



Robinson v. Murphy, 141 S. Ct. 972 (2020)

Topics Covered: COVID-19, Public Health

Outcome: Unfavorable

Issue

The issue in this case was whether an executive order by the governor of New Jersey, limiting the number of people who can gather for religious services and imposing masking requirements, violates the First Amendment right of religious freedom.

AMA Interest

The AMA believes that quarantine and isolation interventions should be scientifically based.

Case Summary

Governor Phil Murphy of New Jersey issued various executive orders, which declared New Jersey to be in a public health emergency due to the COVID-19 pandemic and issued restrictions for several categories of businesses and activities within the state. One such category regulated political activities, celebrations, and religious activities, setting a cap on gatherings so that they could not exceed 25% of a building's capacity or 100 participants. The state also issued a mask mandate, requiring constituents to wear masks when indoors at certain establishments, including religious gatherings, political activities, and celebrations.

Plaintiffs sued in the United States District Court to enjoin the executive orders. They moved for a temporary restraining order or preliminary injunction, but the motion was denied. Plaintiffs appealed to the Third Circuit, which also denied the request. The plaintiffs then petitioned the Supreme Court to grant a preliminary injunction to lift the restrictions on gathering size and exempt religious gatherings from the state's mask mandate. The Supreme Court remanded and directed the lower courts to follow its orders in the New York cases involving religious gatherings.

Litigation Center Involvement

The AMA and the Medical Society of New Jersey filed an *amicus* brief to clarify why religious gatherings carry a greater COVID-19 risk than other activities, such as children's attending school, and to explain the benefits of wearing masks.

United States Supreme Court Brief