

California District Court Crushes Statewide Permanent Injunction Against COVID Restrictions

Tuesday, a California District Court entered an order approving Liberty Counsel's settlement of the lawsuit on behalf of Harvest Rock Church and Harvest International Ministry against California Gov. Gavin Newsom. The full and final settlement was approved today the district court and thus is the first statewide permanent injunction in the country against COVID restrictions on churches and places of worship. Under the agreed statewide permanent injunction, all California churches may hold worship without discriminatory restrictions.

Under the settlement, California may no longer impose discriminatory restrictions upon houses of worship. The governor must also pay Liberty Counsel \$1,350,000 to reimburse attorney's fees and costs.

The settlement references several Supreme Court opinions, including *Harvest Rock Church v. Newsom*, that include a long list of similar nonreligious activity the high court set forth as comparable gatherings. These include grocery stores, warehouses, big box stores, transportation, infrastructure, telecommunications and much more. In other words, churches and places of worship may never again have discriminatory restrictions placed on them that are not equally applied to a long list of "critical infrastructure" or "essential services" as outlined in several Supreme Court precedents cited in the settlement agreement.

Pastor Ché Ahn, founder of Harvest Rock Church and Harvest

International Ministry, received a letter from the Pasadena Criminal Prosecutor threatening him, the staff and anyone who attends church with daily criminal charges each up to one year in prison and daily fines of \$1,000. Despite this intense opposition, Pastor Ahn stood against these unconstitutional executive orders. He risked criminal charges and fines, as did those who worked for the church and those who attended. Thanks to his leadership, every church in California is now free.

Newsom originally imposed the most severe restrictions on churches and even home Bible studies and worship in the nation. Now after multiple reprimands from the U.S. Supreme Court, including two on behalf of Harvest Rock Church and Harvest International Ministry, Newsom will be the first governor in America to have a permanent injunction against him on behalf of houses of worship.

This case involved three emergency injunctions pending appeal at the 9th Circuit Court of Appeals, two oral arguments before a panel of three judges, two orders from the U.S. Supreme Court, including an injunction pending appeal issued by the high court on Feb. 5, 2021.

The timeline for actions regarding California's worship restrictions include:

- March 19, 2020 – May 25, 2020: No Worship.
- May 26, 2020 – July 12, 2020: 25% capacity but no more than 100 people.
- July 13, 2020 – April 8, 2021: No worship for over 90% of California.
- April 9, 2021 – April 12, 2021: Restrictions on home Bible study lifted but not on singing and chanting.
- April 13, 2021 – May 9, 2021: Mandatory attendance limits are lifted.

– May 17, 2021 – and Forever: Discriminatory restrictions on churches permanently removed.

Under the settlement agreement, discriminatory restrictions on worship and religious gatherings may no longer be applied to churches and places of worship.

Last year, the U.S. Supreme Court granted an emergency petition for an injunction pending appeal on behalf of New York City synagogues and Roman Catholic churches in Roman Catholic Diocese of Brooklyn v. Cuomo and Agudath Israel v. Cuomo. On Dec. 3, 2020, the high court granted the petition by Harvest Rock Church and Harvest International Ministry, setting aside all the lower court orders and directing them to follow its ruling in Roman Catholic Dioceses. When the lower courts refused to strike down California's restrictions, the case returned to the Supreme Court.

On Feb. 5, 2021, the U.S. Supreme Court ruled in favor of Harvest Rock Church and Harvest International Ministry by enjoining California's total ban on indoor worship. This was the second time Liberty Counsel appealed to the high court on behalf of these churches. The ruling also included South Bay United Pentecostal Church.

On April 9, the U.S. Supreme Court granted an emergency injunction pending appeal in Tandon v. Newsom and ruled that Newsom's restrictions on home Bible study and worship violate the First Amendment.

Pastor Ché Ahn said, "This is a momentous day for churches in America! After nearly a yearlong battle defending our religious freedoms, our lawsuit has reached a permanent settlement in our favor. I am thrilled to see the complete reversal of the last discriminatory restrictions against churches in California, knowing this case will act as a precedent, not only in our state, but also in our nation. We are incredibly grateful to our attorney Mat Staver and to

Liberty Counsel for their relentless support and fierce determination. Most of all, we give all the glory to God for moving mightily in this historic season!”

Liberty Counsel founder and chairman Mat Staver said, “Governor Gavin Newsom’s COVID restrictions intentionally discriminated against churches while providing preferential treatment to many secular businesses and gatherings. The Supreme Court intervened multiple times to provide relief. California may never again place discriminatory restrictions on churches and places of worship. Gov. Gavin Newsom has now been permanently quarantined and may not violate the First Amendment rights of churches and places of worship again. We are grateful for Pastor Ché Ahn, Harvest Rock Church, and Harvest International Ministry. Pastor Ahn’s leadership and courage has toppled the tyranny and freed every pastor and church in California.” {eo}

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