

From the Executive Officers

Assemblies of God, Northern California and Nevada District Council

December 3, 2020

COVID Legal Update:

On December 3<sup>rd</sup>, the Supreme Court ruled in the matter of *Harvest Rock v. Newsom*. SCOTUS vacated the District Court judgment (that was in favor of the Governor) and remanded the case back to the District Court with instructions to apply the precedent established in last week's ruling in *NY Catholic Diocese v. Cuomo*. Basically, the Supreme Court ruled in favor of the church and sent it back to the lower court to work out the details.

We are pleased that the Supreme Court is honoring the Constitutional right to free exercise of religion, and that this precedent is now making its way into CA. (We presume NV will follow soon.)

However, we want to issue three cautions:

- 1) We need to be patient. The decision does not automatically make the current guidelines illegal and unenforceable. The law is the law until the court says otherwise. (The court has said "that law is illegal," but it hasn't yet said "this law is illegal," or what the new law will look like.) The court has to do its work and there are many details to work through. But things are moving fast. We guess (that's a big guess) that we may have new standards within the next week or ten days. If so, in-person worship services in the Purple zone may be allowed by Christmas Sunday or Christmas Eve.
- 2) The decision will not likely result in the removal of all restrictions. We expect that the "work out" will allow the church to have in-person services, with reasonable restrictions on capacity and retaining mask and social distancing requirements. Churches should not assume that in-person gatherings are completely unrestricted and we advise that they act responsibly to keep members and the public safe.
- 3) We advise our ministers and members to accept the win with humility and sympathy. Although we celebrate the court's decision, this is not a time for boasting. We must be mindful of the fact that 300,000 Americans have died from COVID and this pandemic may soon become the deadliest event in American history. It is not compassionate to boast while there is so much grief around us. Additionally, some in our communities will view this decision negatively: either as "favoritism" or as enabling reckless behavior that jeopardizes their health of others. It's important for us to avoid provoking this negative backlash.