



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

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SHERIFF KEVIN FRYE
Avery County

SHERIFF ASA B. BUCK, III
Carteret County

SHERIFF HUBERT A. PETERKIN
Hoke 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 I.R.S.

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

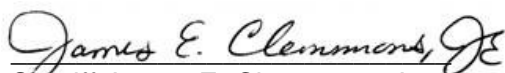
WHEREAS, the sheriffs of North Carolina, on a daily basis, individually and personally talk with many of the citizens of our state regarding the enforcement and impact of Executive Orders related to COVID-19; and

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.

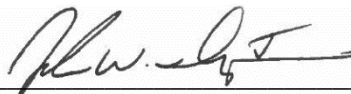
NOW, THEREFORE, the North Carolina Sheriffs’ Association respectfully requests that Governor Roy A. Cooper amend Executive Order No. 138 to provide that indoor worship services are not prohibited by Executive Order No. 138 if they adhere to similar requirements that allow for the operation of retail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

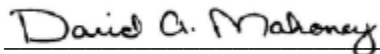
This the 8th day of May, 2020.



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



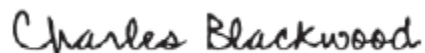
Sheriff John W. Ingram, V
President
North Carolina Sheriffs’ Association



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



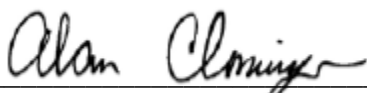
Sheriff Ed McMahon
Second Vice President
North Carolina Sheriffs' Association



Sheriff Charles Blackwood
Third Vice President
North Carolina Sheriffs' Association



Sheriff Alan C. Jones
Secretary
North Carolina Sheriffs' Association



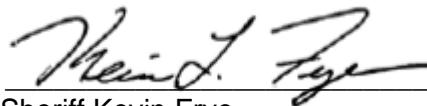
Sheriff Alan Cloninger
Treasurer
North Carolina Sheriffs' Association



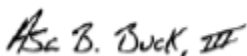
Sheriff Steve Bizzell
Past President
North Carolina Sheriffs' Association



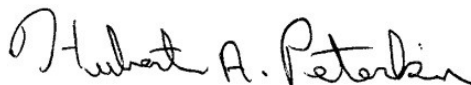
Sheriff Sam Page
Past President
North Carolina Sheriffs' Association



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