



Written by [Raven Clabough](#) on May 7, 2020

## Texas AG, Governor Call for Release of Salon Owner Who Defied Executive Order and Reopened Store

Texas Governor Greg Abbott and Attorney General Ken Paxton have rushed to the defense of Dallas salon owner Shelley Luther (shown, in red shirt), who critics say has been unjustly jailed for reopening her business in defiance of Governor Abbott's stay-at-home orders.



Under a new executive order by Governor Abbott, several nonessential businesses such as restaurants and retail stores were allowed to reopen on May 1, with the caveat that the businesses follow strict social-distancing guidelines. Some feel that such guidelines will continue to disrupt the typical operations of most of the businesses.

"Obviously, not all businesses can open all at once," Abbott said. "A more strategic approach is required to ensure that we don't reopen, only to have to close down again."

But Luther, frustrated that her store, Salon à la Mode, had been closed since March 24 and worried about the economic prospects of herself and her employees, reopened her salon on April 24, and refused to acknowledge a cease-and-desist letter from Dallas County Judge Clay Jenkins to close her salon. During an April 25 protest in Frisco, Texas, Luther publicly tore up the letter in an act of civil disobedience, Boston 25 reported. Her decision to reopen has received significant support from residents in the area, CBS DFW reports, including the Open Texas Movement.

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Appearing before Dallas judge Eric Moyer on Tuesday, Luther refused to apologize for violating the governor's orders just before the judge sentenced her to seven days in jail.

Moyer dangled a carrot in front of Luther, offering her a chance to acknowledge her wrongdoing to avoid jail time.

"If you would like to take this opportunity to acknowledge that your own actions were selfish, putting your own interest ahead of those in the community in which you live," Moyer said.

But Luther refused, asserting her decision to reopen her business in violation of the state's stay-at-home order was in desperation.

"I have much respect for this court and laws. I have never been in this position before and it's not some place that I want to be," Luther responded. "But I have to disagree with you sir, when you say that I'm selfish because feeding my kids is not selfish. I have hair stylists that are going hungry because they'd rather feed their kids. So sir, if you think the law is more important than kids getting fed, then please go ahead with your decision but I am not going to shut the salon."

In addition to being sentenced to seven days in jail, Luther has been fined \$3,500 and will continue to



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be fined \$500 a day until May 8, when salons are permitted to reopen in the state.

Luther has become a martyr of sorts for Americans across the county who have grown frustrated with government overreach in response to the coronavirus pandemic. Her plight has been [echoed](#) by Americans protesting across the country for states to end their lockdown orders. CBS reports protesters have been stationed outside of the Dallas County Jail calling for Luther's release and a GoFundMe page has raised more than \$500,000 in support of Luther, far surpassing the campaign's original goal of \$250,000.

Attorney General Paxton, while acknowledging businesses should not be reopening ahead of schedule, asserts Judge Moye was abusing his authority and engaging in a "political stunt," adding he jailed Luther at a time when jails are releasing prisoners due to COVID-19 concerns:

I find it outrageous and out of touch that during this national pandemic, a judge, in a county that actually released hardened criminals for fear of contracting COVID-19, would jail a mother for operating her hair salon in an attempt to put food on her family's table. The trial judge did not need to lock up Shelley Luther. His order is a shameful abuse of judicial discretion, which seems like another political stunt in Dallas. He should release Ms. Luther immediately.

Paxton told CBS 11 News there's not much he can do to help Luther beyond speaking out against Judge Moye's decision.

"We just thought that was way over the top. It was an abuse of discretion and that the judge should not put people in jail like her who are just trying to make a living," Paxton said.

Governor Abbott also called for Luther to be released from jail in a statement:

I join the Attorney General in disagreeing with the excessive action by the Dallas Judge, putting Shelley Luther in jail for seven days. As I have made clear through prior pronouncements, jailing Texans for non-compliance with executive orders should always be the last available option. Compliance with executive orders during this pandemic is important to ensure public safety; however, surely there are less restrictive means to achieving that goal than jailing a Texas mother.

Luther's civil disobedience prompted Abbott to give permission for hair salons and barbershops to reopen on May 8, an acceleration from his own timeline, the *Denver Post* reports, as his initial plan was to reopen salons and gyms in mid-May.

Fox News reports Luther's story is just one case of open defiance in Texas in protest of the state's stay-at-home orders.

Two Texas Republican lawmakers — state Representative Briscoe Cain and Representative Steve Toth — got illegal haircuts elsewhere in Texas to protest the fact that hair salons were not among the first wave of nonessential businesses to reopen under Abbott's plan.

"Hairstylists and the cosmetology industry don't have a lot of lobbyists in the Capitol advocating for them, whereas maybe the big-box stores and large restaurant chains do and sadly they were overlooked when this should have been an industry that was opened first, because of how regulated they are and the health standards they have to comply with," Cain said, according to [Fox 26 Houston](#).



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*Photo: AP Images*

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