



Written by [Raven Clabough](#) on May 6, 2021

Lawsuit Filed Against COVID Restrictions in Oregon

A group of business owners and the Oregon Moms Union has filed a lawsuit against Oregon's Democratic Governor Kate Brown after "Extreme Risk" restrictions went into effect on April 30, Fox 12 Oregon reported.

Last week, Governor Brown extended Oregon's state of emergency by 60 days, allowing her to continue to issue restrictions on businesses, according to the *Oregonian*. The "Extreme Risk" restrictions went into effect on Friday in 15 Oregon counties, encompassing nearly 70 percent of the state's population.



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Under these restrictions, indoor dining is prohibited at restaurants and bars; gym members are permitted just 45 minutes to exercise; movie theaters, bowling alleys, gyms, and swimming pools are limited to a maximum of six patrons indoors; and religious institutions have been asked to voluntarily limit indoor capacity to 25 percent or 100 people, whichever is smaller. Brown claimed the restrictions will last one to three weeks.

When asked why she would not allow vaccinated people to patronize businesses indoors, Brown claimed such a policy would be unfair to certain races and ethnicities who she claims have not been immunized at the same rate as the state's overall population.

"Our vaccine distribution efforts, while fairly effective and efficient, have not been as equitable as I would like," Brown said. "And we are working hard to close the vaccine gaps that exist among our communities of color."

Four plaintiffs filed a lawsuit in federal court on Tuesday demanding a temporary restraining order against Brown's restrictions. They include The Heart of Main Street; Oregon Moms Union; Melissa Adams, the owner of Spud Monkey's Bar and Grill in Gresham; and Adams' corporation.

"I can't pay my rent. I come in here seven days a week for the last 14 months, trying to make this work," Adams said. "I did everything that Kate Brown asked me to do. I can't do this anymore."

The group of plaintiffs stood outside of Spud Monkey's this week to make the announcement and were joined by Sandy Mayor Stan Pulliam, a second-term mayor considering a run for governor.

"The constitution provides us specific guarantees of liberty," said Pulliam, who has also [encouraged](#) businesses to defy the state's COVID mandates. "The Governor's broadly applied authority continues to be shrouded in opaque rationale, undisclosed science, and arbitrary metrics. After 14 months, it's time to put an end to this and restore our constitutionally protected rights as Americans."

Pulliam [contends](#), "The discovery process of the lawsuit will force the Governor's Office to produce the scientific data ... forcing Brown to prove why it has been necessary to lock down main street businesses while big-box stores remain open."

Though Pulliam is not named as a plaintiff in the lawsuit, he said he supports the suit.



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"The state of emergency was necessary when we didn't know anything about the virus," Pulliam said. "But we now have a vaccine, we understand how it's transmitted and how it's not, and we don't see any discernible difference in outcomes between states that are open and the increasingly few that aren't."

Among the demands, the Oregon Moms Union is calling for students to be back in the classroom five days a week, Fox 12 Oregon reported.

"Kate Brown has made it clear that she will not put our kids first," Oregon Moms Union co-founder MacKensey Pulliam said.

On the same day the lawsuit was filed in federal court, however, Brown changed course, announcing she will be lifting the "Extreme Risk" restrictions on May 7. Brown cited a slight dip in reported hospitalizations behind her decision to lift the restrictions, according to the *Oregonian*.

"Across the state, COVID-19 cases and hospitalizations are still high, and Oregon is not out of the woods yet," Governor Brown said in a press release on Tuesday. "However, we have met the hospitalization metric established by our health experts for counties to return to high risk. From the beginning, I have said that returning counties to the Extreme Risk level was about preserving hospital capacity and saving lives. With our statewide hospitalization rate stabilizing, our hospitals should have the capacity to continue treating patients with severe cases of COVID-19 and other serious medical conditions in the coming weeks."

The 15 "Extreme Risk" counties will receive a "High Risk" designation instead. With this classification, restaurants will be permitted to reopen indoor dining rooms at 25 percent capacity. Venues and fitness centers can increase their capacity as well.

Governor Brown claims that increases in the state's vaccination rates will likely prevent the need to "return to Extreme Risk again for the duration of this pandemic."

It is unclear how this change will affect the lawsuit.



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