



Written by [Raven Clabough](#) on December 22, 2020

Supreme Court Rulings Prompt LA County to Reverse Ban on Indoor Worship Services

Los Angeles County reversed its ban on indoor worship services in light of recent legal decisions from the U.S. Supreme Court, marking a small constitutional victory for First Amendment advocates.

“Places of worship are permitted to offer faith-based services both indoors and outdoors with mandatory physical distancing and face coverings over both the nose and mouth that must be worn at all times while on site,” the county wrote in a [press release](#).

Of course, the county did not miss the opportunity to remind residents they were still being governed by what many claim are unlawful mandates.

It continued, “Places of worship must also assure that attendance does not exceed the number of people who can be accommodated while maintaining a physical distance of six feet between separate households.”

Even as the county has reversed its ban, however, it continues to recommend that worship services are held outdoors, citing “an unprecedented surge of COVID-19 cases, hospitalizations, and deaths.”

The reversal was prompted by [orders](#) handed down by the U.S. Supreme Court last week in *Robinson v. Murphy* and *High Plains Harvest Church v. Polis*, which overturned restrictions on in-person worship in Colorado and New Jersey respectively, the Christian Post reports.

Colorado’s restrictions limited in-person worship services to 50 attendees, while New Jersey limited capacity in houses of worship to 25 percent capacity.

Both of those orders cited the decision in *Roman Catholic Diocese of Brooklyn v. Cuomo*, in which the Supreme Court ruled to block religious gathering limits in New York.

The Roman Catholic Diocese of Brooklyn filed suit against the state of New York in October after the state’s COVID restrictions limited indoor religious gatherings in certain areas to just 10 people, while allowing other venues to open and operate under less-stringent restrictions. The Diocese argued in the lawsuit that it had worked with public health officials to establish the necessary safety protocols at indoor masses and had not contributed to any outbreaks. The Diocese was joined by Orthodox Jewish congregations in its appeal to the Supreme Court.

The High Court ruled against the state of New York on November 25, noting that the COVID restrictions in New York were being discriminatorily applied and [granted](#) the Diocese injunctive relief with a full evidentiary hearing scheduled for later this month.

“Members of this Court are not public health experts, and we should respect the judgment of those with



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special expertise and responsibility in this area. But even in a pandemic, the Constitution cannot be put away and forgotten,” [stated the Supreme Court’s ruling](#).

“The restrictions at issue here, by effectively barring many from attending religious services, strike at the very heart of the First Amendment’s guarantee of religious liberty.”

The High Court’s ruling in the Brooklyn Diocese case has prompted several victories for churches throughout California embroiled in legal battles against the state’s restrictions.

On December 3, the Supreme Court sided with Harvest Rock Church, Inc. against Governor Gavin Newsom’s COVID restrictions, which the church argued were being discriminatorily applied to churches.

“For the governor, COVID-19 restrictions are apparently optional and penalty free. But for Churches or anyone worshipping in their own home with someone who does not live there, COVID-19 restrictions are mandatory and enforced via criminal penalties,” lawyers for Harvest Rock wrote in its request to the Supreme Court.

The High Court directed a federal judge and the Ninth Circuit Court panel to reconsider the rulings against Harvest Rock based on its ruling in Brooklyn Diocese.

Also earlier this month, the U.S. Supreme Court [instructed](#) the Ninth Circuit Court of Appeals to vacate a district ruling against the South Bay United Pentecostal Church in Chula Vista in light of its ruling in the Brooklyn Diocese case.

“In light of the Supreme Court’s orders in *Harvest Rock Church, Inc. v. Newsom ...* and *Roman Catholic Diocese of Brooklyn v. Cuomo ...* we vacate the district court’s October 15, 2020, order denying the motion for injunctive relief filed by South Bay United Pentecostal Church (South Bay), and remand to the district court for further consideration of this matter,” the three-judge panel [ruled](#).

Special Counsel Christopher Ferrara of the Thomas More Society, which represented the plaintiffs in *Robinson v. Murphy*, asserts the Supreme Court is presenting “a very clear message” that governments cannot discriminatorily target houses of worship with restrictions that are not applicable to “comparable secular activities.”



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