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EMAIL TO: All Sheriffs
FROM: Eddie Caldwell
Executive Vice President and General Counsel
North Carolina Sheriffs' Association
SENT: April 9, 2020
SUBJECT: In-Person Worship Services ---
Impact of the Governor's Executive Orders

Due to the observance of several religious holidays this week, many sheriffs have asked how North Carolina citizens may attend religious worship services while remaining in compliance with Governor Roy Cooper's Executive Orders that restrict mass gatherings and require social distancing to prevent the spread of COVID-19. The following information will answer the most common questions sheriffs have regarding this issue.

Can a Church Continue to Have Worship Services at its Place of Worship?

Yes. However, Governor Cooper's current restrictions on mass gatherings and social distancing requirements still apply, as set forth in Executive Order No. 121. Therefore, no more than 10 people may gather in a single room or a single space at a place of worship, such as a Sunday school classroom, activity center, sanctuary, or other place. The individuals gathered must adhere to social distancing requirements, including "maintaining at least six (6) feet distancing from other individuals."

Can a Church Hold "Drive-In" Worship Services?

Yes, provided the guidelines in Governor Cooper's March 31st letter addressing drive-in worship services are followed. Below is the question submitted to the Governor by the North Carolina Sheriffs' Association and the Governor's reply in the March 31st letter.

Question from NCSA to Governor Cooper:

Can you please clarify whether or not "drive-in" church services are allowed under your Executive Order that limits the number of people in a mass gathering to less than 50 people [which is now limited to 10 people].

The way these church services have been explained, all church members are "quarantined" inside their individual vehicles, with the windows down, with the pastor standing outside giving the sermon via a speaker. Some of



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our churches would like to do this and we need to know whether or not it is lawful under your Executive Order.

Per Governor Cooper's Response Letter:

In answer to the Sheriffs' Association question regarding "drive-in" worship services convened in open-air areas: I trust law enforcement's judgment in directing people to abide by local and state health department guidance. **These kinds of gatherings appear to be acceptable as long as individuals remain in their vehicles and avoid contact.** (emphasis added)

It is the Association's understanding that the Governor's authorization applies regardless of the total number of people or total number of vehicles. However, individuals must remain in their vehicles and avoid contact with other persons by observing "social distancing requirements," specifically to include "maintaining at least six (6) feet distancing from other individuals" who are in other vehicles or elsewhere.

While not expressly stated, we anticipate that the Governor was referring to passenger vehicles, pick-up trucks, etc. that each contain 10 or fewer people and that the Governor does not intend for his authorization to apply to any vehicle with more than 10 people in it, such as might be in a truck bed, van, bus, wagon pulled behind a tractor, etc.

Can a Church Hold "Drive-By" Worship Services?

Yes. It is the Association's understanding that the same analysis used for "drive-in" worship services applies equally to "drive-by" worship services.

Drive-by worship services may be held regardless of the total number of people or total number of vehicles. However, individuals must remain in their vehicles and avoid contact with other persons by observing "social distancing requirements," specifically to include "maintaining at least six (6) feet distancing from other individuals" who are in other vehicles or elsewhere.

While not expressly stated, we anticipate that the Governor was referring to passenger vehicles, pick-up trucks, etc. that each contain 10 or fewer people and that the Governor does not intend for his authorization to apply to any vehicle with more than 10 people in it, such as might be in a truck bed, van, bus, wagon pulled behind a tractor, etc.

If you have any questions regarding this issue, do not hesitate to contact Matthew Boyatt, NCSA Deputy General Counsel, at mboyatt@ncsheriffs.net or at 919-459-6467.

Thanks....Eddie C.



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