

STATE OF WISCONSIN  
SUPREME COURT  
No. 2020-AP-000765

---

WISCONSIN LEGISLATURE,  
Petitioner,

v.

SECRETARY-DESIGNEE ANDREA PALM, JULIE WILLEMS  
VAN DIJK, and NICOLE SAFAR, IN THEIR OFFICIAL  
CAPACITIES AS EXECUTIVES OF WISCONSIN DEPARTMENT  
OF HEALTH SERVICES,  
Respondents.

---

**AMICUS BRIEF OF WISCONSIN FAITH  
VOICES FOR JUSTICE**

---

Stephen E. Kravit  
State Bar No. 1016306  
Benjamin J. Glicksman  
State Bar No. 1086852  
KRAVIT, HOVEL & KRAWCZYK S.C.  
825 North Jefferson - Fifth Floor  
Milwaukee, WI 53202  
(414) 271-7100

Attorneys for Amicus Wisconsin  
Faith Voices for Justice

## **TABLE OF CONTENTS**

TABLE OF CONTENTS .....	i
TABLE OF AUTHORITIES .....	iii
STATEMENT OF INTEREST .....	1
ARGUMENT .....	3
I. THE REALITY ON THE GROUND IS THAT THE COVID-19 PANDEMIC HAS CREATED A TIME FOR “HOLY IMAGINATION” THAT WISCONSIN’S CLERGY ARE USING TO SUPPORT AND STRENGTHEN THEIR COMMUNITIES.....	4
A. Pastor Cindy Crane, Director, Lutheran Office for Public Policy in Wisconsin, <i>et al.</i> .....	4
B. Reverend Kerri Parker, Executive Director, Wisconsin Council of Churches .....	5
C. Reverend Dr. Marcus Allen, Pastor, Mt. Zion Baptist Church .....	6
D. Rt. Reverend Steven A. Miller, Bishop, Episcopal Diocese of Milwaukee.....	7
E. The Reverend Dr. Christian D. Boyd, Stated Clerk & Executive Secretary of the Presbytery of Milwaukee Corporation.....	8
F. Rabbi David Cohen, Congregation Sinai .....	9
G. Rev. Reirin Gumbel, Milwaukee Zen Center .....	10
H. Rev. Steve Zekoff, United Methodist Clergy .....	11
I. Rabbi Betsy Forester, Beth Israel Center.....	11

J.	Robin Greenler, Presiding Clerk of Madison Monthly Meeting of the Religious Society of Friends (Quakers).....	12
K.	Rev. Joseph B. Baring, Jr., Pastor/Social Action Director, ST. Paul AME Church .....	14
L.	Kristin Gorton, Pastor, Memorial United Church of Christ.....	14
M.	Rev. Stephen Welch, Pastor, Plymouth United Church of Christ, Milwaukee.....	15
N.	Katherine Griffith, Clerk, Winnebago Friends Worship Group (Quaker) .....	16
O.	Fr. Jay Poster, St. Joseph Catholic Church .....	17
II.	THE LEGISLATURE WRONGLY ASSERTS THAT THE ORDER LIMITING GATHERINGS RESULTED IN “DECREASED ACCESS TO ... RELIGIOUS SUPPORT.”.....	18
III.	THE 1918 PANDEMIC PROVIDES PRECEDENTIAL GUIDANCE ON IMPACT OF SOCIAL DISTANCING IN TIMES OF HEALTH CRISES. ....	19
	CONCLUSION .....	24
	CERTIFICATION AS TO FORM AND LENGTH .....	25
	CERTIFICATE OF COMPLIANCE WITH RULE 809.19(12) .....	26
	CERTIFICATE OF SERVICE.....	27

## **TABLE OF AUTHORITIES**

### **Cases**

<i>Plautz v. Kubasta</i> , 237 Wis. 198, 295 N.W. 667 (1941) .....	18
<i>Podoll v. Smith</i> , 11 Wis. 2d 583, 106 N.W.2d 332 (1960) .....	18
<i>State v. Pulizzano</i> , 155 Wis. 2d 633, 456 N.W.2d 325 (1990) .....	18, 19

The Legislature has chosen to litigate rather than legislate the propriety and scope of Emergency Order 28 (“Order”). Wisconsin Faith Voices for Justice (“WVJ”) strongly opposes the granting of this ‘emergency’ petition for original action and the requested temporary restraining order.

As of April 27, 2020, Wisconsin has 6,081 confirmed cases of COVID-19 with 281 confirmed deaths.<sup>1</sup> There was a 12.5% uptick in confirmed cases over the weekend -- the curve of infection is still rising.<sup>2</sup> The consequences of coronavirus infection are horrific -- pulmonary issues, blood clots, strokes and death – including in young people once thought to be at low risk.<sup>3</sup> In this atmosphere, the Legislature seeks to enjoin extending the Order. (Leg. Brf., p. 22)

### **STATEMENT OF INTEREST**

There is no developed fact record on this motion for an injunction. The Legislature’s brief contains suppositions, not evidence. One such supposition is that “[t]he Order has likely increased levels of mental stress, anxiety, and depression,

---

<sup>1</sup> <https://www.dhs.wisconsin.gov/covid-19/index.htm>

<sup>2</sup> *Id.*, showing 5,687 cases on April 25 compared to 5,052 cases on April 23.

