



NORTH CAROLINA GENERAL ASSEMBLY

NORTH CAROLINA SENATE

May 8, 2020

Governor Roy Cooper
20301 Mail Service Center
Raleigh, NC 27699

VIA ELECTRONIC DELIVERY

Dear Governor Cooper,

Pursuant to Section 6(A) of Executive Order 138 issued earlier this week, you have prohibited North Carolinians from congregating in “mass gatherings” of more than ten people in any confined indoor or outdoor space. Unlike prior executive orders issued during the COVID-19 crisis, you have excluded worship services and other activities protected by the First Amendment from the definition of mass gatherings and permitted those activities to proceed. We commend your decision to allow worship services to proceed. The right to worship is protected by the First Amendment and should never be infringed. Particularly during the time of this crisis, people are relying on their faith and the support of their church families.

However, Section 6(C) of Executive Order 138 provides that any worship services or other protected First Amendment activities excluded from your definition of mass gatherings “shall take place outdoors unless impossible.” Many faith leaders and other constituents who are eager to resume worship services this Sunday have reached out to our offices with confusion of what conditions make an outdoor worship service “impossible.”

Is a worship service impossible in the event of severe weather, light rain, strong wind, heat or cold? Is it impossible if a particular church lacks access to a suitable outdoor space to conduct a worship service for its congregation? Is it impossible to conduct a worship service outside if the audio, visual or other equipment necessary to conduct the service cannot be moved outside or is otherwise at risk of damage if moved outside?

On behalf of our concerned constituents, we request immediate clarification of what conditions make it “impossible” for a worship service to take place outside so that our churches and faith organizations can make plans for the exercise of

their First Amendment rights this weekend without fear of potential criminal penalties if they don’t reach the correct interpretation of “impossible.”

Thank you for your timely consideration.

Sincerely,

A handwritten signature in blue ink that reads "Kathy Harrington".

Senator Kathy Harrington

A handwritten signature in blue ink that reads "Carl Ford".

Senator Carl Ford



Senator Vickie Sawyer



Senator Tom McInnis



Senator Todd Johnson



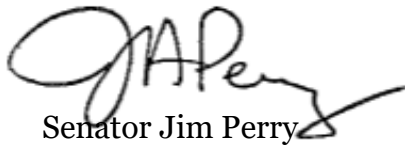
Senator Ralph Hise



Senator Brent Jackson



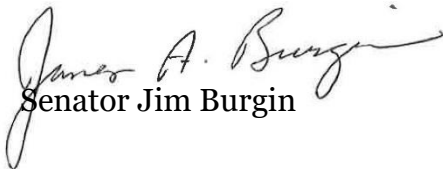
Senator Joyce Krawiec



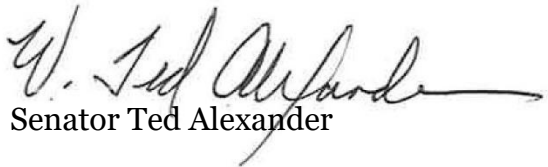
Senator Jim Perry



Senator Warren Daniel



Senator Jim Burgin



Senator Ted Alexander



Senator Norm Sanderson



Senator Bob Steinburg



Senator Rob Bryan



Senator Paul Newton



Senator Rick Horner



Senator Deanna Ballard