

Justices Side With California Megachurch Fighting Newsom's COVID Restrictions

Harvest Rock Church and Harvest International Ministries in California is making progress with its lawsuit against Gov. Gavin Newsom and his orders that ban all in-person worship for 99.1% of Californians.

Thursday, the U.S. Supreme Court sided with the ministry, which is challenging Newsom's restrictions on indoor worship. In a short unsigned order, the high court essentially tossed out an order from a lower court which upheld the governor's orders.

In response to a 57-page emergency petition filed by Liberty Counsel, the justices sent the lawsuit back to the lower court for further consideration in light of its decision released Nov. 25 granting an injunction pending appeal for churches and synagogues in New York. In that 5-4 ruling, the justices told New York Gov. Andrew Cuomo he can't discriminate against religious groups when it comes to COVID-19 restrictions.

Mat Staver, Liberty Counsel (LC) founder and chairman, said Thursday, "Today's ruling by the Supreme Court provides great relief for churches and places of worship. The handwriting is now on the wall. The final days of Gov. Gavin Newsom's 'color-coded executive edicts' banning worship are numbered and coming to an end. It is past time to end these unconstitutional restrictions on places of worship."

Harvest Rock Church has multiple campuses in California, including in Pasadena, Los Angeles, Irvine and Corona. Harvest International Ministries (HIM) has 162 member churches throughout the state. According to LC, "irreparable harm is being suffered every day as the churches remain subject to the

unconstitutional restrictions, coupled with daily criminal threats, fines and closure.”

Newsom has banned indoor church services in high-risk areas, which includes the majority of the state, yet gatherings like sporting events, protests and Hollywood film products are allowed to continue. He said the “perils” of indoor gatherings with singing combined with the rising coronavirus cases make it acceptable for him to continue the restrictions.

The legal battle challenges Newsom’s actions as violating First Amendment rights. LC’s petition presents three questions:

–Whether the Free Exercise Clause of the First Amendment prohibits the government from discriminating against houses of worship by restricting the size of the gatherings while exempting or giving other preferential treatment to comparable nonreligious gatherings inside the same house of worship or nonreligious gatherings outside.

–Whether the court’s decision in *Jacobson v. Massachusetts* issued in 1905, decades before the First Amendment was incorporated, dictates a separate standard for determining First Amendment liberties in times of crisis.

–Whether the establishment clause of the First Amendment and the court’s earlier decision in a 1947 case establishes that neither state nor federal government can force or influence a person to go to or remain away from church against their will.

When Newsom imposed restrictions in response to the coronavirus, he also outlawed indoor singing and chanting. This and other bans remain a national focus as churches use the courts to fight for their rights to assemble and worship.
{eoa}