<sup>3</sup> <https://www.cnn.com/2020/04/22/health/strokes-coronavirus-young-adults/index.html>

which are often caused by economic hardship, social isolation, and decreased access to community and religious support.” (Leg. Brf., p. 16.)

WFVJ is a 501(c)3 charity formed in 2012 as an interfaith education and advocacy organization working for social and economic justice and interfaith understanding. Its members represent all Wisconsin faiths, from across the state.<sup>4</sup> The WFVJ mission “draws on the wisdom, courage, and strength of our various faith traditions to advance the common good. United as progressive people of faith, we move people and government through education and advocacy to raise the dignity and address the needs of the hungry, poor, and marginalized, to care for the sick, and to lift up all voices.” (WFVJ-App. 8.)

The Legislature’s averment that the impact of the Order is mental stress, hardship and decreased access to community and religious support is directly countermanded by the interfaith record set forth in this *amicus* brief. The Court should consider the accompanying Appendix containing direct

---

<sup>4</sup> Christian (Catholic, Presbyterian, Baptist, Episcopal, Evangelical, Moravian), Jewish, Muslim, Unitarian, Buddhist, Sikh, Quaker, Mennonite, Baha’i, AME, Hindu, and Pagan. (WFVJ-App. 8.)

evidence from 29 WFVJ members. These diverse religious leaders have special knowledge and direct experience dealing with the Order, and they deliver a fact record directly contrary to the Legislature's position that the Order has negatively impacted faith practices.

WFVJ provides arguments in favor of continuation of the Order and decries the Legislature's unsupported attack on the ability of Wisconsin's faith communities to survive and thrive in this time of local and global crisis.

### **ARGUMENT**

Faith leaders in Wisconsin and around the world have risen to the challenges posed by the pandemic, including limited social interaction and Safer at Home orders like the Order challenged here. The aim of this order is to ensure the safety and health of Wisconsinites, which is a goal that aligns entirely with the teachings of many faiths by clergy across the state.

The evidence shows that faith communities adapted by following the Order, protecting and ministering to their flock, and finding meaningful new ways to religiously connect and re-connect.

**I. THE REALITY ON THE GROUND IS THAT THE COVID-19 PANDEMIC HAS CREATED A TIME FOR “HOLY IMAGINATION” THAT WISCONSIN’S CLERGY ARE USING TO SUPPORT AND STRENGTHEN THEIR COMMUNITIES.**

While the pandemic has caused stress and anxiety, the facts are that Wisconsin’s faith community has *increased*, not decreased, access and reach to its members under the Safer at Home order and its progeny. *See* WFVJ-App. 8-50. Excerpted below, and fully set forth in the Appendix, is evidence that changes in faith practices brought about out of necessity have *positively* (and decidedly not negatively) impacted faith communities -- through increased access to religious programming and ministry, and reaching individuals unable to safely physically attend events:<sup>5</sup>

**A. Pastor Cindy Crane, Director, Lutheran Office for Public Policy in Wisconsin, *et al.***

*The Lutheran Office for Public Policy in Wisconsin is an advocacy ministry of the Evangelical Lutheran Church in America. We support the health and well-being of Wisconsinites by supporting just public policies.*

...

---

<sup>5</sup> See Appendix for complete original statements from 29 WFVJ religious leaders.



*In this highly unusual time of a pandemic, we find ourselves studying and tracking Governor Evers' executive orders and information from our state and federal health care professionals who are determining when it is safe for us to return to business as usual. We supported Order #12 and now support Order #28 to extend Safer at Home.*

*In relation to making decisions about sheltering in place, the first question to worshipping communities should not be whether or not they are meeting the spiritual needs of their members, but if their lives and the lives of others would be at risk by attending worship in person. We happen to know that the spiritual needs of people are being tended to as best as possible online and via television, radio, and the telephone during this time. (WFVJ-App. 39-40.)*

**B. Reverend Kerri Parker, Executive Director,  
Wisconsin Council of Churches**

*I am particularly concerned that the impact on religious followers' ability to obtain spiritual support in these times is being mischaracterized by the petitioners, and other opponents of these measures. The Wisconsin Council of Churches is a statewide network of 20 Christian traditions, as well as allied*

*faith-based nonprofits, committed to Christian unity, and common mission to assist our society's most vulnerable.*

...

*The Council of Churches has been resourcing the churches of Wisconsin for this extraordinary time. We have every intent of continuing to do so. We are confident that the faithful in Wisconsin are not being denied spiritual support despite the arrival of the Coronavirus, Safer at Home orders and other restrictions which have been imposed in order to protect life. (WVJ-App. 33-34.)*

**C. Reverend Dr. Marcus Allen, Pastor, Mt. Zion Baptist Church**

*I currently pastor the historic Mt. Zion Baptist Church in Madison, WI. Which is a predominantly African American congregation that has been established for over 109 years.*

*On March 14, 2020 is when I decided to close the church due to this pandemic. For seven weeks now all operations at our church have been suspended and moved online. Though this has been extremely challenging it has been helpful in saving lives. We are engaging so many more people through our online efforts. The church may have been closed but we are continuing our mission: Our food pantry remains*

*open; we are serving food to school age kids daily in our community and we are helping those who are in financial stress.*

...

