



# THE EPISCOPAL DIOCESE OF MARYLAND

Against  
HB 1371

Public Safety - States of Emergency and Catastrophic Health Emergencies - Treatment of  
Religious Organizations  
Health and Government Operations Committee  
3/08/2022

Chair Pendergrass, Vice-Chair Pena-Melnyk, members of the Government Operations Committee, I am the Rev. Dr. Chip Lee and I submit this testimony on behalf of the Episcopal Diocese of Maryland. The Maryland diocese represents 110 parishes and over 45,000 parishioners. As a priest in the Diocese of Maryland, I have been the Rector of St. Matthew's, Oakland, and Vicar of St. John's, Deer Park, here in Garrett County for 30 years. We oppose HB 1371.

HB1371 would allow a religious organization to operate to the same or to a greater extent than organizations providing essential services are authorized to operate during a state of emergency or catastrophic health emergency.

The present bill defines "essential services" as those services which provide the tangible basics for the well-being of the community in time of emergency - medical services, fire and police protection, food, and shelter. Those services, by their very nature, require those providing the services to be trained to take the risks inherent in an emergency to deliver them, and in the case of medical care, food and shelter, require not only those providing the service but also those who are receiving said service to risk gathering in a public place to receive them, with all due consideration to proper precautions to help mitigate those risks as much as possible. Religious organizations are neither trained to deal properly with these risks, in many cases openly shunning the recommended protocols, nor do they have need of such designation as defined by present law, given the intangible nature of the spiritual services they provide and the ability to effectively provide those services by means other than direct contact.

The proposed bill seems to be driven by the misguided perception that an ontological mandate to gather a community in a singular location for worship exists which supersedes temporary worldly directives by governments designed to safeguard that same community from the risks of exposure to a highly communicable and potentially lethal virus or other biological threat.

While I do not disagree that gathering the Christian community regularly for worship is important for its spiritual health and well-being in normal times, voluntarily doing so in a pandemic or other potentially life-threatening emergency, against the best medical and scientific advice available, in the name of freedom of religion, is not only arrogant, reckless and potentially criminal, but it defies the second of the only two commandments Christians profess as the core mandate of their faith: to love their neighbor. Some churches in Garrett County have been identified publicly by local health officials as being among the primary sources of the larger super spreader events we have experienced. And not only here, but in the surrounding

counties of West Virginia and throughout the nation. This does not happen in a vacuum. Those who attend a church service in defiance of health department recommendations not only expose themselves and their families, but also anyone with whom they come in contact afterward. This is putting your neighbor in jeopardy, not loving them.

Nothing in scripture explicitly commands a Christian to attend church. We are called to remember the Sabbath and keep it holy. How that comes about is a matter of interpretation and choice. Yes, Christians need fellowship with others, but again, in these modern times, there are non-traditional ways to temporarily and safely effect that fellowship in times of emergency

Jesus said that whenever two or three are gathered in his name, he will be in the midst of them. He does not explain how “gathered in his name” is to be defined. In early times, Christians gathered mostly in secret, small, house groups because of persecution. While persecution of Christians does not exist in the US in this day and age, small groups and individuals still meet when other opportunities do not present. Technology now affords us more creative ways to connect. For the past 10 years, St. Matthew’s has offered live-streamed services each Sunday in conjunction with in-person worship which reach hundreds of viewers, and our daily Morning Prayer podcast has surpassed a million downloads in 20 countries throughout the world, including Ukraine. Whatever the reason someone watches or listens to us, they are gathered in spirit with us in Jesus’ name and we believe He is still in the midst. Access to God is no longer restricted to approaching the Holy of Holies in some designated place. When the Samaritan woman at Jacob’s well recounts to Jesus that her ancestors worshipped on the mountain where they now stood, she adds, “You say that the place where people must worship is in Jerusalem.” Jesus replies, “The hour is coming and now is, when the true worshippers will worship neither in Jerusalem nor on this mountain, but in spirit and in truth. God is spirit and those who worship him must worship in spirit and truth.” The implication here is more succinct. Wherever you are, however, you are so inclined, worship comes from the heart of the individual, and, being spirit, connects with other like-minded individuals in a church building, on YouTube, Zoom, on a hiking trail, or on the phone. It comes down to a matter of interpretation, and reason dictates that, from time to time, conditions arise which preclude in-person worship.

It has been unnerving to preach in front of a camera in an empty church. But I am also comforted in knowing that my congregation communes with God and each other each week when they come together, in their homes, at the same time. It is only for a time, and for a time it is enough...and safe.

There are few, if any, absolute rights, despite the protestations of conservative hard liners. The Constitution itself, as well as the Supreme Court, has made that clear on numerous occasions. There are times when rights must be suspended for the safety and benefit of the community. This pandemic, and certainly the ones which will inevitably follow, is one of those times. I urge you to give this bill an unfavorable report. While in the eyes of those whose only concern is the sanctity of their personal rights it may not be the politically expedient thing to do, it is absolutely the correct humanitarian and Christian thing to do. We encourage an unfavorable report.