

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

THE BELOVED CHURCH, an Illinois Not-for-Profit Corporation, and PASTOR STEPHEN CASSELL, an individual,	)	
	)	No. 3:20-cv-50153
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
JAY ROBERT PRITZKER, Governor of the State of Illinois, DAVID SNYDERS, Sheriff of Stephenson County, Illinois, STEVE SCHAIBLE, Chief of Police of the Village of Lena, Illinois, and CRAIG BEINTEMA, Administrator of the Department of Public Health of Stephenson County, Illinois, in their official capacities,	)	JURY TRIAL DEMANDED
	)	
Defendants.	)	

**DECLARATION OF PLAINTIFF STEPHEN CASSELL
IN SUPPORT OF PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING ORDER**

1. As the Pastor of The Beloved Church, I am the principal authority regarding its functions, and its services and rites. I consult with the Church's board of directors regarding non-doctrinal matters, but as to doctrinal matters, being an ordained minister and Church Pastor, I consult the scriptures to conform doctrine to the scriptures.

2. I regard weekly, Sunday, in-person services, with the Church members assembled in our church building as a congregation, to be an essential, scripturally mandated part of the continuing existence of The Beloved Church. Not only is this doctrine of the congregation integral to all of the church teachings, this, too, is essential for us to experience as the congregation of The Beloved Church.

3. For the last four Sundays -- April 5, 12, 19, and 26, 2020 -- the Beloved Church has had no in-person Sunday services. Doctrinally, I regard this as a violation of the Church's existence as a Christian congregation. A congregation that does not celebrate, pray, and gather in-person regularly cannot claim to be a scriptural Christian congregation.

4. For the last four Sundays, I have preached and celebrated the rites of Sunday services myself and live-streamed all of that to interested members of the Church's congregation on the internet. But none of that complies with the scriptural mandate to have in-person services.

5. It is not feasible to conduct drive-in services on The Beloved Church's property in Lena. We do not have a parking lot that can accommodate such services. I believe and teach that such drive-in services do not comply with the scriptural mandate for in-person Sunday services.

6. I have a deep, genuine, heartfelt concern for every person who sets foot on the property of The Beloved Church. Because of that, I will do everything in my power that is permitted and congruent with scriptures to protect the health, safety and well being of the participants through the entirety of their being --- spirit, soul, and body.

7. While I believe the government has no power to impose worship requirements by force of law and threat of criminal prosecution on a church, I have accepted EO 2020-32's Social Distancing Requirements as guidelines for my congregation's upcoming Sunday worship services.

8. To that end, I have purchased and will provide face coverings or masks to any congregation member who doesn't have one at our in-person Sunday services in the church building.

9. And The Beloved Church has procured and will have placed hand sanitizer at all the entries and exits, and throughout the church building, in sufficient amount for anyone attending in-person services to use it as often as she or he wants.

10. Further, The Beloved Church will ensure our seating arrangement is such that every family unit can maintain a 6-foot distance at our in-person service.

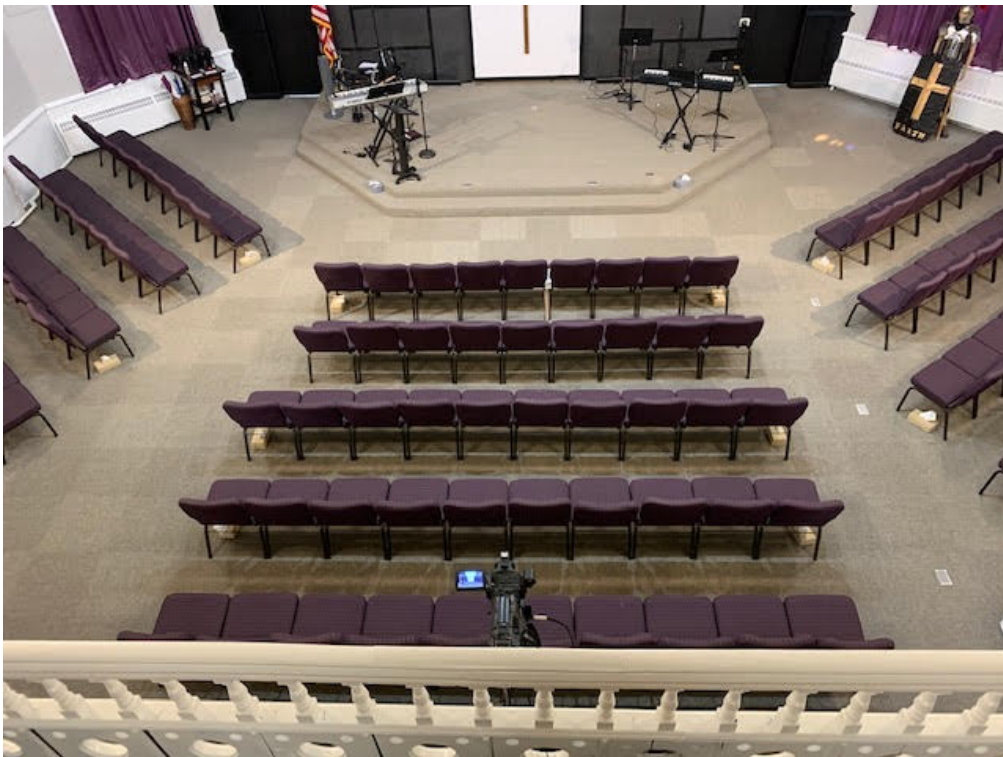
11. Even more, I have instructed our congregation that families with anyone who is sick should stay home and that any family with a first-responder or front-line worker should do the same, with our thanks and gratitude for their service. I have already heard from a handful of families that they will stay home due to having a front-line worker in the household. And I have also asked those who are at greatest risk of coronavirus infection to join us in worship from home, instead of in person.