*It is astonishing to me, as we look at the data suggesting that African Americans are tested less but are dying more than any other race, that people are now pleading to open the state back up. (WFVJ-App. 25.)*

**D. Rt. Reverend Steven A. Miller, Bishop,  
Episcopal Diocese of Milwaukee**

*Many of us as children learned the nursery rhyme with the accompanying motions “This is the church, this is the steeple, open the doors and see all the people.” While helpful in entertaining small children during car trips back in the day, for Christians it falls a bit short. In my seventeen years as bishop of the Episcopal Diocese of Milwaukee I have been teaching a revised version which is much more theologically correct. Doing the motions in reverse order, I say, “this is the Church, the Church is people, on Sundays some meet in a building with a steeple.”*

...

*In the Episcopal Diocese of Milwaukee, this time has been a time of great creativity. Clergy are leading corporate worship and study through Zoom and Facebook Live and not just on Sundays. We are working on a diocesan wide worship gathering that will be rolled out shortly. Clergy and lay leaders are also reaching out to one another on a regular basis in a number of ways including the good old fashioned method of calling one another on the telephone. (WFVJ-App. 47-48.)*

**E. The Reverend Dr. Christian D. Boyd, Stated Clerk & Executive Secretary of the Presbytery of Milwaukee Corporation**

*As an ecumenical and interfaith relating denomination, we agree with our fellow religious neighbors that the collective moratorium is a wise decision that protects both people in the community and our faith organizations. To pull back from that decision – on a case-by-case, church-by-church, temple-by-temple, mosque-by-mosque basis – puts an undue burden on faith leaders at a time when their energies are best turned elsewhere. Moreover, those most likely to attend such services are older persons who are particularly vulnerable to the effects of the virus.*

...

*Our Presbyterian clergy are leading corporate worship and study through Zoom, YouTube, and Facebook Live throughout the week. Faith organizations are teaming together to offer joint services. Clergy and lay leaders are also reaching out to one another regularly in several ways including the good old-fashioned method of calling one another on the telephone. Put simply, social distancing has not required spiritual distancing.*

...

*Worshipping in this way has not only attracted our regulars but is an easier entry point for some who, for whatever reason, are hesitant to enter our buildings. (WFVJ-App. 13.)*

**F. Rabbi David Cohen, Congregation Sinai**

*Neither physician, nor scientist, I am a congregational rabbi. As such, I want to take issue with a point made on page sixteen of the petitioner's brief, which argues that, the 'Safer at home' order has led to 'decreased access to community and religious support.'*

*My experience has been the opposite. Yes, we've had to find new ways to connect with, and minister to, our congregants. Yet, if numbers are any indication, we are seeing increased participation across the board in all aspects of*

*congregational life: Religious prayer services, online classes and discussion groups for youth and adults, pastoral ‘visits,’ as well as holiday celebrations (we ran several very popular online Passover Seders) and lifecycle events. Yes, the current situation precludes some customary rituals for funerals, but, on the whole, the quantity and quality of our interactions with congregants during these challenging, yet sacred, moments has not been diminished. By some measures, they have been enhanced. (WFVJ-App. 30.)*

**G. Rev. Reirin Gumbel, Milwaukee Zen Center**

*For the last weeks, I have offered all our programs online, and we meet every day by zoom teleconferencing for meditation, service, classes, dharma talks, board meetings and personal consultation. We held an Equinox Service in March. On April 8, we celebrated Vesak, the Annual Buddha’s Birthday, and we hold a weekly well-being service for those who are in physical or emotional distress.*

...

*In fact, I am reaching more people than usual, because some join in who live too far away than regularly coming in person. Those who do not have internet access at their homes, I call by phone, and I also write letters to prisoners. I have*

*reached and offered comfort to some who are living in anxiety about the widespread disease and deaths. (WFVJ-App.11-12.)*

**H. Rev. Steve Zekoff, United Methodist Clergy**

*Many religious groups have creatively come up with ways to keep their adherents and those they come in contact with safe while connecting with each other. On-line services and classes, drive-in style worship, and telephone/e-mail contact chains are some of the examples I have experienced in my local congregation.*

...

*I have been proud of the religious community's response of finding ways to communally express and experience faith in the light of current health emergency realities.*

*In my religious tradition being responsible as a person of faith includes not needlessly placing others in harm's way. (WFVJ-App. 28.)*

**I. Rabbi Betsy Forester, Beth Israel Center**

*I am appalled that there are those who assert [the] order decreases safe access to religious support. That is untrue. In fact, during this challenging time, my congregation is providing more support than ever to our members.*

*We are the only congregation in Madison affiliated with United Synagogue for Conservative Judaism. As such, some might think that our practices are less amenable to change... We are also finding viable work-arounds for Jewish holidays that involve a mixture of online programming and provision of resources for personal practice.*

...

