

In the
Supreme Court of the United States

CHURCH OF LIGHT, LLC,
Petitioner,
v.
LAURA MARSHALL,
Respondent.

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

BRIEF FOR PETITIONER

COUNSEL FOR PETITIONER
Team 17

QUESTIONS PRESENTED

1. Whether the Campus Anti-Doxxing Statute violates the First Amendment free speech rights of the Church of Light, LLC?
2. Whether the Campus Anti-Doxxing Statute violates the Free Exercise Clause of the First Amendment as-applied to the Church of Light by burdening its doctrinally required broadcasts?

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STATEMENT OF JURISDICTION

The United States Court of Appeals for the Fifteenth Circuit entered its final judgment in this matter on December 29, 2025.¹ Petitioner timely filed a petition for a writ of certiorari in the Supreme Court on December 30, 2025, which was subsequently granted on January 7, 2026.

CONSTITUTIONAL PROVISIONS INVOLVED

This case involves the First Amendment to the United States Constitution, which provides: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” U.S. Const. amend. I.

STATEMENT OF THE CASE

1. The Church of Light

The Church of Light is a religious denomination which was founded in Delmont in the 19th century. R. at 1. Among the Church of Light’s most foundational principles is that its followers, referred to as “Lightbearers,” must individually spread its religious message. *Id.* To fulfill this religious tenet, Lightbearers have proselytized in a variety of formats, including through public proclamation and the dissemination of written religious literature, with preferred methods of communication adapting to account for changes in technology over the centuries. *Id.* at 2. Importantly, such dissemination must be “live,” meaning individualized enough to leave

¹ *Marshall v. Church of Light, LLC*, No. 25-CV-1994, slip op. at 1 (15th Cir. 2025).

testimony of its impact with the receiver, such as by handing someone a copy of *The Lantern* while speaking with them. *Id.* at 2-3.

When the church was first founded, its followers travelled through Delmont disseminating a free newspaper, *The Lantern*, to spread their message. *Id.* at 3. *The Lantern* included a mixture of religious literature, local news, and events calendars, and was immensely beneficial to rural communities with less access to information. *Id.* As the church expanded, so did the number of followers, and the dissemination of information was left to younger people who had more time and energy to do so. *Id.* at 4. A missionary year became a requisite of the faith, and Lightbearers between the ages of 18 and 22 spent and continue to spend one year proselytizing and distributing *The Lantern*, often through college campus organizations referred to as “Lightbearer Missionaries.” *Id.*

In the 1990s when printed newspapers began to be supplanted by television, the Lightbearer Missionaries began disseminating *The Lantern* via televised broadcast instead of newspapers, and later by broadcasting via livestream and through driving vans with high-definition televisions on the sides through college towns. *Id.* at 5. All three forms of broadcast were considered “live” by Church Elders to the same extent as newspaper distribution by individual followers. *Id.* Just like printed editions of *The Lantern*, these broadcasts contained a mixture of local news and religious messaging. *Id.* at 6. The dissemination of such broadcasts continues to be among the chief cornerstones of the Church of Light’s faith. *Id.*

2. The Energy Farm Controversy

Since the fall of 2024, the Delmont legislature has been considering whether to convert roughly one-thousand state-owned, undeveloped acres of land around Delmont into solar and

wind energy farms, including woodlands near the Delmont Mountain Range, and portions of the Delmont Interior Plains. *Id.* at 7. Non-profits all around Delmont have come out in support of or against this project, with two main groups emerging at the forefront of the debate. *Id.* The so-called “Energy Coalition” believes that the land should be developed in order to obtain environmentally friendly, clean energy for Delmont. *Id.* at 8. The other side, the “Nature Coalition” is against developing the land and believes that the preservation of wildlife habitats is more important than clean energy. *Id.*

While this issue has been hotly contested from the start and many protests, rallies, and demonstrations were held, the controversy became violent in April of 2025 when the state began to clear land to build solar panels. *Id.* at 9. Rallies and demonstrations often led to physical altercations between groups of protesters, with both sides acting as instigators at different points in time and some fights leading to hospitalizations. *Id.* at 9-10. The conflict was especially pronounced on college campuses, where members of the Energy Coalition and the Nature Coalition stormed academic buildings, disrupted classes, lit trash cans on fire, and harassed students on the other side of the debate. *Id.* at 10-11. Some students engaged in “flash shares,” where a particular student’s personal information would be quickly shared to encourage protesters to swarm the student and protest their side or insult the student, usually frightening the student, before dispersing immediately afterwards. *Id.* at 11.

