

EXECUTIVE ORDER NO. 349

WHEREAS, Justice Sandra Day O'Connor was born Sandra Day on March 26, 1930 in El Paso, Texas, to Ada Mae and Harry Alfred Day; and

WHEREAS, Justice O'Connor grew up in Arizona on her family's 198,000-acre cattle ranch, which did not have running water or electricity until Justice O'Connor was seven years old; and

WHEREAS, Justice O'Connor enrolled at Stanford University at only 16 years old and graduated magna cum laude in 1950; and

WHEREAS, Justice O'Connor continued at Stanford for law school, where she met her husband, John Jay O'Connor III, to whom she would remain married until his death in 2009; and

WHEREAS, Justice O'Connor served as an editor of the Stanford Law Review and graduated third in her class in 1952; and

WHEREAS, Justice O'Connor sought work with law firms but was rebuffed at every turn because she was female, leading Justice O'Connor to join the San Mateo, California county attorney's office after offering to work without pay to secure a job offer; and

WHEREAS, thereafter, Justice O'Connor worked for three years as a civilian attorney for the Army's Quartermaster Corps in Germany after her husband was drafted and stationed overseas; and

WHEREAS, upon their return to the United States, Justice O'Connor and her husband moved to Arizona to start a family and had three sons, Scott, Brian, and Jay; and

WHEREAS, Justice O'Connor practiced law in Arizona from 1958 to 1960 and then took a five-year hiatus from practicing law where she focused on her children and became increasingly active in Republican politics; and

WHEREAS, Justice O'Connor worked as an Assistant Attorney General of Arizona from 1965 to 1969; and

WHEREAS, Arizona Governor Jack Williams appointed Justice O'Connor in 1969 to fill a vacant seat in the Arizona Senate, after which she twice won re-election; and

WHEREAS, as a legislator, Justice O'Connor gained recognition as a skilled negotiator, and in 1973 she became the first-ever female Majority Leader in any state's legislature; and

WHEREAS, in 1974, Justice O'Connor was elected Judge of the Maricopa County Superior Court, the local trial court; and

WHEREAS, Justice O'Connor was appointed in 1979 by Arizona Governor Bruce Babbitt to the Arizona Court of Appeals, an intermediate appellate court; and

WHEREAS, in 1981, Justice O'Connor was nominated by President Ronald Reagan and unanimously confirmed by the United States Senate to become an Associate Justice of the Supreme Court of the United States and the first woman ever to serve on our nation's highest court; and

WHEREAS, Justice O'Connor served on the United States Supreme Court for nearly 25 years until retiring in 2006 to spend more time with her ailing husband, who passed away in 2009; and

WHEREAS, throughout her tenure, Justice O'Connor cast the deciding vote and authored the controlling opinion in many closely divided cases, leading many commentators to refer to the Court during that time as the "O'Connor Court"; and

WHEREAS, Justice O'Connor developed a jurisprudence that emphasized modest, pragmatic judgment over grand theories and favored incremental reasoning from precedent over sweeping changes in constitutional law; and

WHEREAS, Justice O'Connor notably joined with colleagues in the center of the Court to preserve a constitutional right to abortion and affirmative action in college admissions during her tenure; and

WHEREAS, Justice O'Connor's opinions also demonstrated a deep understanding of the separation of powers and the careful balance of federalism -- an understanding informed by her experience in all three branches of Arizona state government; and

WHEREAS, Justice O'Connor promoted the rule of law not only domestically but also globally, through her work with the American Bar Association's Central European and Eurasian Law Initiative and later its Rule of Law Initiative, work that she continued after retiring from the Court; and

WHEREAS, in retirement, Justice O'Connor also dedicated herself to promoting civics education for young people, founding iCivics, the country's leading civics education platform; and

WHEREAS, Justice O'Connor published an open letter in October 2018 to announce her departure from public life as a result of her declining health due to dementia; and

WHEREAS, Justice O'Connor's letter described civic education as a prerequisite to Americans "working collaboratively together in communities and in government to solve problems, putting country and the common good above party and self-interest, and holding our key governmental institutions accountable"; and

WHEREAS, Justice O'Connor passed away on December 1, 2023 at the age of 93; and

WHEREAS, Justice O'Connor is survived by her three children, six grandchildren, and her brother, Alan; and

WHEREAS, despite repeatedly being discounted simply because of her gender, Justice O'Connor displayed inspiring perseverance and steadfastness to ensure other women following in her footsteps could succeed in law, politics, and government; and

WHEREAS, Justice O'Connor, the first-ever woman on the United States Supreme Court, will remain a towering figure in our nation's history and in the legal community; and

WHEREAS, it is appropriate to honor the life, legacy, and many accomplishments of Justice O'Connor, and to mark her passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours from Tuesday, December 5, 2023, through the day of Justice O'Connor's interment, in recognition and mourning of a trailblazing Justice of the United States Supreme Court, Justice Sandra Day O'Connor.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
4th day of December,
Two Thousand and Twenty-
Three, and of the
Independence of the United
States, the Two Hundred and
Forty-Eighth.

[seal]

/s/ Philip D. Murphy
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor