Human Resources, Finance, & Property Committee Meeting Agenda*, Nov. 9, 2022 Meeting (accessed Nov. 7, 2022), https://www.co.marathon.wi.us/Portals/0/Departments/MCB/Archives/Standing%20Committees/Human%20Resources%20Finance%20and%20Property%20Committee/2022/HRFC_20221109_Packet.pdf?fbclid=IwAR1IkTGWkqQVHA1cELA68Zk7ujWoD8mJ7qxTAcWoMXdWBvTCtNztjS-aDYY, (see line items 6(B)(2)(11-12).

² Hope Life Center, Inc. (Nov. 7, 2022), <https://www.guidestar.org/profile/45-0474297>.

³ Hope Life Center, *Deeper Still Abortion Recovery Retreats* ((Nov. 7, 2022), <https://www.hopewi.org/deeper-still/>).

We believe in one God, Creator of all things, eternally existing in three persons, Father, Son and Holy Spirit.

[. . .]

We believe that the ministry of the Holy Spirit is to glorify the Lord Jesus Christ; to convict, regenerate, indwell, fill anoint, empower, guide, instruct, comfort and distribute spiritual gifts to the believer for godly living and service.⁴

We write to request that the Board reject the proposal to replace its current secular public healthcare programs for pregnant women and mothers with Hope Life Center. It is both constitutionally questionable and poor policy for Marathon County to partner with and encourage citizens to seek services from an overtly religious organization that does not and cannot separate its religious mission from the medical services it claims to provide.

Numerous studies have shown that crisis pregnancy centers (“CPCs”), like the Hope Life Center, often sacrifice sound medical advice and basic ethical standards to spread their religious message. In 2002, the Center for Reproductive Rights found that CPCs misinformed their clients about the consequences of abortions, including false claims that abortion causes breast cancer, sterility, and psychological damage.⁵ In 2006, U.S. Representative Henry Waxman released a study with similar findings, also disclosing that many CPCs incorrectly told clients that abortion would interfere with a woman’s ability to bear children in the future.⁶ Studies in multiple states have found that CPCs incorrectly tell pregnant teens that condoms are ineffective in reducing pregnancy and the transmission of certain STIs, and that abortion causes mental illness.⁷ Joanne Rosen, an associate lecturer at the John Hopkins Bloomberg School of Public Health, concluded an article about CPCs by writing that “collectively, [CPCs’] practices jeopardize the health of women and their children, and a public health response is warranted.”⁸

These deceptive tactics are obviously employed to scare women from using contraception or seeking abortions, both of which CPCs oppose for purely religious reasons. It is inappropriate and irresponsible for Marathon County to partner with a CPC, effectively funneling residents seeking reproductive healthcare services to an exclusively Christian organization that does not even provide a full range of services or consistently medically accurate information.

While Marathon County’s citizens are certainly free to seek out religious organizations' support and services, facilitating that relationship is beyond the scope of a secular government. The Establishment Clause of the First Amendment prohibits the government from showing favoritism towards one religion over others or towards religion over nonreligion generally. *See Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). By partnering with and leading citizens to an explicitly Protestant Christian organization, the County will signal blatant favoritism towards Christianity. Replacing secular programs with services from Christian organizations needlessly alienates and fails to adequately serve Marathon County residents who are part of the thirty-seven percent of Americans who are non-Christians, including the nearly one in three

⁴ Deeper Still, *Statement of Faith* (Nov. 7, 2022), <https://www.godeeperstill.org/about-us/statement-of-faith.html>.

⁵ Center for Reproductive Rights, *Crisis Pregnancy Centers Seek Public Funds and Legitimacy*, 11 REPROD. FREEDOM NEWS, July/Aug. 2002, at 4.

⁶ United States House of Representatives Committee On Government Reform, *False and Misleading Health Information Provided by Federally Funded Pregnancy Resource Centers* (2006), available at chsourcebook.com/articles/waxman2.pdf.

⁷ See, e.g., NARAL Pro-Choice America Foundation, *The Truth About Crisis Pregnancy Centers*, available at <https://www.prochoiceamerica.org/wp-content/uploads/2016/12/6.-The-Truth-About-Crisis-Pregnancy-Centers.pdf>.

⁸ Rosen, *The Public Health Risks of Crisis Pregnancy Centers, 2012*, PERSP. ON SEXUAL AND REPRO. HEALTH, Sept. 2010, 40(3):201–4.

Americans who now identify as religiously unaffiliated.⁹ Further it is the duty of the County to assure information—not disinformation, propaganda, and dogma—is disseminated via publicly-supported resources.

The Board must reject the proposal to replace the secular and publicly funded Nurse Family Partnership Program with Hope Life Center. It is both unconstitutional and poor policy for Marathon County to direct vulnerable residents seeking reproductive health services to an overtly religious organization that does not even reliably provide scientifically accurate medical information.

Sincerely,

A handwritten signature in black ink that reads "Samantha F. Lawrence". The signature is written in a cursive, flowing style.

Samantha F. Lawrence
Anne Nicol Gaylor Legal Fellow
Freedom From Religion Foundation

⁹ Gregory A. Smith, *About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated*, Pew Research Center (Dec. 14, 2021), available at www.pewforum.org/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/.