In response to these incidents, on September 12, 2025, the State of Delmont passed the Campus Anti-Doxxing Statute (“CADS”), Delmont Annotated Statutes §25.989 (2025). *Id.* at 12. This created a civil cause of action against anyone who disclosed the private information of a student, faculty member, or staff member at a Delmont College or university with the intent to “stalk, harass, or physically injure.” *Id.* Under the statute, “private information” refers to:

- A) The plaintiff's home address, personal email address, personal phone number, social security number, or any other personally identifiable information;
- (B) Contact information for the plaintiff's employer;
- (C) Contact information for a family member of the plaintiff;
- (D) Photographs of the plaintiff's children;
- (E) Identification of the school that the plaintiff's children attend.

3. **Laura Marshall**

Laura Marshall is a student activist from the Nature Coalition. *Id.* at 14. While she is not a founding leader, she has attended many rallies and played a substantial role in organizing protests. *Id.* In mid-September of 2025, Marshall delivered a speech at a campus protest at Delmont State University ("DSU"). *Id.* at 15. Her speech was powerful enough to receive extensive media coverage in the weeks following the controversy. *Id.*

During the week of September 22, Marshall's speech was broadcast on DSU Lightbearer Missionary vans around the campus. *Id.* at 16. Also included in the broadcast were a photograph of Marshall sitting at her desk at the Delmont Treatment Center (where Marshall was a part-time employee and patient) and a photograph of the St. John's Church Counseling Center in downtown Delmont. *Id.* at 16-17. Both photographs show the names, addresses, and phone numbers of the centers as well as other resources for those struggling with substance abuse. *Id.* at 17. The photograph of Marshall was publicly available on the Delmont Treatment Center's website. *Id.*

The Lightbearer Missionaries had regularly broadcast coverage of speeches regarding the Energy Farm Controversy as well as information for those seeking help for substance abuse, but this was the first broadcast that featured photographs. *Id.* at 18. Shortly after the Lightbearers'

broadcast, Ms. Marshall was confronted by twenty Energy Coalition protesters while leaving work, and during the incident, her car was keyed. *Id.* at 19. A similar incident occurred the next night, and Ms. Marshall clipped the side of a light pole while trying to leave the property. *Id.* Ms. Marshall quit her job the next day, saying that she felt compelled to leave for her own safety and the safety of her employer. *Id.* at 20. Ms. Marshall approached the Church of Light to demand that they stop their prior broadcast but, as is a requisite of their faith, they chose to continue with protocol and continue to broadcast. *Id.* Ms. Marshall is now suing the Church of Light claiming that their broadcast violated the Campus Anti-Doxxing Statute. *Id.* at 21.

SUMMARY OF THE ARGUMENT

The Supreme Court should hold that the Campus Anti-Doxxing Statute violates the Church of Light's First Amendment and Free Exercise rights by prohibiting broadcasts that are both doctrinally mandated and expressive. CADS suppressed speech on matters of public concern because the Church's broadcasts convey information about individuals involved in campus activities and controversies, which are central to its religious mission. By targeting this communicative activity while exempting comparable secular conduct, the statute imposes a content-based and viewpoint-discriminatory restriction that burdens the Church's ability to speak and act in accordance with its faith, and this burden cannot survive constitutional scrutiny.

CADS also violates the Free Exercise Clause because it is neither neutral nor generally applicable. The statute singles out the Church's broadcasts, which are doctrinally required and central to its religious practice, while functionally equivalent secular conduct including advocacy, journalism, and student group activities is largely exempted from liability. This selective application forces the Church to choose between adhering to its sincerely held religious

beliefs and risking substantial civil penalties, creating a coercive and existential burden that directly interferes with religious self-determination and the Church's ability to operate as a faith community.

