

Government Administration and Elections Committee
JOINT FAVORABLE REPORT

Bill No.: SJ-42

RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT

Title: CONCERNING A RIGHT TO PRIVACY.

Vote Date: 3/27/2023

Vote Action: Joint Favorable Substitute

PH Date: 3/20/2023

File No.:

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SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

Senate Joint Resolution 42 amends Section 21 of the Connecticut State Constitution to include the reproductive rights and freedoms of residents of Connecticut. These rights, include, but are not limited to, terminating one's pregnancy. Additionally, this resolution includes the right between consenting adults' right to intimacy and marriage with each other regardless of sex and race. This resolution exists to safeguard and codify gay, civil, and reproductive rights into the State's Constitution in order to protect woman, LGBTQIA+ individuals, and people of color from disenfranchisement.

SUBSTITUTE LANGUAGE:

The current substitute language to SJR42 included in lines 28-31 adds additional protections to adults' rights to intimacy and marriage with another adult regardless of sex or race as well as ensuring the right to resident's reproductive freedom.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed

NATURE AND SOURCES OF SUPPORT:

Carly Danziger

Carly states that it is unfathomable that their untouchable rights were being stripped; the right to make decisions about their body. They further state that it is horrifying that someone else

can make decisions about their body as a young woman. Moreover, if a “person feels they are ready to grow a new life and sustain the health journey that goes along with it, then commit to caring for and raising another small human, that is their absolute right,” and they can do that with their free will. However, they should not be “[pushing] their guiding principles unto others, and certainly not unto a nation that’s first amendment covers the freedom of religion, and the right to or to not practice it.” The United States is the “Land of the Free,” and that means they should be able to utilize that fundamental right to make any decision that one may choose to do; which includes “ending a pregnancy, utilizing birth control, and above all, keeping the government out of [people’s] doctor’s appointments.”

Jess Zaccagnino, Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT)

The American Civil Liberties Union of Connecticut supports this resolution because “it is also about humanity, dignity, and freedom... [and] a lack of access to reproductive health services, including abortion, is already threatening people’s lives and futures across the country.” Moreover, people across the country are forced to stay pregnant against their will. In regards to systemic racism, the most affected are Black and Latinx people as well as low-income individuals. Importantly, Connecticut must act to dismantle barriers to reproductive freedom to “ensure that abortion is accessible, affordable, and available to all.”

They are in stark support of this resolution as “every individual deserves the right to their privacy, and the right to make their own decisions about their own body without interference.” It is the choice of the individual whether to terminate one’s pregnancy or not, no one else’s choice. If the legislature fails to protect individual rights to privacy, it will lead to adverse consequences, especially access to abortion healthcare. It is a fundamental human right to choose, and it should be between the patient and the medical provider, only. Additionally, this bill would adversely challenge women, indigenous, LGBTQ+, and immigrant individuals to healthcare.

- **Liz Wimpfheimer**
- **Barbara Kapustynski**
- **Ashley Gulyas**
- **Ary B**

Other Sources of Support

Tom Swan, Executive Director, Connecticut Citizen Action Group (CCAG)

NATURE AND SOURCES OF OPPOSITION:

Robert J. Hale, Jr., Attorney

Robert opposes this resolution because it is “a subtle attempt to change our State Constitution by stealth and deception” as the language is not honest or transparent. Additionally, they cite that the 1965 case of Griswold v. Connecticut generated the rationale for Roe v. Wade in 1973, “which resulted in the deaths of over 60 million pre-born infants and untold emotional damage to their mothers.” They are concerned with this resolution “remove all restrictions and limitations on abortion through all stages of pregnancy” guised as privacy.

Importantly, they believe that this resolution is the freedom to kill rather than reproductive freedom.

Anne LaMonica, Associate Director, Connecticut Catholic Public Affairs Conference

The Connecticut Catholic Public Affairs conference opposes this resolution because it is “extreme, vague, and misleading. Every person has a right to life, which is the fundamental right that makes all other rights possible.” They are unsure if the right to privacy extends to “corporations and partnerships? Trusts? Hedge Funds? Bank records? Cryptocurrency? Social media and mobile payment services accounts? Regards to search and seizure?” and does the amendment “override conscience rights of hospitals, doctors, and nurses who decline to take unborn human life? Would this amendment overturn mandatory counseling for minors and would it allow unrestricted elective abortions up to the moment of birth? Since there are no age restrictions, could a child under the age of 13 have an abortion performed or receive contraception without parental knowledge? What would happen to state laws regulating inspections of abortion clinics? Would they be subject to constitutional challenge?” Additionally, they are concerned with the name of the resolution as they state it is broad and misleading with no mention of abortion.

