

Illinois Removes All Restrictions on Churches Just 4 Hours Before SCOTUS Deadline

Less than four hours before the deadline for Gov. J.B. Pritzker to file his response to the U.S. Supreme Court to the emergency injunction request brought by two Romanian churches, the governor unilaterally removed all restrictions on churches and houses of worship.

Within a few hours yesterday after two Romanian churches filed an emergency injunction pending appeal to the U.S. Supreme Court, Justice Kavanaugh ordered Gov. Pritzker to respond by 8:00 p.m. Thursday night. Just before the deadline, Gov. Pritzker issued guidelines for houses of worship, none of which are mandatory.

Liberty Counsel represents Elim Romanian Pentecostal Church and Logos Baptist Ministries.

The guidelines are only suggestions and contain no legally enforceable requirements whatsoever. The governor is no longer imposing his draconian 10-person limit on church services.

This is a complete victory in the near term. However, unless and until there is a judicial declaration that Governor Pritzker has acted unconstitutionally thus far, there is nothing keeping him from changing his mind again, whether in this crisis or any future crisis. Governor Pritzker has shown himself quite willing to overrule the Constitution by fiat. In doing so, he has caused incalculable damage to the Romanian churches Liberty Counsel represents and all the houses of worship in the state.

The emergency request to the Supreme Court was occasioned because of the Chicago Department of Public Health letter sent to the churches this past Saturday, May 23. The city is threatening closure and "summary abatement." In the threatening letter, Commissioner Allison Arwady, who declared the churches a "public nuisance" for holding services with more than 10 people, wrote: "I am authorized to seek to enjoin such nuisance or to cause the same to be summarily abated in such manner as I may direct...." The letter ended by stating that "the City will take steps necessary to abate, including Summary Abatement."

This morning, Liberty Counsel filed a Reply Brief at the U.S. Supreme Court on behalf of Elim Romanian Pentecostal Church and Logos Baptist Ministries. In the Reply Brief, Liberty Counsel argues that the case is not moot because Gov. Pritzker continues to defend his executive orders before the Supreme Court and refuses to provide any assurance that he has seen the light that these orders violate the First Amendment. His sudden change in policy is merely a litigation ploy and should not be countenanced by the courts.

Liberty Counsel's Reply Brief argues that Gov. Pritzker's unconstitutional orders are capable of repetition yet evading review. In addition, his supposed voluntary cessation of these orders on churches does not moot the case since just as he unilaterally issued the orders and aggressively enforced them, and now repealed the church restrictions, he could just as easily reinstate them.

Liberty Counsel Founder and Chairman Mat Staver said, "Gov. J.B. Pritzker did not have authority to trample on the First Amendment rights of churches and houses of worship. He did anyway and continued to do so until his case reached the U.S. Supreme Court. He cannot be trusted to obey the Constitution. The only thing that changed was he was dragged to the steps of the U.S. Supreme Court. While we are happy that all churches and houses of worship no longer have any restrictions, we want

to make sure this tyranny and abuse never happens again.”
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This article originally appeared at Liberty Counsel.