

Peter Wolfgang, President
Family Institute of Connecticut Action
Testimony in Opposition to SJR 42



Family Institute of Connecticut Action opposes SJR 42, A
RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT
CONCERNING A RIGHT TO PRIVACY for the following reasons:

In an effort to buttress a right to abortion, this resolution seeks to raise all “individual privacy” into a constitutional right only limited by a “showing of a compelling state interest”.

Under the right circumstances, a Connecticut court could easily find that protecting human life by restricting abortion is a compelling state interest. The science would certainly support us.

We feel it our duty though to point out that a person may also have a privacy interest in maintaining exotic animals, trafficking in endangered animals, destroying endangered eggs in their basement, growing invasive species, collecting dangerous pets, fighting animals, breeding animals, engaging in sex with animals and similar. A court may find a compelling state interest to protect human life as they discover an equal state interest in protecting animals or fauna.

People may also have a privacy interest in collecting abandoned vehicles, making unusual land management decisions or worse, these will all be subject to strict scrutiny by a judge should an individual privacy interest be at stake.

By making “individual privacy” a pre-eminent right, subject to only the highest standard of review, other mutually agreed to activities, done in private, may also be subject to the highest “compelling state interest” standard. These might include prostitution, euthanasia, assisted suicide, necrophilia, voluntary slavery, incest, and bigamy. These are all activities that may be conducted in private between consenting adults. We believe a court may find a “compelling state interest” in protecting nascent human life and regulating abortion even before they’ll be able to find reasons to protect the litany of horrible but private activities listed above. At the very least, the court having to perpetually weigh the compelling state interest in these activities and the associated “least restrictive means” of regulation is likely to create a body of law that will support the protection of life in ways even more restrictive than originally contemplated by Roe v. Wade.

Let me also state the obvious, that a right in the Connecticut Constitution to abortion up to birth or for any reason is a radical and extremist proposal and outside even moderate pro-choice views. Specifically, according to a [2022 Gallop poll](#), only 35% of respondents said abortion should be legal “under any circumstances”. These numbers can be extended to Connecticut and even if they were low for our state, they do not represent a majority of people with an interest in abortion up till birth or for any unregulated reason.