

JOSH HAWLEY
MISSOURI

KYLE PLOTKIN
CHIEF OF STAFF

212 RUSSELL SENATE OFFICE BUILDING
TELEPHONE: (202) 224-6154
FAX: (202) 228-0526
WWW.HAWLEY.SENATE.GOV

United States Senate

WASHINGTON, DC 20510-2509

COMMITTEES
JUDICIARY
ARMED SERVICES
HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS
SMALL BUSINESS
AND ENTREPRENEURSHIP
AGING

September 17, 2020

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Attorney General Barr:

I am writing to urge you to immediately bring lawsuits in federal court to uphold the constitutional right to free exercise and the rights of houses of worship being unjustly shuttered.

I previously wrote to you on June 9, 2020, asking the Department to “bring whatever lawsuits are necessary to secure the First Amendment rights of all Americans.” That letter followed your April 27 memorandum stating that the Department had issued guidance to states and localities about their constitutional obligation not to infringe on religious free exercise.

But unconstitutional restrictions on religious exercise remain in many parts of the country, despite an ebb in COVID-19 cases and the lessening of other restrictions. Many houses of worship and other religious organizations are being treated more harshly than other institutions.

In San Francisco, California, for example, churches continue to be under orders limiting religious services to twelve people, and only if done outdoors, while gyms have been allowed to let patrons inside. In many parts of Washington State, churches are subject to a specially burdensome 25 percent capacity limitation, while restaurants and other businesses are allowed up to 50 percent of capacity. At the same time, churches that assert their right to free exercise are being hit with massive fines—as much as \$100,000 in some cases—for the offense of gathering to worship in person.

The American people have endured six months of closures and restrictions on their houses of worship. Over that period, they have faced countless harms: missed holidays and religious celebrations, canceled weddings, and unattended funerals, to say nothing of the painful absence of regular worship. These continued violations of the First Amendment are

outrageous. I ask that the Department file suit against these jurisdictions and others to uphold Americans' rights.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is written in a cursive, flowing style with a large initial "J" and a long, sweeping underline.

Josh Hawley
United States Senator