

Liberty Counsel Continues Fight to Prevent Maine Governor's Return to Unconstitutional Restrictions

Liberty Counsel filed the reply on behalf of Calvary Chapel of Bangor to the First Circuit Court of Appeals for an injunction pending appeal against Maine Gov. Janet Mills.

Since Gov. Mills lifted the restrictions on all capacity limits in public indoor venues on May 24, she contends Calvary Chapel's claims are moot and no effective relief can be granted. However, the governor could enact them again at any time for any reason and the U.S. Supreme Court precedent on this issue agrees. For example, in *Tandon v. Newsom*, the High Court stated that "even if the government withdraws or modifies a COVID restriction in the course of litigation, that does not necessarily moot the case" and "officials with a track record of moving the goalposts retain authority to reinstate those heightened restrictions at any time."

From the beginning of Gov. Mills' unconstitutional regime, she has retained the sole authority to impose whatever restrictions she deems fit. Therefore, Liberty Counsel continues to litigate to get a permanent injunction to stop the governor from returning to her unconstitutional ways.

The Supreme Court has already granted relief for churches at least 10 times, two of which involved Liberty Counsel's case of Harvest Rock Church and Harvest International Ministry. After the victory of the statewide permanent injunction on California Gov. Newsom, the state is now required to pay \$ million in attorney's fees and costs.

After California's restriction were shot down, Maine had the

most severe restrictions in the nation on places of worship with its 50-person numerical cap notwithstanding the size of the facility. However, Mills “allowed” churches to hold secular gatherings to feed, shelter and provide social services and counsel to an unlimited number of people without restrictions or threat of criminal sanctions. When Calvary Chapel of Bangor filed its lawsuit in May 2020, the governor’s orders permitted no religious gatherings, including parking lot services, and violations carried criminal penalties of up to six months in jail and a \$1,000 fine.

Ken Graves is the founding and senior pastor of Calvary Chapel of Bangor. The church also has the Calvary Residential Discipleship (CRD) program, a biblically based ministry that helps men and women who are seeking a way of escape from drugs, alcohol and other life-controlling issues. The yearlong residential program operates two homes with 24 women and 24 men for a total of 48 full-time residents on the church property. CRD is a Christ-centered alternative to secular programs within the drug and alcohol community and includes a work program, daily Bible studies, devotional readings and prayer. Regular attendance at church services is paramount to this program.

Liberty Counsel founder and Chairman Mat Staver said, “The courts must prevent Gov. Janet Mills from ever imposing these unconstitutional restrictions again. The Supreme Court intervened multiple times to provide relief. Just because the governor has lifted the restrictions does not mean she won’t enact them again.” {eoa}

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