Noson Leiter, Rabbi & Executive Director, Help Rescue Our Children

Rabbi Leiter states that “abortion-on-demand is unequivocally and demonstrably against Jewish law, both in letter and in spirit, even according to the most lenient authorities.” They further state that the resolution is ambiguous and is a “State mandate for the wholesale liquidation of preborn citizens.” They are concerned with the legitimacy of ballot amendments and its legislative mandate.

They believe that it impedes religious freedom and that abortion is murder; inhuman to take an unborn child’s life; violates the law(s) of God. Additionally, the title of the resolution is misleading and doesn’t convey the full scope of the resolution at first glance. They are concerned that it will supersede existing state statutes regarding limitations and dictating morality through law is not the government’s job.

Lisa Mierzejewski

Lisa is in opposition to the resolution because “it has nothing to do with privacy, as all one has to do is ask, where was the right to privacy in 202 when the so-called ‘Covid vaccine’ was thrust upon Connecticut’s population.” Additionally, this resolution does against Judaism, Islam, and Christianity which see abortion as immoral legislation, and with a substantial population in Connecticut, they feel as if their beliefs are being ignored in favor of a “‘woke’ agenda prescribed by those who do not adhere to any faith.” Moreover, they explain that the reason abortion is legal is to “control over CT’s minority population” and that legal abortion access is a racist policy as according to them, a majority of abortion clinics are located in “CT’s major cities where most minorities and the marginalized live.” Above all, they state that this resolution is “one of duplicity, denial, and death.”

Michele Jacklin, Legislative Co-Chair Council on Freedom of Information (FOI)

Michele suggests language changes to define what the “right of individual privacy” is by adding in line 7 “as established in this constitution and the statutes of the state of Connecticut.” Defining what an individual’s privacy rights are will further the intent of this resolution while avoiding ambiguity in the “interpretation of what privacy rights exist under this proposed constitutional provision.”

The following Individuals submitted testimony in opposition to SJ-42, they cited reasons similar to those stated in aforementioned testimony:

Mary A Bello
Noreen Allen
Anonymous
Anonymous
Anonymous
Joan Baker
Kenneth Bangs, Dr.
Rosanne Bednarz
Lydia Bennett
Carmela Bilodeau
Jim O'Boyle, Mary Gate of Heaven Parish
Janet Brennan
Maurice Bridge
William Brown
Kathleen Brzezinski
Norm Chouinard
Deborah Coelho
Linda Dalessio, Taxpayer
Jeffrey DePanfilis
Jeanne DiGenova
Gregory Doyle
Debbie Esposito
Carolyn Falcigno
Janet Frost
Jason Glass
Bill Guiffredo
Brenda Hamilton
Debra Hudobenko
Marilyn Kain
Susan Keating
Lindsey Kugler
Kevin Lacolla
Richard Legg, Coalitions Director, Convention of States
Leora R. Levy
Raymond Lonergan
John Marcin
Sylvia Metcalf
Kathleen Misset
Daniel Montano
Robert Mullen
Kevin Murphy
Mary Nagy, Nurse
Don Philip
Peter Rubsam
Jeff Ryan
Mariusz Sajdak

Suzan Sarris
Jan Schaefer
Lenore Snowden Opalak, MD
Peter Sonski
Joseph Sullivan, Concerned Citizen
Shannon T
Allie Taylor
Elizabeth Traceski
Carole Turner
Edward Wachowski
Joseph Wierzbicki
Paul Wozniak
Barbara Zulkowski
Anonymous
Beth Gruessner
Anonymous
Anonymous
Anonymous
Anonymous
Kathleen Accurso
Christine Anderson
Thomas Banahan
Ella Beckman
Carolyn Bennett
Susanna Bennett
Susan Boyce
Susan Bradford
Louise Bridge
Nancy Brown
Nancy Bryda
Felix Cacciato
Maureen Ciardiello
Patricia Conway
Anthony deRito
Rocco DiGenova
Joseph Eisinger
Carolyn Falcigno
Mary Fitzgerald
Dr. Anthony Giovanetti
Beth Gruessner
Maria Hubli
Melissa Iatesta
Jennifer Jurgen
Dr. Juhyon Kang
Constantina Karageorge
Kelly Knotts
C. Marcella Kurowski
Mary Lehmann
Antoinette Lenkowski

Roseann Logiodice
Cheryl Marceau
Stephen Mendelsohn
Rep. Michael Molgano
Stanley Morytko
Justin Murphy
Tom Muska
John-Home Pendergast
Lisa Richards
Stephen Russo
George Sarris
William Scaia
Suzy Smith
Margaret Solimene
June Stanton
John Tartaglia
Dawn Tomasko
John Trovarelli
Christina Vanderlip
Rachel Watkins
John Wilson
Peter Wolfgang
Rosanne Bednarz
Kevin Lacoll

Reported by: Gregory Chipchak

Date: 03-27-2023