

A Notice from the AGNCN District Officers
Supreme Court Overturns the Complete Ban on Indoor Worship Gatherings
02/05/2021

Late Friday (February 5, 2021) The Supreme Court of the United States ruled on the application for injunctive¹ relief in South Bay Pentecostal Church v. Gavin Newsom.² The Supreme Court granted the church's request for injunction on the issue of the complete ban on church attendance but denied the request for injunction regarding complete removal of attendance restrictions and singing prohibition.³

The bottom line is that the State cannot ban on all indoor worship—churches are allowed to gather indoors at 25% capacity in Tier 1 (purple) with no numerical cap. However, the prohibition against singing is still enforceable. The effect is immediate.

It is now legal to gather indoors and worship again, however limits and restrictions apply, such as: masking, no singing, and sanitation.

This is probably not the last SCOTUS decision on this subject: Several justices expressed support on the request to strike down all restrictions on attendance and singing and the majority decision signaled a willingness to reconsider. The denial of those requests was for lack of evidence and was "without prejudice." The court invited South Bay Pentecostal Church to present new evidence on those issues. If they can present evidence that the state is allowing singing in other places or allowing other activities to gather in higher percentages then the court may strike down those restrictions too.

We are grateful that the Supreme Court has arisen to protect our right to gather for worship.

¹ An injunction is a court order to stop something—in this case, to stop the restrictions on worship.

² Read the whole decision: https://www.supremecourt.gov/opinions/20pdf/20a136_bq7c.pdf

³ Key paragraph: *"Respondents [Governor Newsom] are enjoined from enforcing the Blueprint's Tier 1 prohibition on indoor worship services against the applicants pending disposition of the petition for a writ of certiorari. The application is denied with respect to the percentage capacity limitations, and respondents are not enjoined from imposing a 25% capacity limitation on indoor worship services in Tier 1. The application is denied with respect to the prohibition on singing and chanting during indoor services."*