Even if CADS were neutral on its face, the statute falls within the exception recognized in *Yoder* and *Mahmoud* because its enforcement threatens the Church's survival and core functioning. The Church relies on broadcasts to train members, conduct evangelization, and maintain intergenerational cohesion, and the statute's restrictions would dismantle these essential functions. The statute is also overbroad and underinclusive, capturing harmless doctrinally required activity while leaving comparable secular conduct unregulated, and it is unnecessary because existing laws already protect students from harassment and threats. Narrow, as-applied relief would allow the Church to continue its doctrinal broadcasts while preserving the statute's enforcement against genuinely harmful or malicious conduct.

Taken together, CADS as applied to the Church's doctrinally mandated broadcasts imposes both an unconstitutional burden on speech and a severe infringement on religious exercise. Its selective targeting, structural mismatch with religious obligations, and threat of coercive penalties make clear that the statute cannot withstand constitutional review. The Court should therefore enjoin CADS as applied to the Church's broadcasts to protect the Church's core religious practices and expressive rights while allowing the statute to continue addressing genuine threats to campus safety.

ARGUMENT

I. THE CAMPUS ANTI-DOXXING STATUTE RESTRICTS THE DISSEMINATION OF INFORMATION ON MATTERS OF PUBLIC CONCERN AND CANNOT SURVIVE STRICT SCRUTINY

The First Amendment to the United States Constitution provides in part that “Congress shall make no law . . . abridging the freedom of speech” U.S. Const. amend. I. This right is crucial to the proper functioning of our democracy. Following its initial ratification, it was subsequently incorporated against the states under the Due Process Clause of the Fourteenth Amendment. *See Gitlow v. New York*, 268 U.S. 652, 666 (1925). This freedom is of paramount importance as it is necessary to allow for the free dissemination of information in the marketplace of ideas. *See Snyder v. Phelps*, 562 U.S. 443, 451 (2011). While this right can be subject to legal limitations for especially important interests, such as to protect people from true threats or incitement, it is vital that such statutory limitations are not overbroad, as these can cause a chilling effect on speech. *See Broadrick v. Okla.*, 413 U.S. 601, 615 (1973). As a result, content-based laws restricting speech must be narrowly tailored and are subject to strict scrutiny. *See United States v. Eichman*, 496 U.S. 310, 317 (1990).

A. The Church of Light’s broadcast receives First Amendment protections because it concerns a matter of public interest

The information disseminated by the Church of Light relates to a matter of public concern and is therefore protected by the First Amendment. The primary goal of the First Amendment is to protect speech which relates to matters of public concern, as these topics should be discussed within the marketplace of ideas. *Snyder v. Phelps*, 562 U.S. 443, 451 (2011); *Connick v. Myers*, 461 U.S. 138, 146-48 (1983). Therefore, the Church of Light’s broadcast

receives First Amendment free speech protections if its topic is a matter of public concern. A matter of public concern is a topic which is either “of political, social, or other concern to the community” or “is a subject of general interest and of value and concern to the public” and is subject to significant First Amendment protections. *See Snyder*, 562 U.S. at 444 (internal citations omitted). In *Connick*, the Supreme Court also held that determining whether a matter is an issue of public concern is “also the standard in determining whether a common-law action for invasion of privacy is present.” *See Connick*, 461 U.S. at 146 n.5 citing *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 491 (1975) (holding that a news station publishing a rape victim’s name was not an invasion of privacy when the name could be found in public records such as court reports). While not completely unprotected, speech on matters of purely private concern is not given as many First Amendment protections as matters of public concern. *See Dun & Bradstreet v. Greenmoss Builders*, 472 U.S. 749, 759 (1985) (finding that the contents of petitioner’s credit report was a matter of purely private concern, and thus disclosure was not protected); *Brekke v. Wills*, 125 Cal. App. 4th 1400, 1409 (2005) (finding that plaintiff’s quarrel with his girlfriend’s mother was a matter of purely private concern, and thus a restraining order preventing him from communicating with her did not violate his First Amendment rights). Statements which are offensive or unpopular still receive protection as long as they relate to a topic of public concern. *See Snyder*, 562 U.S. at 444.