*We have found that our new service delivery models offer opportunities for connection even beyond Madison, as members, friends, and relatives from all over the country, and even from other countries, join us in our online events. It is not a stretch to say that our initial duress has yielded new opportunities for engagement and religious support.*

...

*Public health is our top priority, consistent with Jewish values. Indeed, nothing could be more important to Jewish people than the preservation of life. (WFVJ-App. 31-32.)*

**J. Robin Greenler, Presiding Clerk of Madison Monthly Meeting of the Religious Society of Friends (Quakers)**

*The Madison Quaker Meeting has been following Ever's [sic] Safer at Home Orders by conducting all of our*



*religious activities including robust Sunday services by online web conferencing (Zoom).*

...

*While being unable to worship in person has been a loss, we have also noticed that the online format has increased accessibility for members less able to travel, as well as members or attenders who live at a distance. We have been regularly joined in worship by individuals from all over the country. Ironically the online format has increased accessibility to our worship for many individuals.*

*We are committed to the online format in order to protect and support the health and safety of our Quaker community and of our broader society for as long as necessary. Governor Ever's [sic] Safer at Home orders protect us all, especially the most vulnerable amongst us; this is a witness that we strongly support. Lifting the Safer at Home Orders would place many people at severe risk of sickness and death and would be an unconscionable act. The witness to protecting life and safety must come before politics, economics or convenience. (WFVJ-App. 29.)*

**K. Rev. Joseph B. Baring, Jr., Pastor/Social  
Action Director, ST. Paul AME Church**

*I am a Pastor of the oldest Black Church in Dane County, ST. Paul African Methodist Episcopal Church. I Pastor a congregation of at-risk senior citizens of which I am one.*

*The founder of our Denomination believed in ministering to the whole man, and therefore created institutions of higher learning, organized self-help groups, worked during the yellow fever pandemic, engaged in and encouraged others to participate in the betterment of all people. With that being said, I side with the African Methodist Episcopal Church, Governor Tony Evers, Public Health, and a multitude of others who believe in putting lives ahead of the economy. I understand that we have the freedom to decide, and our economy is suffering, but decisions that endanger the lives of others are foolish and dangerous. (WVJ-App. 18.)*

**L. Kristin Gorton, Pastor, Memorial United  
Church of Christ**

*During this time of many changes in our communities as we respond to the pandemic, the faith community at Memorial United Church of Christ (UCC) has been creatively using all modes of communication at our disposal: from phone*

*calls and texts, to letters, emails, FaceTime, Skype, Zoom, and social media. While the church building is closed and staff are working remotely, our Church is still open! The Safer at Home order has NOT restricted any of the religious functions of our church. Memorial UCC supports and will abide by the Safer at Home order issued by Governor Evers that has been extended to May 26, 2020.*

*Our response to the novel coronavirus has been a practice in Holy Imagination. March 22nd was the first time we gathered online to worship. We had over 200 people “present” in our digital sanctuary. On a typical in-person Sunday, the combined attendance at our 2 services is around 110. (WFOVJ-App. 16-17.)*

**M. Rev. Stephen Welch, Pastor, Plymouth United Church of Christ, Milwaukee**

*This order does NOT decrease safe access for our church family, but in truth it is increasing our congregation’s safety and connectedness. Although there are no person to person meetings at the church, we are connecting regularly with worship on Facebook and YouTube. We have Zoom meetings for our church meetings and board and committee meetings. The Confirmation class and weekly Sunday School*

*lessons are available online as well. The Deacons at our church have reached out to every member either by e-mail or telephone to learn if they have any needs or prayers requests or food or other help.*

*Many of our church members are over the age of 60. The Safer at Home order is helping to keep them safe. I join with the other religious leaders in strongly supporting the order because it is keeping our faith tradition and our church family safe. Church is not a building. It is a family. Our family is thankful for the many technologies that make it possible for us to be safe and also connected. (WFVJ-App. 20.)*

**N. Katherine Griffith, Clerk, Winnebago Friends Worship Group (Quaker)**

*I am writing on behalf of the Winnebago Worship Group (Quaker), a group of about 15 individuals which ordinarily meets in the home of one of our members for Sunday worship. We would like to assure you that we support the Safer At Home protocols.*

*Since the Safer At Home order, we have been meeting online via Zoom. While at first we regretted having to go to this format, we have been pleasantly surprised to find that our attendance has gone up, not down, especially during our*

*midweek Spiritual Nurture Group. Members who had moved away are once again joining us, those of us who have less full schedules can attend midweek meetings in far greater numbers, and in fact we have gone to an every-week schedule from our former alternate-week schedule.*

*While we greatly miss some aspects of meeting in person (particularly singing and breaking bread together) on the whole we can say that this time has probably served to strengthen our worship group rather than weaken it, and we have even gained new members since the shutdown started.*

...

