

Colorado Lacks Facts to Support Case Against Andrew Wommack Ministries

In Wednesday's hearing, the state of Colorado and Teller County public health departments argued that their minimal evidence justified imposing a preliminary injunction on Andrew Wommack Ministries, Inc. (AWMI) to restrain the ministry from hosting religious gatherings in excess of 175 people and to force AWMI to mandate masks for all attendees.

On Oct. 23, Gov. Jared Polis again revised Colorado's COVID restrictions, modifying the prior 175-person per room limit to allow 175 people per room with no limit on the number of staff.

Liberty Counsel represents AWMI in the state court lawsuit filed by the Colorado and Teller County public health departments. The suit is both futile and is littered with misrepresentations, and the state and county are unable to establish any relevant facts to support their case, according to the counsel.

Wednesday's hearing consisted primarily of closing arguments on the legal issues, unlike the previous day which was spent introducing evidence. In their arguments, the state and county argued that *Jacobson v. Massachusetts*, a Supreme Court case from 1905 about smallpox vaccinations, should require courts to give state officials carte blanche authority during public health emergencies. They also argued that the state's expert does not need to rely on scientific studies or data for her opinions in favor of gathering restrictions.

Liberty Counsel argued that the century-old Supreme Court decision does not apply to modern First Amendment cases, and that the applicable precedent requires the state and county to

produce direct causation evidence of increased risk in worship settings to justify the meeting restrictions. However, the state and county failed to produce that evidence. Liberty Counsel also argued that the county's evidence shows not only cooperation by AWMI with health officials, but also successful implementation of safety plans.

In fact, AWMI protects the well-being of its ministers, pastors, employees, staff, students, volunteers and attendees at its religious events, conferences, meetings and worship services with the following self-imposed safety protocols:

- All employees and staff who have symptoms or who have tested positive for COVID-19 are prohibited from working at any events.
- All staff and volunteers, including ushers and greeters, are required to wear masks at all events.
- All food service vendors or workers, and product sales and resource distribution personnel, are required to wear gloves and masks at all events.
- All parking lot attendants are required to wear masks at all events.
- All employees, staff and volunteers are instructed and required to wash their hands frequently throughout the day at all events and meetings.
- Ushers are stationed at entrances to AWMI facilities at all events and attempt to always hold the doors open so attendees need not contact door handles.
- Signs are posted on entrances requiring social distancing and face masks at all events, conferences, meetings and worship services.
- Signs are posted advising guests and attendees to refrain from entering AWMI facilities if they have experienced

symptoms or tested positive for COVID-19.

- Sanitization stations are posted throughout AWMI facilities with signs reminding attendees to engage in social distancing and personal hygiene practices and providing free face masks for attendees.
- Prior to entering AWMI's property, at the security gate, all visitors' temperatures are checked while they remain in their vehicles and each person is asked a series of health questions. Any person who fails the temperature check or health questions is not permitted to enter the parking lot or the event.
- When entering the building all persons are required to provide name and contact information for all people in their parties to facilitate contact tracing by AWMI if necessary.
- AWMI established a schedule for the frequent cleaning of all shared surfaces, restrooms and other high-touch surfaces using a hospital grade disinfectant.
- AWMI engages in intense sanitizing and disinfecting of all event spaces between sessions.
- AWMI reduced its onsite staff to only "essential" personnel, which was approximately 18% of its total employee staff prior to classes resuming and has required all others to work remotely from home.
- AWMI has imposed temperature checks and health screenings at the entrances to its facilities each day for both employees and guests of AWMI.
- AWMI requires its employees to wear masks unless seated at their desks.
- For meetings in conference rooms, AWMI has limited the number of persons who occupy a conference room at any given time.

- AWWMI has also professionally sanitized its entire facility twice.
- AWWMI encourages social distancing for all event attendees and every other row is roped off in the auditorium so no one can sit in the row.
- AWWMI's related ministry, Charis Bible College, which uses shared facilities with AWWMI, has likewise issued public information videos concerning its social distancing and safety protocols.

The state and county have also blamed AWWMI for the death of one individual who passed away after AWWMI's Summer Bible Conference. However, Liberty Counsel presented a signed affidavit from his spouse stating that she and her 75-year-old husband stayed at a campground where the restroom was filthy during the conference. They dined at several restaurants in Colorado and attended a church twice. Her husband had several preexisting heart conditions and sleep apnea. He developed flu-like symptoms and went to the hospital and tested positive for COVID-19. In the hospital he acquired an infection, and they found a hole in his heart.

"Mrs. Doe" wrote: "I do not believe that Andrew Wommack Ministries or its Summer Bible Conference caused Darrell to get COVID-19 or pass away. We went to many different places on our trip to Woodland Park and Colorado Springs. Darrell could have caught COVID anywhere. He had preexisting health problems and got other serious infections after he went to the hospital."

Liberty Counsel Founder and Chairman Mat Staver said, "This lawsuit by the State of Colorado and Teller County public health departments against Andrew Wommack Ministries is a waste of time. Their case is littered with misrepresentations and lacks any relevant facts or science to support their meeting restrictions. AWWMI takes extraordinary precautions to

keep its staff, volunteers and conference attendees safe.”
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