

Virginia Gov. Ralph Northam Sued for 'Criminalizing Worship'

Pastor Kevin Wilson and Lighthouse Fellowship Church on Chincoteague Island filed a federal lawsuit against Governor Ralph Northam for violating their religious freedom by targeting churchgoers on Palm Sunday. Liberty Counsel represents the pastor and church and filed the lawsuit today in federal court.

Police served a summons to Pastor Wilson for holding a church service for 16 people spaced far apart in a sanctuary that is rated for 293 people. The charge is violating Virginia Gov. Northam's COVID Order 55 with a penalty of up to a year in jail and/or a \$2,500 fine.

On April 5, before the service on Palm Sunday, a local police officer entered the church. He gave no introduction and did not ask for the pastor. He abruptly said they could not have more than 10 people spaced 6 feet apart. Then, after the service, two police officers entered the church in full mask and gloves and asked to speak with the pastor. They issued him a summons and informed him that if he had service on Easter, all attending would get the same summons.

Lighthouse Fellowship Church helps keep people free of drug addiction, brokenness, mental illness, poverty and prostitution. The church, which does not have internet, provides physical, emotional and spiritual services to the community. Many of the members do not have driver's licenses and are dependent on the church family for rides to get food and supplies, and go to medical appointments and personal care services like haircuts. Many attendees are on limited income

obtained from government assistance—whether disability or social security, Medicare or Medicaid—and the church has helped various members with electric or gas bills, rent, groceries and physical labor. The church also offers a blanket ministry, prayer ministry, discipleship programs and counseling services.

Yesterday, the parking lots of multiple commercial establishments were filled with hundreds of cars. Yet Gov. Northam criminalizes religious worship that exceeds 10 people.

The Supreme Court has unequivocally stated, “[i]f there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, **religion**, or other matters of opinion or force citizens to confess by word or act their faith therein.” *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943) (emphasis added). The Commonwealth of Virginia does not have the authority to dictate the manner or form of worship, whether that be online or a 10-person limit.

Liberty Counsel Founder and Chairman Mat Staver said, “Governor Ralph Northam has clearly discriminated against Lighthouse Fellowship Church which provides essential physical, emotional and spiritual services to the community. This church does not have internet and cannot flip a switch to broadcast online. Even if it could go online, many of the people the church serves do not have internet. Pastor Wilson protected the health and safety of the 16 people that attended on Palm Sunday by requiring them to be spread far apart in the sanctuary. But because the church had six more people than the 10 allowed by the governor, the pastor is being criminally charged. We must balance the First Amendment with protecting the health and welfare of people but picking an arbitrary number of 10 people for every church is not the answer.”