*We are committed to avoiding putting our members or anyone else at physical risk. Many of us are medical professionals, family care-givers or both, and we cannot afford to take unnecessary risks. We appreciate the safety the Safer at Home order has provided for WI residents, and we support the protocols for as long as they play an important role in containing the pandemic in our state. (WFVJ-App. 19.)*

**O. Fr. Jay Poster, St. Joseph Catholic Church**

*We have been livestreaming all our Masses (nine per week) as well as funerals, memorial Masses, weddings.*

*We also have (almost) daily staff meetings on Zoom as well as taking part in many other diocesan and outside activities on Zoom. (WFVJ-App. 44-45.)*

**II. THE LEGISLATURE WRONGLY ASSERTS THAT THE ORDER LIMITING GATHERINGS RESULTED IN “DECREASED ACCESS TO ... RELIGIOUS SUPPORT.”**

By suggesting, without any support, that the Safer at Home orders are causing decreased access to religious support, the Legislature’s brief creates a fictitious argument to knock down. It may be true that social distancing creates issues for individuals feeling isolated, but Wisconsin’s faith communities are finding new (and old) ways to connect, even when physical gathering is prohibited.

This Court has routinely rejected positions that are unsupported by the evidence. *Podoll v. Smith*, 11 Wis. 2d 583, 587, 106 N.W.2d 332, 334 (1960) (rejecting a jury reduction of a damage award because no record support for that decision in the evidence); *Plautz v. Kubasta*, 237 Wis. 198, 295 N.W. 667, 670 (1941) (reversing a jury verdict because plaintiff’s counsel made assertions “without any evidence in the record to support the argument[.]”); *State v. Pulizzano*, 155 Wis. 2d 633, 658, 456 N.W.2d 325, 336 (1990) (affirming the decision to

remand for a new trial, “We conclude that the prosecutor’s argument in closing was improper, however, because it was unsupported by expert testimony.”). The Legislature’s assertion of the impact of these Safer at Home orders on Wisconsin’s religious communities is as baseless as other unsupported assertions that this Court has routinely rejected. It should do so again here.

### **III. THE 1918 PANDEMIC PROVIDES PRECEDENTIAL GUIDANCE ON IMPACT OF SOCIAL DISTANCING IN TIMES OF HEALTH CRISES.<sup>6</sup>**

The 1918 H1N1 flu pandemic, also known as the Spanish Flu, occurred globally across three waves over the course of a year.<sup>7</sup> Parallels between COVID-19 and the 1918 pandemic in Wisconsin are striking, including that there were “leaders who questioned the wisdom of closing churches in a time of crisis.”<sup>8</sup>

---

<sup>6</sup> This section takes liberally and quotes from *The Virus That Shut Down Wisconsin: The Great Flu Pandemic of 1918: A Wisconsin Magazine Of History Article From 2000 Recounts State And Local Responses To A Global Health Crisis*, Steven B. Burg (April 7, 2020), available at <https://www.wiscontext.org/virus-shut-down-wisconsin-great-flu-pandemic-1918> (hereafter Burg, *Pandemic of 1918*). WFVJ encourages the Court to read the entire article, which is the basis for this section.

<sup>7</sup> <https://www.cdc.gov/flu/pandemic-resources/1918-commemoration/pandemic-timeline-1918.htm>.

<sup>8</sup> Burg, *Pandemic of 1918*.

On March 31, 1876, the Wisconsin legislature created the State Board of Health (a DHS forerunner), a seven-physician panel responsible for “general supervision of the interest of the health and life of the citizens of the state,” making Wisconsin the tenth state in the nation with such a board, the first having been put in place in 1869 by Massachusetts. The legislature also granted the board unusually broad powers, allowing it to impose statewide quarantines unilaterally in times of public health emergencies as well as to issue “rules and regulations for the protection of the public health.”<sup>9</sup>

On October 10, 1918, the deteriorating situation involving Spanish Flu statewide led Dr. Harper of the Board to take the drastic step of ordering all public institutions closed. This followed a recommendation issued by U.S. Surgeon General suggesting that public health officers might consider closing public institutions should local conditions warrant such action; but nowhere except in Wisconsin was such an order issued statewide or in such a comprehensive fashion.<sup>10</sup>

