

Ban on In-Person Church Services Overturned in Kentucky

Yesterday, the federal District Court acknowledged that to the extent there are differences between its injunction issued Friday evening and the Sixth Circuit Court of Appeals' injunction issued Saturday, on behalf of Maryville Baptist Church, Hillview, Kentucky, the latter takes precedence.

In his Friday injunction, District Judge Hale ruled: "The Governor and other Commonwealth officials are ENJOINED from enforcing the ban on mass gatherings as to in-person services at Maryville Baptist Church so long as the church, its ministers, and its congregants adhere to public health requirements set by state officials." But the injunction added a footnote after the word "officials" citing new mandates for churches that Gov. Beshear filed just moments before the order was released. These mandates imposed "additional" requirements on churches not placed on nonreligious businesses and gatherings, including restrictions on Sunday school, Communion, banning choirs, prohibiting wind instruments and more.

On Saturday, the Court of Appeals also granted an injunction for in-person church services, ruling: "The Governor and the other defendants are enjoined, during the pendency of this appeal, from enforcing orders prohibiting in-person services at the Maryville Baptist Church if the Church, its ministers and its congregants adhere to the public health requirements mandated for 'life-sustaining' entities."

The reference to "life-sustaining" refers to the typical hygiene and distancing health procedures, and not the more restrictive mandates from Gov. Beshear. In his order

yesterday, Judge Hale ruled: “To the extent there are differences between this Court’s injunction and the Sixth Circuit’s, the latter would prevail.”

Liberty Counsel Founder and Chairman Mat Staver said, “Gov. Andy Beshear may no longer discriminate against churches for religious gatherings—whether those gatherings be in-person or in the parking lot. The government cannot single out religious worship and churches for disfavored treatment. Indeed, the First Amendment provides preferential protections to houses of worship. Gov. Beshear’s mistreatment of houses of worship has come to an end.” {eo}

This article originally appeared at Liberty Counsel.