Here, the Church’s broadcast is protected speech because it strongly relates to an issue of public interest. The Church of Light’s broadcast included a video clip of Ms. Marshall’s speech in support of the Nature Coalition, a publicly available photograph of Ms. Marshall at her desk at the Delmont Treatment Center, and a publicly available photograph of a second treatment center, also located in Delmont. R. at 7. The speech is a textbook matter of public concern as it directly

concerns a matter of great public concern, in this case the Energy Farm Controversy. *See Snyder*, 562 U.S. at 444. Ms. Marshall’s workplace also cannot be considered a matter of private concern because the photograph the Church of Light circulated was publicly available on the internet through her employer’s website. R. at 17. Because the photograph and identifying information were already publicly available, their dissemination does not implicate the core privacy concerns that justify reduced First Amendment protection. *See Connick*, 461 U.S. at 146 n.5.

The lower court erred when it held that the Church’s broadcast is not protected speech because, regardless of whether the speech was a topic of public concern, Ms. Marshall is not a public figure but is “rather a private figure who was ‘involuntarily thrust into the fray.’” *See Time, Inc. v. Firestone*, 424 U.S. 448, 457 (1976) (holding that a divorcing spouse was not a public figure despite media attention); R. at 34. This argument is incorrect on multiple grounds. First, Ms. Marshall is hardly a private figure; the record notes that Ms. Marshall played a “substantial organizational role in some major protests” and that the speech the Church of Light broadcast “received extensive news coverage due to the strength of her rhetoric.” R. at 10. Concededly, Ms. Marshall is unlikely to be a truly public official, as she is not famous or notorious enough to warrant this description. *See New York Times v. Sullivan*, 376 U.S. 254, 261 (1964). Rather, Ms. Marshall is a limited purpose public figure who voluntarily plays an important enough role in public discourse on a particular issue that she becomes a public figure for a “limited range of issues.” *Gertz v. Robert Welch*, 418 U.S. 323, 352 (1974). Ms. Marshall was not “involuntarily thrust into the fray,” like the divorced couple in *Firestone*, she voluntarily injected herself into the controversy by participating prominently within a highly controversial and publicized movement, thus rendering her, at the very least, a limited purpose public figure. *See id.*

B. The Campus Anti-Doxxing Statute (CADS) is a content-based restriction as it suppressed information for fear of its communicative value and is not narrowly tailored enough to survive strict scrutiny.

A content-based restriction refers to any regulation that suppressed speech for its likely communicative impact, as opposed to a content-neutral restriction which merely suppressed a certain activity based on time, place, or manner. *See Eichman*, 496 U.S. at 317 (holding that law preventing the destruction of a flag with the intent to “disrespect it” was unconstitutional); *Boos v. Barry*, 485 U.S. 312, 319 (1988) (holding that a statute prohibiting picketing with critical language outside of an embassy was a content-based restriction on speech). While an explicitly content-based speech regulation is always subject to strict scrutiny regardless of motive, a facially content-neutral restriction can still be subject to strict scrutiny if it draws distinctions based on communicative content or function. *See Reed v. Town of Gilbert*, 576 U.S. 155, 166 (2015). Both types of restriction are subject to strict scrutiny when they draw distinctions based on communicative content and are presumptively unconstitutional unless the state shows a compelling interest in placing the restriction and the law uses “the least restrictive means” to accomplish this purpose. *McCullen v. Coakley*, 573 U.S. 464, 478 (2014). For a statute to be considered narrowly tailored, the law must “target and eliminate only the exact source of the ‘evil’ it seeks to remedy” and no more. *Frisby v. Schultz*, 487 U.S. 474, 485 (1988). In related matters, when the overbreadth of a statute restricting speech is substantial, the law must be invalidated even when the petitioner’s specific conduct is within the state’s power to restrict. *See Broadrick*, 413 U.S. at 615; *Virginia v. Hicks*, 539 U.S. 113, 119 (2003). Finally, when a law restricting speech is vague, the law may be struck down as unconstitutional due to inadequate

notice, due to the potential chilling effect on speech. *See Coates v. Cincinnati*, 402 U.S. 611, 612 (1971); *see also Broadrick*, 413 U.S. at 615.