---

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*



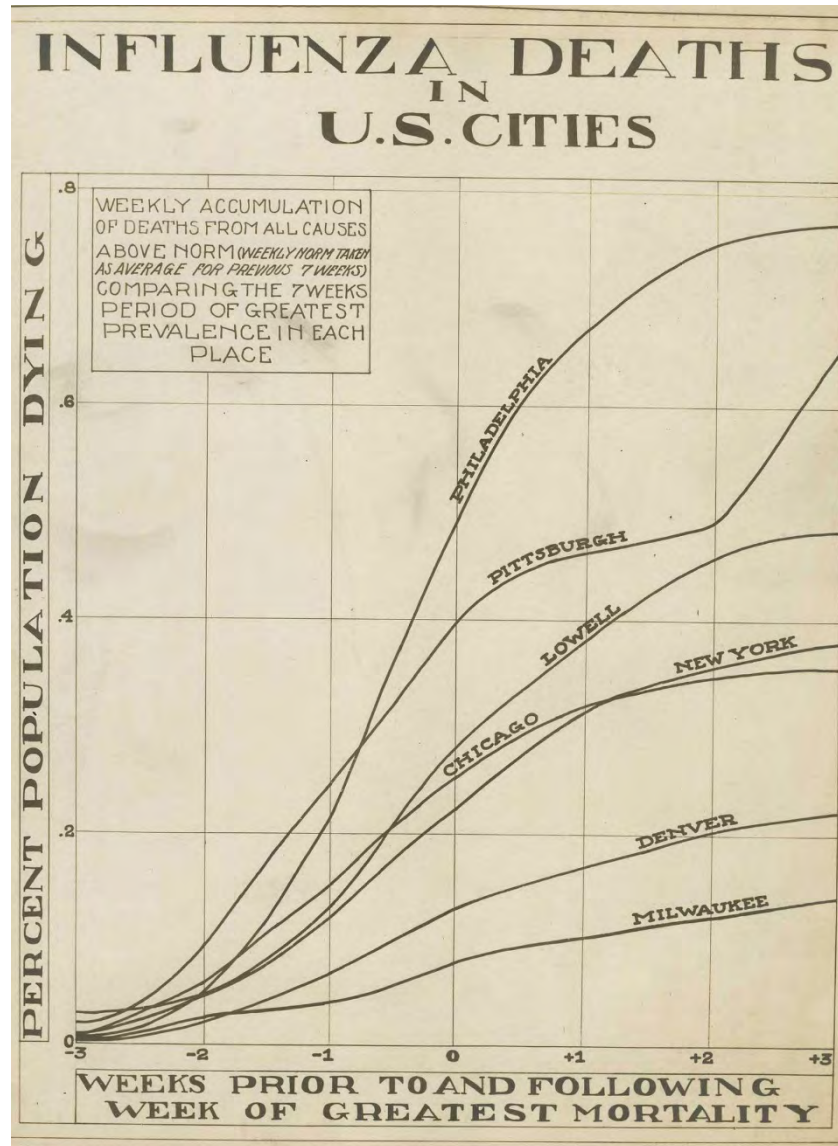
It was ordered “to immediately close all schools, theaters, moving picture houses, other places of amusement and public gatherings for an indefinite period of time.” Very quickly, virtually all local government in Wisconsin cooperated and put the order into effect.<sup>11</sup>

For almost three months, isolation rather than socialization became the norm. That emergency order worked. As the chart below shows. Milwaukee suffered significantly less than other large cities did.<sup>12</sup> We can only hope and pray that under the Order, Wisconsin will again have such a good result:

---

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*



As the epidemic of 1918 began to subside, the State Board of Health reported a “remarkable fact worth mentioning and one which is greatly to the credit of our citizens,” namely that “practically everyone complied with the closing orders to the best of his ability.” The Milwaukee Health Department had similar plaudits for that city’s residents, stating that among the factors that helped give Milwaukee one of the lowest death

rates of all cities of its size was “the readiness of the public to comply with regulatory measures.” The article concludes that “There can be no doubt that compliance spelled the difference between life and death for hundreds, perhaps thousands, of Wisconsin citizens.” “The question is not whether we will ever again face a medical crisis like that of 1918, but how we as a society will respond when it occurs.”<sup>13</sup>

Today, for the coronavirus pandemic, the Wisconsin faith community has stepped to the plate. The evidence set forth in the Appendix is compelling. The Order needs to be affirmed, supported and obeyed, as there is nothing more precious than human life. The article, written in 2000, concludes with these prescient words: “In an age of apathy, cynicism, and individualism, it is worth reflecting long and hard that voluntarism, public cooperation, and an activist government prevented the worst public health calamity in modern Wisconsin history from being much, much worse.”<sup>14</sup>

The filing by the Legislature in this Court to immediately block the Order is the antithesis of the historic Wisconsin idea – government exists to solve problems, and

---

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

improve the health and quality of life for all citizens of this state.

### CONCLUSION

For the foregoing reasons, the WFVJ respectfully requests that this Court decline original jurisdiction, and/or deny the motion for temporary injunction.

Kravit, Hovel & Krawczyk S.C.

By: 

Stephen E. Kravit  
State Bar No. 1016306  
Benjamin J. Glicksman  
State Bar No. 1086852  
*Attorneys for Amicus  
WFVJ*

825 North Jefferson - Fifth Floor  
Milwaukee, WI 53202  
(414) 271-7100 - Telephone  
(414) 271-8135 - Facsimile  
[kravit@kravitlaw.com](mailto:kravit@kravitlaw.com)  
[bjg@kravitlaw.com](mailto:bjg@kravitlaw.com)

**CERTIFICATION AS TO FORM AND LENGTH**

I hereby certify that this brief conforms to the rules for form and length contained in Wis. Stats. § 809.19(8)(b) and this Court's April 21, 2020 Order, Part 2, for a brief and appendix produced with a proportional serif font. The length of this brief is 4,034 words, as counted by the "word count" feature in Microsoft Word 2010.

Dated this 29th day of April, 2020.

Kravit, Hovel & Krawczyk S.C.

