



## News Release

**For Immediate Release: 11.29.23**  
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### **Court Hears Appeal of Former Philadelphia Assistant DA Fired after Religious Accommodation Rejected**

*District Attorney Lawrence Krasner denied every request for religious accommodation from COVID vaccine while union employees received exemptions.*

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**Philadelphia, PA**—Attorneys for First Liberty Institute today urged the U.S. Court of Appeals for the Third Circuit to reverse a lower court decision that allowed Philadelphia District Attorney Lawrence Krasner to terminate the employment of assistant district attorney Rachel Spivack for refusing to receive the Covid-19 vaccination after she submitted a religious accommodation request. Spivack’s Orthodox Jewish faith prohibits her from receiving vaccinations.

“Religious liberty should not depend on union membership,” said Lea Patterson, Senior Counsel for First Liberty, who argued the case. “The District Attorney disregarded the law by treating those like Rachel who requested religious accommodation less favorably than those who requested accommodation for other reasons. As the Supreme Court has already made clear, the government is not free to disregard the First Amendment’s protection of religious liberty in times of crisis.”

Rachel Spivack served as an assistant district attorney in Philadelphia District Attorney Lawrence Krasner’s office. When Krasner’s office mandated the Covid-19 vaccine, she requested a religious accommodation because her Orthodox Jewish religious beliefs prohibit her from receiving any vaccines. After waiting for almost seven months for a response to her accommodation request, her request was denied and she was fired, while ten unionized employees and one medically exempt non-unionized employee were permitted to continue working without being vaccinated. Krasner denied all religious exemption or accommodation requests because he believed he was not legally required to grant them, even though he allowed others to work in the office unvaccinated.

Attorneys for Spivack urged the appeals court to reverse the lower court’s decision to grant summary judgment for the Defendant.

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#### **About First Liberty Institute**

[First Liberty Institute](https://www.firstliberty.org/) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact John Manning at [media@firstliberty.org](mailto:media@firstliberty.org) or by calling 972-941-4453.