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## **Attorney General Marshall Leads Brief in U.S. Supreme Court Protecting Amish Schools from New York's Vaccine Mandates**

(Montgomery, Ala) – Alabama Attorney General Steve Marshall led a 21-state amicus brief today in the U.S. Supreme Court supporting the religious freedoms of the Amish community in rural New York. The State of New York has imposed massive penalties on Amish-only private schools because Amish parents hold religious beliefs against vaccinating their Amish children who attend these schools. The brief, filed in the U.S. Supreme Court, argues that when New York eliminated longstanding religious exemptions from school vaccination requirements, it violated the First Amendment rights of parents to exercise their religion and raise their children according to their deeply held beliefs. Almost every other State accommodates religious objections to school vaccine requirements.

"Parental rights really took the spotlight in 2020, when parents woke up to what some schools were teaching their kids. But the hostility of some States is reflected not just in the curriculum, but their general refusal to accommodate religion. New York's attack on the Amish for their religious beliefs about vaccines is disturbing and has no place in American law," stated Attorney General Marshall. "We had to act before this aggression toward parental rights and religious minorities could gain a deeper foothold in the federal courts. No parent should be forced to choose between the right to practice their faith and the right to send their children to school."

The brief argues that many of America's founding generation fled religious persecution, so they crafted the Free Exercise Clause to protect religious minorities like the Amish. Recent Supreme Court precedent protects parental rights in the areas of religious education and the religious upbringing of one's children. The brief also explains how the lower federal courts wrongly held that New York's repeal of religious exemptions was "neutral and generally applicable." The law discriminates against religion because it permits students to be unvaccinated, so long as they give approved "health" reasons, not religious ones. The States emphasize that public health is not a legitimate reason to trample on the rights of conscience, and they fear that States like New York and the federal government will continue to encroach on these essential freedoms.

In May 2024, Alabama led a 20-state coalition amicus brief supporting the New York Amish schools before the Second Circuit Court of Appeals.

This Alabama-led coalition also included: Alaska, Arkansas, Georgia, Idaho, Iowa, Kansas, Kentucky, Louisiana, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, and West Virginia.