By: \_\_\_\_\_

Stephen E. Kravit  
State Bar No. 1016306  
Benjamin J. Glicksman  
State Bar No. 1086852  
*Attorneys for Amicus  
WFVJ*

825 North Jefferson - Fifth Floor  
Milwaukee, WI 53202  
(414) 271-7100 - Telephone  
(414) 271-8135 - Facsimile  
[kravit@kravitlegal.com](mailto:kravit@kravitlegal.com)  
[bjg@kravitlegal.com](mailto:bjg@kravitlegal.com)

**CERTIFICATE OF COMPLIANCE WITH RULE**  
**809.19(12)**

I hereby certify that I have submitted an electronic copy of this brief which complies with the requirements of Wis. Stat. 809.19(12). I further certify that this electronic brief is identical in content and format to the printed form of the brief filed as of this date. A copy of this certificate has been served with the paper copies of the brief filed with the court and served on all opposing parties.

Dated this 29th day of April, 2020.

Kravit, Hovel & Krawczyk S.C.

By: 

Stephen E. Kravit  
State Bar No. 1016306  
Benjamin J. Glicksman  
State Bar No. 1086852  
*Attorneys for Amicus*  
*WFVJ*

825 North Jefferson – Fifth Floor  
Milwaukee, WI 53202  
(414) 271-7100 - Telephone  
(414) 271-8135 - Facsimile  
[kravit@kravitlegal.com](mailto:kravit@kravitlegal.com)  
[bjg@kravitlegal.com](mailto:bjg@kravitlegal.com)



## CERTIFICATE OF SERVICE


I certify that on April 29, 2020, I caused three true and correct copies of the foregoing to be served on counsel as indicated below:

Ryan J. Walsh  
Amy C. Miller  
EIMER STAHL, LLP  
10 East Doty Street, Suite 800  
Madison, WI 53708  
[rwalsh@eimerstahl.com](mailto:rwalsh@eimerstahl.com)  
[amiller@eimerstahl.com](mailto:amiller@eimerstahl.com)  
**Via first class mail and e-mail**

Eric M. McLeod  
Lane E Ruhland  
HUSCH BLACKWELL LLP  
P.O. Box 1379  
33 East Main Street, Suite 300  
Madison, WI 5379  
[Eric.Mcleod@huschblackwell.com](mailto:Eric.Mcleod@huschblackwell.com)  
[Lane.Ruhland@huschblackwell.com](mailto:Lane.Ruhland@huschblackwell.com)  
**Via hand-delivery and e-mail**

Assistant Attorney General Charlotte Gibson  
Wisconsin Department of Justice  
P.O. Box 7857  
Madison, WI 53707-7857  
[gibsoncj@doj.state.wi.us](mailto:gibsoncj@doj.state.wi.us)  
**Via first class mail and e-mail**

Dated this 29th day of April, 2020

  
Erin E. Kandziora

Kravit, Hovel & Krawczyk s.c.  
825 North Jefferson – Fifth Floor  
Milwaukee, Wisconsin 53202-3737  
(414) 271-7100 – phone  
(414) 271-8135 – fax

STATE OF WISCONSIN  
SUPREME COURT  
No. 2020-AP-000765

---

WISCONSIN LEGISLATURE,  
Petitioner,

v.

SECRETARY-DESIGNEE ANDREA PALM, JULIE  
WILLEMS VAN DIJK, and NICOLE SAFAR, IN THEIR  
OFFICIAL CAPACITIES AS EXECUTIVES OF  
WISCONSIN DEPARTMENT OF HEALTH SERVICES,  
Respondents.

---

**AMICUS APPENDIX OF WISCONSIN  
FAITH VOICES FOR JUSTICE**

---

Stephen E. Kravit – State Bar No. 1016306  
Benjamin J. Glicksman – State Bar No. 1086852  
Kravit, Hovel & Krawczyk, s.c.  
825 North Jefferson Street-Suite 500  
Milwaukee, Wisconsin 53202  
(414) 271-7100

Counsel for Amicus Wisconsin Faith Voices for Justice



## TABLE OF CONTENTS

<u>Description</u>	<u>App. No.</u>
Affidavit of Stephen E. Kravit dated April 29, 2020 .....	1-7
Letter from Rabbi Bonnie Margulis, Executive Director of Wisconsin Faith Voices for Justice, dated April 27, 2020 .....	8-10
Letter from Reverend Reirin Gumbel of the Milwaukee Zen Center, dated April 25, 2020....	11-12
Letter from the Reverend Dr. Christian D. Boyd, Stated Clerk and Executive Secretary of the Presbytery of Milwaukee Corporation, dated April 23, 2020.....	13
Letter from Reverend Eldonna Hazen, Senior Minister of First Congregational United Church of Christ, dated April 26, 2020.....	14-15
Letter from Reverend Kristin Gorton of the Memorial United Church of Christ, dated April 26, 2020 .....	16-17
Letter from Reverend Joseph B. Baring, Jr., Pastor/Social Action Director of St. Paul African Methodist Episcopal Church.....	18
Letter from Katherine Griffith, Clerk of the Winnebago Friends Worship Group (Quaker) dated April 26, 2020.....	19
Letter from Reverend Stephen W. Welch of the Plymouth United Church of Christ, dated April 27, 2020 .....	20
Letter from Reverend William G. Utke of the United Church of Christ.....	21

