



Legislative Testimony

765 Asylum Avenue
Hartford, Connecticut 06105
860.523.9146 (T)
www.acluct.org
info@acluct.org

Written Testimony Supporting Proposed Senate Bill 740, An Act Concerning the Form of Oaths

Senator McLachlan, Senator Winfield, Representative Fox, and distinguished members of the Government Administration and Elections Committee:

My name is David McGuire, and I am the executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of Proposed Senate Bill 740, which would amend the wording of oaths taken by public officials to allow individuals to avoid identifying with a specific belief system. As an organization committed to the liberties guaranteed by our Constitution, the ACLU-CT strongly supports freedom of belief, expression, and association. We therefore support this measure, which would recognize the diversity of members of the General Assembly, executive and judicial officers, notaries public, electors, judge-advocates of court martials, and polling place officials by allowing them to opt out of identifying with a particular belief system when taking oaths.

The Supreme Court has held that states may not require an oath of a belief in God as a condition of holding public office. When creating public oaths, states should therefore ensure safeguards for all people, including those of polytheistic, nontheistic, and atheistic beliefs, as well as those whose beliefs require them to “affirm” rather than “swear” to statements.

Currently, Connecticut law correctly allows attorneys, jurors, witnesses, court interpreters, assessors, plaintiffs, and “all other persons of whom an oath is required,” to swear or affirm their obligations before God or upon penalty of perjury. This language accommodates those whose beliefs preclude them from “swearing” to an oath, as well as those whose beliefs prevent them from affirming a belief in God. While members of the General Assembly, executive and judicial officers, notaries public, electors, members of a court martial, judge-advocates of court martials, and polling place officials are similarly allowed to swear or affirm their oaths, the current oath language for these positions only includes mention of God, without a penalty of perjury option.

By updating the oaths for these public officials to match language for all other public officials in the state, this bill would better align Connecticut with the Constitution and respect the diversity of our state. Religious liberty is a cornerstone of our democracy. Participation in that democracy should not depend on someone’s ability to affirm a belief in a specific religion.

We urge you to support Proposed Senate Bill 740.