

Judge in New York Temporarily Halts State's COVID-19 Vaccine Mandate

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Healthcare workers in New York have been given a reprieve from the state's Wuhan coronavirus (COVID-19) mandate. This comes after a group of [17 healthcare professionals](#) sued the state of New York to enjoin the enforcement of its unconstitutional vaccine mandate. The state issued its COVID-19 vaccine mandate on Aug. 28. This required all healthcare workers at hospitals and nursing homes to get [at least one dose of the vaccine](#) by Sept. 27.

This mandate does not recognize religious exemptions to vaccinations. The healthcare workers who sued the state believe the lack of an exemption is an attempt to nullify the protections for sincerely held religious beliefs granted under Title VII of the Civil Rights Act of 1964. “The same frontline healthcare workers hailed as heroes by the media for treating COVID patients before vaccines were available, including the plaintiffs herein, are now vilified by the same media as pariahs who must be excluded from society until they are vaccinated against their will,” reads the lawsuit. The lack of an exemption for people with deeply held religious beliefs against vaccinations also stands in stark contrast to an earlier mandate pushed by the state that did have those protections.

“What New York is attempting to do is slam shut an escape hatch from an unconstitutional mandate,” said Christopher Ferrara, a lawyer for the pro-religious liberty Thomas More Society. “And they are doing this while knowing that many people have sincere religious objections to vaccines that were tested, developed or produced with cell lines derived from aborted children.” Ferrara is also one of the attorneys representing the New York healthcare workers in their case against the vaccine mandate. In his case, Ferrara pointed out that New York has no right to nullify a federal law that protects people with sincerely held religious beliefs against discrimination. “This is a brazen power grab by people who think they can get away with anything,” he said. Along with citing violations to the Constitution, the lawsuit alleges that the lack of exemptions for people with sincerely held religious beliefs is also a violation of the New York State Human Rights Law and the New York City Human Rights Law.

Further legal battles over New York's vaccine mandate expected

Judge David N. Hurd of the District Court for the Northern District of New York ruled in favor of the plaintiffs and issued an order temporarily blocking the state from enforcing its vaccine mandate. Hurd then gave the state until Sept. 22 to respond to the lawsuit in federal court. If the state opposes the request of the plaintiffs for a preliminary court order blocking the vaccine mandate, an oral hearing will be held on Sept. 28 to decide the matter.

The 17 plaintiffs are all Christians and they include practicing doctors, nurses, a nuclear medical technologist, a cognitive rehabilitation therapist and a physician's liaison. The lawsuit made it clear that they all want to proceed with the case anonymously because they "run the risk of ostracization, threats of harm, immediate firing and other retaliatory consequences if their names become known." "Without court intervention, these health professionals face loss of occupation, professional status and employability anywhere in the state of New York," said Ferrara. All of them oppose the COVID-19 vaccines as a matter of religious conviction, and they do not want to cooperate in any medical procedure that relates to abortion or the use of matter from aborted children. In a statement, Ferrara made it clear that his clients are not against vaccines. "They are in fact in favor of voluntary vaccination with informed consent, but they oppose jack-booted coercion by the state to take a vaccine their religion forbids them to take. This is America, not Red China," he said.

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