Here, regardless of whether Delmont has a compelling interest, CADS is invalid on its face because it is too broad to survive strict scrutiny, has a substantial number of unconstitutional applications, and is vague. While CADS itself is facially neutral, it is clear from the facts that the government's intent is to restrict free expression for fear of its communicative impact, specifically out of the fear that it would result in students being harassed in connection with the Energy Farm Controversy. Affidavit of Governor Morrison (R. 47); *Eichman*, 496 U.S. at 317; *Reed*, 576 U.S. at 166. It must therefore be narrowly tailored to target the "exact evil" it seeks to remedy, but CADS is not. Instead, CADS targets a broad sweep of speech, prohibiting dissemination of an employer's information under any circumstances, and sometimes using vague catch-all clauses such as "or any other personally identifiable information." R. at 7. The District Court specifically mentions that CADS would prohibit activists from disseminating the business address of a company they are protesting, which is a traditional location to protest. R. at 28. It would in fact prohibit the dissemination of a myriad of information necessary to protest and spread ideas, even if such information is already publicly available or common knowledge. As CADS goes beyond what is necessary to protect from its prescribed evil and has a substantial number of unconstitutional applications, it is constitutionally overbroad and invalid regardless of the facts of this particular case, and therefore unconstitutional on its face and as applied here. *See Broadrick*, 413 U.S. at 615. The "all other personally identifiable information" clause is sufficiently vague as to render the statute invalid. *Id.* The term could include anything from the contents of private government documents to those easily found in government records to photographs published on social media. *See Coates*, 402 U.S. at 612. Without clarification,

parties do not have adequate notice of what behavior is prohibited, and thus the law is unconstitutionally vague. *Id.*

C. The Church’s broadcast does not fall under any other categories of unprotected speech, such as fighting words, defamation, true threat, or incitement.

The Church of Light’s broadcast also receives First Amendment protection because it does not fall into any category of unprotected speech, such as fighting words, defamation, incitement, or true threat. No party alleges that fighting words or defamatory statements were made at any time during the controversy, but no incitement or true threat has occurred here.

“True threat” is specifically defined as “a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals.” *Virginia v. Black*, 538 U.S. 343, 361 (2003) (holding where burning a cross into a Black person’s yard with the intent to intimidate them was a true threat due to the pervasive history of cross burning to symbolize violence). Symbolic speech can be a true threat, but the threat must be both serious and specific enough that the person on the receiving end would reasonably consider it a threat to physically harm them. *Id.*; *see also Counterman v. Colorado*, 600 U.S. 66, 69 (2023) (holding that a speaker must act with at least recklessness as to whether their statements would be perceived as threatening). Incitement requires a party to encourage another to imminent lawless action, referring to one advocating for a particular action, even if lawless, is not incitement unless it is imminent. *See Brandenburg v. Ohio*, 395 U.S. 444, 449 (1969) (holding that “the constitutional guarantees of free speech . . . does not permit a State to forbid or proscribe advocacy of the use of force or of law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action”).

Here, the broadcast is not a true threat as it does not broadcast any intent to physically harm. The video shows a publicly available photograph and a public speech that had already received extensive media coverage, which had no suggestion of a threat. *See Black*, 538 U.S. at 361; *Counterman*, 600 U.S. at 69. Even entertaining the idea that the broadcast is symbolic speech considering prior incidents in Delmont, a mere endorsement to protest the another party's viewpoint is not a true threat as it does not necessarily advocate violent. *See Black*, 538 U.S. at 361; *Counterman*, 600 U.S. at 69. It is true that a protester keyed Ms. Marshall's car, but the broadcast did not encourage this, and the further damage done to Ms. Marshall's property was caused by an independent accident not attributable to the broadcast or the protesters' behavior. R. at 11. Likewise, it is not incitement because there is no suggestion in the broadcast that anyone should take any unlawful action, or that they should do so imminently. *See Brandenburg*, 395 U.S. at 449.

