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## Gov. Newsom opens religious services after Trump warning

**HOT TOPICS**

By **Juliette Fairley** | May 27, 2020



Man prays at open church | Pixabay

After President Donald Trump ordered governors nationwide to open houses of worship immediately, Gov. Gavin Newsom announced on Memorial Day that places of worship can hold religious services but are limited to 25% capacity or 100 attendees, whichever is lowest.

Before opening to the public, religious congregations must create a COVID-19 prevention plan and gain the approval of their county department of health, according to [COVID-19 industry rules posted online](#).

“Together, our actions have helped bend the curve and reduce infections in our state,” said Dr. Sonia Angell, state public health officer and director of the California Department of Public Health, in a press release. “As sectors continue to open with changes that aim to lower risk, remember that COVID-19 is still present in our communities.”

President Trump announced at a press conference last week that some governors have deemed liquor stores and abortion clinics as essential but have left out churches and other houses of worship.

“That’s not right,” he said. “So, I am correcting this injustice and calling houses of worship essential. I call upon governors to allow our churches and places of worship to open right now.”

As of May 26, there were 96,733 coronavirus cases statewide and 3,814 deaths, according to the **Department of Health**.

“The First Amendment says that neither the federal nor the state government can restrict the exercise of religion but health trumps everything,” said attorney Jeff Lewis. “As long as the rules apply to all churches, temples and mosques equally there's not going to be a real First Amendment challenge there.”

Prior to Gov. Newsom’s decision to ease restrictions around church services, a panel of three 9th Circuit appellate judges denied South Bay United Pentecostal Church's request for a temporary restraining order 2 to 1. Circuit Judge Daniel Collins dissented.

“I do not doubt the importance of the public health objectives that the State puts forth, but the State can accomplish those objectives without resorting to its current inflexible and overbroad ban on religious services,” Justice Collins wrote in dissent. “The balance of equities and the public interest strongly favor requiring the State to honor its constitutional duty to accommodate a critical element of the free exercise of religion—public worship.”

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Conditions churches, synagogues, mosques and other religious institutions must meet before opening to their congregations include:

- Train employees and volunteers on COVID-19, including how to prevent it from spreading and which underlying health conditions may make individuals more susceptible to contracting the virus.
- Implement cleaning and disinfecting protocols.
- Set physical distancing guidelines.

- Recommend that staff and guests wear cloth face coverings, and screen staff for temperature and symptoms at the beginning of their shifts.
- Set parameters around or consider eliminating singing and group recitations because these activities dramatically increase the risk of COVID-19 transmission.
- Congregants engaging in singing, particularly in the choir, and group recitation should wear face coverings at all times and when possible, these activities should be conducted outside with greater than 6-foot distancing.



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