



U.S. Department of Justice

Civil Rights Division

*Office of the Assistant Attorney General
950 Pennsylvania Ave, NW - RFK
Washington, DC 20530
Telephone (202) 514-2151*

May 5, 2025

The Honorable Bob Ferguson
Governor of Washington
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Re: Washington State Senate Bill 5375

Dear Governor Ferguson:

On May 2, 2025, you signed into law Washington State's Senate Bill 5375, which is widely reported as Washington's legislative attack on the Catholic Church and its Sacrament of Confession, a religious practice ordained by the Catholic Church dating back to the Church's origins.

The Sacramental Seal involving the confidentiality of Confession is inviolable, and as the Church's Canon Law prescribes "it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason." Washington State's SB 5375 seeks to do just that.

Not only does this new law put State authorities in direct conflict with the free exercise of a well-established religion, but your law demands that priests disobey one of the Catholic Church's first authorities related to Confession. This state command runs afoul of the First Amendment. "The Free Exercise Clause . . . withdraws from legislative power, state and federal, the exertion of any restraint on the free exercise of religion. Its purpose is to secure religious liberty in the individual by prohibiting any invasions there by civil authority." *Abington Sch. District v. Schempp*, 374 U.S. 203, 222–23 (1963).

At the Department, we uphold and defend the law, including the free exercise of religion guaranteed by the First Amendment. This letter is notice that the Civil Rights Division of the United States Department of Justice is investigating the development and passage of this new Washington State law. To that end, you are required to honor this demand for records hold by

maintaining and preserving all records, communications, and other documentation related to SB 5375 in its development and passage. We also expect that you will cooperate by producing information, including documents, and witnesses when called on by the Department.

Thank you for your anticipated cooperation.

Sincerely,



HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division

Michael E. Gates
Deputy Assistant Attorney General
Civil Rights Division