Therefore, since CADS is content-related, too broad to survive strict scrutiny, and does not fall under other areas of unprotected speech, its application violates the Church of Light's free speech rights.

II. THE CAMPUS ANTI-DOXXING STATUTE VIOLATES THE FREE EXERCISE CLAUSE AS-APPLIED TO THE CHURCH OF LIGHT

The First Amendment's Free Exercise Clause provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." U.S. Const. amend. I. Incorporated against the States through the Fourteenth Amendment, this protection safeguards not only the right to hold religious beliefs, but also the right to live those beliefs openly, together with others, and in the public sphere. *Cantwell v. Connecticut*, 310 U.S. 296, 303-04 (1940) (holding Free Exercise Clause applies to the States).

When the government, either state or federal, enacts a law that substantially burdens religious exercise, courts must examine it carefully to ensure religious practice has not been singled out for disadvantage, whether directly, indirectly, or in its overall effect. *Sherbert v. Verner*, 374 U.S. 398, 403-04 (1963). A government action imposes a substantial burden when it forces adherents to choose between following their faith and facing penalties, fines, or sanctions. *See Wisconsin v. Yoder*, 406 U.S. 205, 218-19 (1972); *see also Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 531-32 (1993).

CADS violates the Free Exercise Clause as applied to the Church of Light. CADS is not neutral and does not apply generally. It treats comparable secular conduct more favorably than religiously motivated broadcasting, which triggers strict scrutiny whenever secular activity receives more favorable treatment than religious exercise. *Tandon v. Newsom*, 593 U.S. 61, 63-64 (2021). CADS also imposes a severe and coercive burden on core religious practices. R. at 45-46. Broadcasting is central to the Church's mission; it is doctrinally required and not optional. Preventing the Church from broadcasting interferes directly with its ability to observe and share its faith. *Id.*

A. CADS Is Not Neutral Toward Religion in Purpose, Operation, or Effect

A law that is neutral on its face may nonetheless violate the Free Exercise Clause if it imposes burdens on religious practice that do not apply to functionally equivalent secular conduct. *Lukumi*, 508 U.S. at 533. Courts examine not only statutory text, but also the historical context, the sequence of events leading to enactment, and the statute's practical operation and

effect. *Id.* at 540; *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Comm’n*, 584 U.S. 617, 639 (2018).

The Church of Light’s broadcasting practices illustrate the structural incompatibility of CADS with its religious obligations. Founded in 1873, the Church is devoted to public proclamation and printed witness. R. at 45 ¶4. President Rallston attested that the Church’s mission requires engagement with the public through live, on-site evangelization and distribution of its publication, *The Lantern*. R. at 45 ¶5. When street preaching and printed distribution became insufficient to reach the public, the Church transitioned to community access television, livestreaming, and LED-screen broadcasts on mobile vans that travel to college campuses. R. at 46 ¶7. As Rallston explained, this adaptation of technology is doctrinally mandated because the Church must “present a living witness to the world” to fulfill its theological obligations. R. at 46 ¶7. These broadcasts are central to the faith and are required under church rules; no alternative practice would accomplish the same religious purpose. *See generally Yoder*, 406 U.S. at 218-19 (holding that core religious practice cannot be lightly subordinated to state interests); R. at 45 ¶5.

B. CADS Is Not Generally Applicable Under This Court’s Precedents

Even if CADS were facially neutral, it is not generally applicable. A law fails this requirement when it prohibits religious conduct while permitting secular conduct that creates similar or greater risks.² *Lukumi*, 508 U.S. at 543; *Fulton v. City of Philadelphia*, 593 U.S. 522,

² See Michael W. McConnell, *Free Exercise Revisionism and the Smith Decision*, 57 U. CHI. L. REV. 1109, 1130-36 (1990) (arguing that a law is not generally applicable when it restricts religiously motivated conduct while allowing comparable secular conduct, and analyzing the Supreme Court’s shift in Free Exercise jurisprudence in *Smith*).

