

Preliminary injunction issued in Capitol Hill Church's lawsuit against D.C. mayor over coronavirus restrictions

WASHINGTON, D.C. (Special) – The U.S. District Court for the District of Columbia on Oct. 10 granted a preliminary injunction to Capitol Hill Church in Washington, D.C., that will allow the 142-year-old Southern Baptist congregation to resume meeting in defiance of an executive order from Democrat D.C. Mayor Muriel Bowser.

Under the executive order, Bowser had decreed that churches could not meet with over 100 attendees due to the COVID-19 coronavirus pandemic, but she allowed much larger protests and other secular gatherings to go on at the same time with no such restrictions.

In response the church filed a lawsuit Sept. 22 arguing that its First Amendment rights are being violated, after the mayor's office twice denied the 850-member church's requests to meet outdoors under accepted COVID-19 protocols.

U.S. District Judge Trevor N. McFadden, who was nominated to the federal bench in 2017 by Republican U.S. President Donald Trump, ruled, "The District's current restrictions substantially burden the Church's exercise of religion. More, the District has failed to offer evidence at this stage showing that it has a compelling interest in preventing the Church from meeting outdoors with appropriate precautions, or that this prohibition is the least-restrictive means to achieve its interest."

U.S. Senator Roger Wicker (R-Miss.), a member of First Church, Tupelo, was an outspoken critic of Bowser's executive order

and one of the leaders among 34 senators who filed an amicus curiae brief on October 7, agreeing that the selective enforcement of the District's rules violated the church's First Amendment rights and the Religious Freedom Restoration Act.

"I am glad Capitol Hill Baptist and other faith groups can once again gather in the nation's capital," Wicker said in an Oct. 23 press release. "This ruling sends an important message that the First Amendment freedoms of speech and religion apply to all Americans – even during a pandemic. I was happy to lend my support to this cause..."

Wicker said after the injunction was issued that he looked forward to attending the church while the U.S. Senate is in session. Mississippi's junior senator, Republican Cindy Hyde-Smith, also signed the amicus brief. The District of Columbia has until November 8 to appeal the decision.

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