12. We have a typical attendance of 60 to 80 people at our Sunday services, but that number is not the important one for judging our ability to socially distance for our services. We have many large families, some with up to 12 members, and my own family includes 8 members. The typical attendance, by family, at our worship services is roughly 10 to 15 families, depending on the Sunday.

13. If the 10-person limit is read to mean any 10 people gathering, I will be unable to pastorally minister to or worship with that 12-member family, despite that family effectively being only 1 potential source of viral infection, not 12 independent sources. My own 8-person family would not even be able to attend Sunday services at the Church, because counting the 5 people necessary to put on our services, we could only have 5 more people in the sanctuary. At the very least, it is irrational and unreasonable to apply a 10-person cap, without regard to family structure and number of potential sources of viral infection.

14. The sanctuary of our church building in Lena measures 60' x 60' (3,600sf) and can hold roughly 200 people on the main level, with a balcony measuring 21' x 15' (315sf) that can hold roughly another 24-30 people. It is more than large enough to provide 6 feet (and more) of separation for our typical 10 to 15 family units, and our typical Sunday services are attended at closer to 25-35% of occupancy, well less than the 50% of occupancy limit imposed on retailers in the new executive order.

15. Here are pictures of our sanctuary and balcony, which I myself took within the last week, to give a better sense of their size:





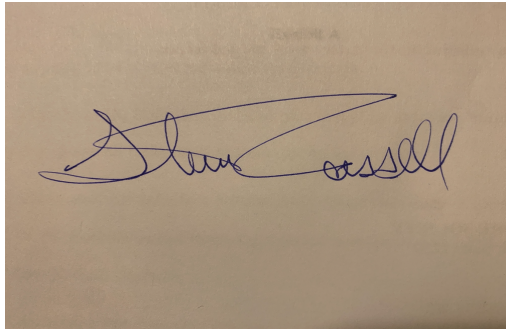


16. It is more than feasible for us to keep family units 6 feet apart in our church building during in-person services, even with 15 families attending, than it is for other local businesses that I am familiar with. I have personally shopped at the Menards and Walmart stores in Freeport during the last three weeks and observed much more violation of six-foot distancing in those stores than would occur at in-person Sunday services. Further, a person can easily be near to and, or at least in the same building with, over one hundred different people, from one hundred different households, at one of these local large retailers. Folks shopping at Menards and Walmart are also in physical contact with a variety of products that have been handled by other people, any of whom may be infectious. And an average visit to one of these large retailers is not normally a brief affair: a quick trip to Walmart or Menards can take thirty minutes from entry to exit, and a more involved one can easily take an hour. If one were looking at potential sources of infection for a virus, our local large retailers present ten times the risk of a church.

14. It is also more feasible for us to keep individuals and family or household units six-feet apart in our church building during in-person services, and to observe social-distancing, even with 15 families attending, than for large employers in Stephenson County. For instance, yesterday I spoke with a current, long-time employee of Kelly Springfield-Titan Tire at its plant outside Freeport, which employs several hundred people, working three daily shifts. He told me about what he has observed about social distancing at the plant over the last month. He said that, though management sends out rules about social distancing, it is impossible for many employees to comply. Though many try to remain six feet apart, at times it is impossible. When a shift clocks out, for example, everyone must line up at the clock and cannot stay six-feet apart. “In my opinion,” he said to me, “everybody is just working hard, doing their jobs and from a year ago we are doing literally almost the same thing we have always done.” I honor the vital work of those who work in our local manufacturing plants, but while they do temporal work to meet their temporal needs, they deserve to be nourished in their souls and meet their spiritual needs. Without denigrating any of the fine employers in our county, the layout of The Beloved Church allows us to provide an environment for our congregants, on Sunday morning, that is as safe or safer than the environment many are in for 40 hours a week or more, from Monday through Friday. Again, if one were looking at potential sources of infection for a virus, employees present for long periods of time, including at close quarters, at our local manufacturers present a larger risk than The Beloved Church.

Verification:

Under penalty of perjury as provided by the laws of the United States, I, Stephen Cassell, affirm that all of the foregoing information is true.

A photograph of a handwritten signature in blue ink on a light brown, textured background. The signature is written in a cursive style and appears to read "Stephen Cassell".

_____\ May 2, 2020
Stephen Cassell Dated