533 (2021). CADS does not meet this standard, as there is obvious differential treatment for secular content compared to its religious counterpart. *Id.*

Governor Morrison explicitly acknowledged that before CADS, numerous universities and campus organizations disseminated identifying information in ways that produced harassment, threats, and disruption, yet these actors were not the focus of the statute. R. at 47 ¶4. The Church of Light’s broadcasts, which only use publicly available information and are conducted for doctrinal purposes, fall within the scope of CADS while leaving comparable secular activities unregulated. R. at 45-46. This selective application demonstrates that CADS is not generally applicable in the doctrinal sense.³ *See Lukumi*, 508 U.S. at 537; *see also Tandon*, 593 U.S. at 63-64 (laws that treat secular activity more favorably than comparable religious activity trigger strict scrutiny).

CADS also creates discretionary enforcement, as it imposes liability based on intent, recklessness, and foreseeability. R. at 46 ¶9. This discretion amplifies the burden on religious actors because doctrinally mandated broadcasts are inherently public and predictable, making them uniquely visible to regulators. By contrast, functionally identical secular conduct, such as reporting, advocacy, or campus organization activities, is generally not enforced against, highlighting both underinclusiveness and disparate treatment. *See City of Houston v. Hill*, 482 U.S. 451, 466-67 (1987); *Fulton*, 593 U.S. at 533-34. The Church’s exposure is therefore

³ *See* Douglas Laycock, *The Supreme Court, 1990 Term—Foreword: A Functional Approach to Religion and the Law*, 106 HARV. L. REV. 4, 30-35 (1992) (discussing how selective enforcement of laws against religiously motivated conduct, while leaving comparable secular activity unregulated, demonstrates underinclusiveness and triggers heightened scrutiny under Free Exercise jurisprudence).

uniquely high, reinforcing the lack of general applicability and justifying strict scrutiny. R. at 46 ¶ 6-7.

C. CADS Imposes a Severe and Substantial Burden on Core Religious Exercise

The Free Exercise Clause protects conduct that is central and sincerely held within a religious belief system, and courts may not minimize the importance of that conduct. *Thomas v. Review Bd. of Ind. Emp. Sec. Div.*, 450 U.S. 707, 713 (1981); *Hernandez v. Commissioner*, 490 U.S. 680, 699 (1989). The Church of Light’s broadcasting practices are doctrinally required, historically rooted, and central to its religious mission. R. at 45 ¶4-7; R. at 46 ¶6-8. These broadcasts are not incidental; they are the primary method through which the Church fulfills its obligation to present a living witness to the world, disseminate *The Lantern*, and cultivate faith among its young members. R. at 46 ¶6-8. The record demonstrates that the Church has carefully structured its public proclamation to comply with legal boundaries, ensuring that all images and information are drawn from publicly available sources. R. at 46 ¶9.

President Rallston attests that CADS forces the Church to choose between abandoning doctrinally mandated public proclamation or facing civil liability that could threaten the organization’s very existence. R. at 46 ¶10. This burden is coercive, unavoidable, and fundamentally interferes with religious self-determination. *See Sherbert*, 374 U.S. at 404; *see also Holt v. Hobbs*, 574 U.S. 352, 361 (2015). Even assuming arguendo that CADS is neutral and generally applicable, the statute falls within the *Yoder/Mahmoud* exception to *Smith*, which protects religious communities from laws that threaten their survival or core functioning. *Yoder*, 406 U.S. at 218; *Mahmoud v. Taylor*, 606 U.S. 522, 564 (2025); *Employment Division v. Smith*,

494 U.S. 872, 879 (1990). Enforcement of CADS against the Church would impose crippling liability and disrupt doctrinally mandated broadcasts, threatening the Church's very existence. R. at 46 ¶10.

