



Connecticut Supreme Court Historical Society
P.O. Box 230639
Hartford, CT 06123-0639

The Right to Equal Protection under the United States Constitution and the Connecticut Constitution

The constitutional right to equal protection bars the government from passing laws or taking official actions that treat similarly-situated people or groups of people differently. Three specific provisions guarantee that the law protects Connecticut's citizens equally:

- **The Fourteenth Amendment to the United States Constitution**, which provides that “[n]o State shall ... deny to any person within its jurisdiction the equal protection of the laws.”
- **Article First, Section 1 of the Connecticut Constitution**, which provides that “[a]ll men when they form a social compact, are equal in rights; and no man or set of men are entitled to exclusive public emoluments or privileges from the community.”
- **Article First, Section 20 of the Connecticut Constitution**, which provides that “[n]o person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his or her civil or political rights because of religion, race, color, ancestry, national origin, sex or physical or mental disability.”

The Equal Protection Clause of the Fourteenth Amendment

The Fourteenth Amendment was enacted shortly after the Civil War to combat discrimination and ensure due process. The Equal Protection Clause requires the government to have a valid reason for any law or official action that treats similarly-situated people or groups of people differently. For certain immutable classifications and fundamental rights – e.g., race, religion, national origin, voting – the government's reason must be compelling and the law or action must be narrowly tailored to it. For other distinctions – e.g., occupation – the government only must have a rational basis and the law or action must only be reasonably directed towards it.

The Equal Protection Clauses of Article First, Sec. 1 & 20

Every state must comply with the Fourteenth Amendment, but each state may provide greater protection under its own constitution. Connecticut's constitution protects certain immutable classifications and fundamental rights – e.g., disability, sexual orientation, and a public education – to a greater degree than the United States Constitution.

Questions? If you have any questions in relation to the contest, please contact,
William Adams at wadams@hortonshieldsknox.com