



State of Connecticut

SENATE

STATE CAPITOL
300 CAPITOL AVENUE
HARTFORD, CT 06106-1591
SENATE REPUBLICAN OFFICES

October 1, 2021

Governor Ned Lamont
Office of the Governor
210 Capitol Avenue
Hartford, CT 06106

Dear Governor Lamont:

Government has no role in judging any person's religious beliefs or their sincerity to those beliefs. That is why a revision to the form and associated policy being used for a state employee to request a religious or spiritual exemption must occur.

The current form ("Request for Religious or Spiritual Exemption for COVID-19 Vaccination", hereinafter "The Exemption Form") and the required documentation defined by the Connecticut Department of Administrative Services requires an employee to justify their religious exemption. The form asks for a history of an individual's religious beliefs, if they received any type of vaccination in the past, and allows an agency-designated Human Resources employee to question an individual and their witnesses or religious leaders about the validity of their religious beliefs without any experience, qualification, or knowledge of religion and faith matters.

We are deeply concerned about troubling constitutional questions resulting from requiring an individual to justify their religious beliefs or their religious history. This is not about our state's right to mandate its employees be vaccinated. This is about respecting individuals and their constitutional rights when exercising their religious freedom.

The religious Exemption Form need only provide an opportunity for an employee to exercise their religious exemption with a statement that they object based on religious grounds to avoid the slippery slope of religious discrimination.

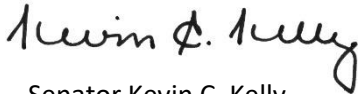
The effect of the state performing such an inquiry and analysis of an employee's religious or spiritual principle(s) runs afoul of the Article First, Section 3 and Article Seventh of the Connecticut Constitution and the Establishment and Free Exercise Clauses of the First Amendment and the Equal Protection Clause of the Fourteenth Amendment of the US Constitution. Because the state is performing an examination of an employee's beliefs, the only conclusion is that the exemption policy benefits only those who are members or believers of a church or religious denomination recognized by the State.¹

¹See *McCarthy v. Boozman*, 212 F. Supp. 2d 945, 948 (2002).

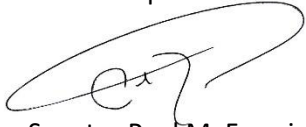
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Accordingly, we respectfully request that your office and agencies immediately review the policy and forms used for an employee to request a religious or spiritual exemption in light of our nation's long history of respecting religious freedoms and the U.S. and Connecticut constitutions that protect those rights.

Sincerely,



Senator Kevin C. Kelly
Senate Republican Leader



Senator Paul M. Formica
Senate Republican Leader
Pro Tempore



Senator Eric Berthel



Senator Dan Champagne



Senator Paul Cicarella



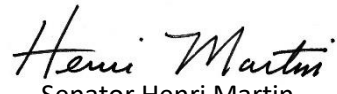
Senator Ryan Fazio



Senator Tony Hwang



Senator John Kissel



Senator Henri Martin



Senator Craig Miner



Senator Rob Sampson



Senator Heather Somers



Senator Kevin Witkos