D. CADS Cannot Survive Strict Scrutiny

Strict scrutiny requires that a law be justified by a compelling governmental interest and narrowly tailored to achieve that interest. *Lukumi*, 508 U.S. at 546. Even assuming that the State has a compelling interest in preventing harassment on campus, CADS is neither narrowly tailored nor necessary as applied to the Church of Light.

CADS is overbroad because it prohibits dissemination of identifying information in campus contexts without regard to doctrinal significance, or the use of publicly available sources. R. at 45 ¶9; R. at 46 ¶6-7. The Church's broadcasts involve only information lawfully accessible to the public and have never been used to harass or harm. R. at 46 ¶9. By capturing activity that is doctrinally required and inherently non-threatening, the statute extends far beyond any legitimate governmental purpose, criminalizing religious exercise that poses no risk to student safety. This sweeping prohibition demonstrates that CADS is poorly tailored to the State's interest and fails the first requirement of strict scrutiny.

CADS is also underinclusive, selectively burdening religiously motivated broadcasts while exempting functionally equivalent secular conduct. Governor Morrison acknowledged that many secular actors, including advocacy organizations, student political groups, and journalists, routinely disseminate identifying information in ways that create comparable or greater risk, yet they are not subject to liability under the statute. R. at 47 ¶4-6. This underinclusiveness shows

that the statute does not apply generally and confirms its narrow targeting of religious exercise, a flaw the Supreme Court has repeatedly identified as a constitutional deficiency. *Coakley*, 573 U.S. at 490; *Lukumi*, 508 U.S. at 537. By imposing legal jeopardy only on doctrinal broadcasts, CADS structurally disadvantages the Church and signals that religious exercise alone subjects a community to special regulatory burdens.

Finally, CADS is unnecessary because effective alternatives already exist to protect students from harassment or threats. R. at 47 ¶¶4-6. Criminal harassment, trespass, and campus enforcement statutes address harmful conduct regardless of the actor's religious or secular motivation. That CADS singles out doctrinal broadcasting for additional liability demonstrates that the statute is dispensable in light of these existing protections. When overbreadth, underinclusiveness, and alternative measures are considered together, the statute imposes a uniquely coercive and existential burden on the Church. Its application to doctrinally required broadcasts violates the Free Exercise Clause and cannot survive strict scrutiny.

E. Free Exercise Is Reinforced by Expressive Considerations, and Narrow, As-Applied Relief Is Appropriate

CADS's threat is structural and existential. The statute exposes the Church to liability for broadcasts that are fully compliant with public-source limitations, never intended to harass or harm, and doctrinally necessary. R. at 46 ¶¶9-10. By forcing the Church to choose between its religious obligations and civil liability, CADS interferes with the Church's mission, disrupts community cohesion, and undermines intergenerational religious training. *Id.* at 46 ¶¶6-10. Courts have recognized that laws which selectively burden religiously mandated expressive conduct

produce “substantial and unique” harms, warranting strict scrutiny even where secular actors engaging in similar activity are left unregulated. *Lukumi*, 508 U.S. at 537-38.

At the same time, the Church challenges CADS only as-applied to doctrinally mandated broadcasts. R. at 45 ¶¶6-7; R. at 46 ¶¶6-8. A ruling in the Church’s favor would preserve CADS’s application to genuinely malicious or non-religious doxxing while protecting constitutionally required religious expression. Narrow relief reflects judicial modesty and precision, honoring legislative intent wherever possible. *Yoder*, 406 U.S. at 220; *Holt*, 574 U.S. at 361. This approach ensures that the statute continues to protect students from actual harm while safeguarding the Church’s core religious practices.

CONCLUSION

This Court should REVERSE the judgment of the United States Court of Appeals for the Fifteenth Circuit. CADS violates the Church of Light’s First Amendment rights to the free exercise of religion and freedom of speech.

Respectfully submitted,

Team 17

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CERTIFICATE OF COMPLIANCE

Team 17 certifies that the work product contained in all copies of Team 17's brief is in fact the work product of the members of Team 17 only; and that Team 17 has complied fully with its law school's governing honor code; and that Team 17 has complied with all Competition Rules.

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