



# NORTH CAROLINA SHERIFFS' ASSOCIATION LAW ENFORCEMENT OFFICERS AND STATE OFFICIALS OF NORTH CAROLINA

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SHERIFF HUBERT A. PETERSON  
Wake County

May 8, 2020

## RESOLUTION

**WHEREAS**, the sheriffs of North Carolina support our citizens and support and defend the constitutional right of all North Carolina citizens to practice their individual religion, peaceably assemble, and freely worship in their houses of worship and elsewhere, as provided for and protected by the Constitution of the United States and the North Carolina State Constitution; and

**WHEREAS**, the First Amendment to the Constitution of the United States provides that: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..."; and

**WHEREAS**, the First Amendment to the Constitution of the United States is made applicable to the State of North Carolina by the Fourteenth Amendment; and

**WHEREAS**, Article I, Sec. 13 of the North Carolina State Constitution provides that: "Religious liberty. All persons have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences, and no human authority shall, in any case whatever, control or interfere with the rights of conscience"; and

**WHEREAS**, Executive Order No. 138 was issued by the Honorable Roy Cooper, Governor of North Carolina, on May 5, 2020 to become effective at 5:00 pm on May 8, 2020; and

**WHEREAS**, Section 2.C. provides that people may leave their residence for "Allowable Activities"; and

**WHEREAS**, Section 2.C.2, provides that people may leave their homes to look for or obtain goods and services (i.e. to shop) from a business operation that is not closed by a current Executive Order; and

**WHEREAS**, Section 2.C.7, provides that people may leave their homes to travel to and from a place of worship or exercise any other rights protected under the First Amendment to the Constitution of the United States and its North Carolina counterparts; and



100% Membership

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The North Carolina Sheriffs' Association is a Non-Profit, tax exempt organization recognized by the IRS.

**WHEREAS**, Section 3.A. provides that most businesses and organizations can be open; and

**WHEREAS**, Section 3.B., C., and D. set forth specific requirements that must be adhered to by retail businesses that are allowed to be open, as well as additional recommendations specific to retail businesses and recommendations for all businesses (retail or other); and

**WHEREAS**, Section 6.A. prohibits mass gatherings of more than 10 persons at the same time in a single space but specifies that mass gatherings do not include gatherings "for worship"; and

**WHEREAS**, Section 6.C. requires that gatherings for worship of more than 10 people are only allowed if they "take place outdoors unless impossible"; and

**WHEREAS**, the sheriffs of North Carolina believe that the restrictions and recommended guidelines that apply to persons who gather to worship should be no more stringent than those that apply to businesses that are allowed to remain open; and

**WHEREAS**, the restriction in Executive Order No. 138 that requires gatherings "for worship" of more than 10 persons to be held outdoors unless "impossible" to do so is significantly more restrictive than the restrictions in Executive Order No. 138 on "Retail Businesses"; and

**WHEREAS**, the sheriffs [and other law enforcement officers] are tasked by Governor Roy A. Cooper in Executive Order No. 138 and all previous Executive Orders related to COVID-19 with enforcement of the Order; and

**WHEREAS**, the sheriffs of North Carolina, on a daily basis, individually and personally talk with many of the citizens of our state regarding the enforcement and impact of Executive Orders related to COVID-19; and


**WHEREAS**, many citizens have told sheriffs that they do not understand nor agree with the Governor's limits on worship services that are more restrictive than the Governor's limits on businesses and other allowable activities, and the wording of these more restrictive limitations creates interpretation and enforcement issues for law enforcement.

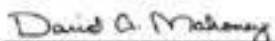
**NOW, THEREFORE**, the North Carolina Sheriffs' Association respectfully requests that Governor Roy A. Cooper amend Executive Order No. 138 to provide that indoor worship services are not prohibited by Executive Order No. 138 if they adhere to similar requirements that allow for the operation of retail businesses.

**IN WITNESS WHEREOF**, the undersigned by our signatures below, do hereby certify that this Resolution was adopted on behalf of the Association unanimously by the Executive Committee of the North Carolina Sheriffs' Association.

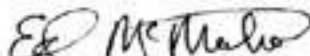
This the 8<sup>th</sup> day of May, 2020.

  
Sheriff James E. Clemmons, Jr.  
Chairman, Executive Committee  
North Carolina Sheriffs' Association

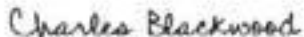
  
Sheriff John W. Ingram, V  
President  
North Carolina Sheriffs' Association



Sheriff David A. Mahoney  
First Vice President  
North Carolina Sheriffs' Association



Sheriff Ed McMahon  
Second Vice President  
North Carolina Sheriffs' Association



Sheriff Charles Blackwood  
Third Vice President  
North Carolina Sheriffs' Association



Sheriff Alan C. Jones  
Secretary  
North Carolina Sheriffs' Association



Sheriff Alan Cloninger  
Treasurer  
North Carolina Sheriffs' Association



Sheriff Steve Bizzell  
Past President  
North Carolina Sheriffs' Association



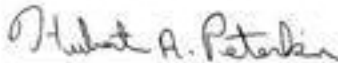
Sheriff Sam Page  
Past President  
North Carolina Sheriffs' Association



Sheriff Kevin Frye  
Past President  
North Carolina Sheriffs' Association



Sheriff Asa B. Buck, III  
Past President  
North Carolina Sheriffs' Association



Sheriff Hubert A. Peterkin  
Past President  
North Carolina Sheriffs' Association