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**ALABAMA CENTER FOR LAW AND LIBERTY FILES BRIEF ON BEHALF  
OF FORMER THREE-STAR GENERAL IN NAVY SEAL CASE**

August 30, 2022

BIRMINGHAM, AL – On Monday, August 29, the Alabama Center for Law and Liberty filed a friend-of-the-court brief on behalf of Lt. Gen. (ret.) William G. “Jerry” Boykin in the Fifth Circuit case of *U.S. Navy SEALs 1-26 v. Biden*, supporting the Navy SEALs who are facing discipline or discharge over their religious objections to President Biden’s COVID vaccine mandate.

In this case, the President and Department of Defense ordered that all military personnel be vaccinated against COVID-19. First Liberty Institute, a religious-liberty firm based in Texas, brought a lawsuit representing 26 Navy SEALs who have religious objections to the vaccine. The religious objections range from the vaccines’ connection to aborted fetal cells to the religious duty to take care of one’s body, which some believe is imperiled through the largely experimental COVID vaccines. The district court granted a preliminary injunction in favor of the SEALs, but the Biden administration appealed to the Fifth Circuit, seeking to have the mandate reversed.

In its brief, ACLL represented retired three-star general Jerry Boykin, who argued that the SEALs could be accommodated without compromising military readiness. General Boykin spent 36 years in the Army. He was one of the founding members of the Army’s Delta Force, eventually rising to the position of the Delta Force’s commander. Because General Boykin spent most of his career in the special forces, he offered the court a unique perspective on how special forces operate and why the SEALs should be accommodated instead of being disciplined or discharged.

General Boykin wrote the key parts of the brief himself. In his brief, General Boykin argued that between their youth and excellent physical condition, the SEALs would be highly unlikely to come down with serious cases of COVID. He also reminded the court of the importance to the military of having servicemembers who have religious convictions, which shapes their character and gives them the endurance to stay in the fight. In General Boykin’s view, this provides more of a benefit to the military than the COVID vaccines. Finally, he reminded the court that America has many enemies abroad that seek to harm us, so losing a large group of SEALs who are qualified to meet the toughest threats would be more of a detriment to military readiness than if they caught the milder cases of COVID that are going around.

“Courts are hesitant to take action that could arguably hinder military readiness, even if the law is clear that our servicemembers’ religious freedom must be respected,” said Matt Clark, ACLL’s President. “But in this case, when a former three-star general and Delta Force commander comes forward and explains how

religious liberty can be protected without hurting the special forces, we believe the court will be more likely to stand up for the religious liberty of our Nation's finest warriors," Clark said. "We are grateful not only for General Boykin's career of service to his country, but also for his willingness to come forward and stand up for his brothers who are still serving," Clark concluded.

ACLL is a conservative nonprofit legal organization based in Birmingham, Alabama, and it is the litigation arm of the Alabama Policy Institute. For more information, visit ACLL's website at [www.alabamalawandliberty.org](http://www.alabamalawandliberty.org).

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