

Religious Rights Victory for Idaho Church Deacon Arrested While Singing in Parking Lot

Thomas More Society attorneys achieved victory for a Moscow, Idaho, church deacon who was wrongly arrested Sept. 23, 2020, for singing maskless at a church-sponsored "Psalm Sing" in the Moscow City Hall parking lot. On Jan. 9, 2021, the Idaho District Court signed the order dismissing charges against Gabriel Rench, one of three people arrested among the almost 200 attending the event.

The September gathering at which Rench and other churchgoers were arrested was hosted by Christ Church as one of the congregation's monthly hymn sings. This particular event was held outside of city hall in response to the extension of a restrictive COVID-19 prompted mask mandate by Moscow's mayor.

Rench explained, "We had done the psalm sing in the past under the same [mask] resolution, and we weren't arrested; we weren't warned ... we were just taking our constitutional liberties to do what we're allowed to do under the constitution—worship."

Thomas More Society Special Counsel Michael Jacques noted that the city of Moscow violated its own ordinance when police officers wrongly arrested Rench and the others.

"The city of Moscow, Idaho, appears to have been so anxious to make an example of Christ Church's opposition to their desired COVID restrictions that they failed to follow the mandatory exemptions articulated in their own laws," Jacques said.

"The Moscow City Code allows the mayor to issue public health emergency orders but exempts '[a]ny and all expressive and associative activity that is protected by the United States

and Idaho Constitutions, including speech, press, assembly and/or religious activity,'" Jacques said. "Mr. Rench and the other worshippers that were arrested had their constitutionally-protected liberties violated and their lives disrupted—not only by the inappropriate actions of law enforcement officers, but also by city officials who did not immediately act to correct this unlawful arrest."

Read the order to dismiss all charges against Gabriel Rench, as represented by the Thomas More Society, issued Jan. 9 and filed Jan. 11, 2021, in District Court of the Second Judicial District of the State of Idaho, in and for the County of Latah, in State of Idaho v. Gabriel Rench, here. {eoa}

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