Letter from Paula Harris, Senior Pastor of St. John Evangelical Lutheran Church, dated April 27, 2020 .....	22-23
Letter from Pastor Martha Butzier of Lake Edge Lutheran Church, dated April 27, 2020 .....	24
Letter from Reverend Dr. Marcus Allen Sr., Pastor of Mt. Zion Baptist Church, dated April 27, 2020 .....	25
Letter from Rabbi Jonathan Biatch of Temple Beth El, dated April 27, 2020.....	26-27
Letter from Reverend Steve Zekoff, United Methodist Clergy, retired, dated April 26, 2020 .....	28
Letter from Robin Greenler, Presiding Clerk of Madison Monthly Meeting of Religious Society of Friends (Quakers), dated April 26, 2020 .....	29
Letter from Rabbi David B. Cohen of Congregation Sinai, dated April 26, 2020...	30
Letter from Rabbi Betsy Forester of the Beth Israel Center, dated April 26, 2020.....	31-32
Letter from Reverend Kerri Parker, Executive Director of the Wisconsin Council of Churches dated April 27, 2020.....	33-34
Letter from Reverend R. Ellen Rasmussen, Senior Pastor of the Brown Deer United Methodist Church, dated April 27, 2020.....	35-36
Letter from Reverend Dr. Rich Pleva, Pastor of Zwingli United Church of Christ, dated April 25, 2020 .....	37

Letter from Reverend Sonja L. Ingebritsen, Pastor of Community of Hope United Church of Christ and the Madison Christian Community, dated April 27, 2020 .....	38
Letter from Bishop James Arends, La Crosse Area Synod; Bishop Gerald Mansholt, East Central Synod of Wisconsin; Bishop Paul Erickson, Greater Milwaukee Synod; Bishop Laurie Skow-Anderson, Northwest Synod of Wisconsin; Bishop Katherine Finegan, Northern Great Lakes Synod; Interim Bishop Peter Rogness, South-Central Synod of Wisconsin; and Pastor Cindy Crane, Director of the Lutheran Office for Public Policy in Wisconsin, dated April 27, 2020.....	39-40
Letter from James D. Iliff, Pastor of Middleton Community Church, United Church of Christ, dated April 27, 2020.....	41
Letter from Reverend Tina S. Lang, Executive Associate Pastor of First United Methodist Church dated April 27, 2020 .....	42
E-mail from Laiman Mai dated April 25, 2020 .....	43
E-mail from Father Jay Poster of the St. Joseph Catholic Church dated April 27, 2020 .....	44-45
Letter from Ravenna A. Helson, Presiding Clerk, Milwaukee Monthly Meeting of the Religious Society of Friends, dated April 27, 2020 .....	46
Letter from the Rt. Reverend Steven A. Miller, Bishop of the Episcopal Diocese of Milwaukee, dated April 28, 2020.....	47-48

Letter from Reverend Khyati Penney Johns of the Still Point Zen Center, dated April 27, 2020 .....	49-50
--	-------

STATE OF WISCONSIN  
SUPREME COURT  
No. 2020-AP-000765

---

WISCONSIN LEGISLATURE,  
Petitioner,

v.

SECRETARY-DESIGNEE ANDREA PALM, JULIE  
WILLEMS VAN DIJK, and NICOLE SAFAR, IN THEIR  
OFFICIAL CAPACITIES AS EXECUTIVES OF WISCONSIN  
DEPARTMENT OF HEALTH SERVICES,  
Respondents.

---

**AFFIDAVIT OF STEPHEN E. KRAVIT  
IN SUPPORT OF AMICUS BRIEF OF WISCONSIN FAITH  
VOICES FOR JUSTICE**

---

State of Wisconsin     )  
                                      ) ss  
Milwaukee County     )

Stephen E. Kravit, being first duly sworn on oath  
deposes and states as follows:

1. I am an attorney at Kravit, Hovel & Krawczyk,  
s.c., a Milwaukee litigation law firm. Our firm represents  
Wisconsin Faith Voices for Justice.

2. Attached hereto as **WFVJ-App. 8-10** is a true  
and correct copy of a letter from Rabbi Bonnie Margulis,  
Executive Director of Wisconsin Faith Voices for Justice,  
dated April 27, 2020.

3. Attached hereto as **WFVJ-App. 11-12** is a true and correct copy of a letter from Reverend Reirin Gumbel of the Milwaukee Zen Center, dated April 25, 2020.

4. Attached hereto as **WFVJ-App. 13** is a true and correct copy of a letter from the Reverend Dr. Christian D. Boyd, Stated Clerk and Executive Secretary of the Presbytery of Milwaukee Corporation, dated April 23, 2020.

5. Attached hereto as **WFVJ-App. 14-15** is a true and correct copy of a letter from Reverend Eldonna Hazen, Senior Minister of First Congregational United Church of Christ, dated April 26, 2020.

6. Attached hereto as **WFVJ-App. 16-17** is a true and correct copy of a letter from Reverend Kristin Gorton of the Memorial United Church of Christ, dated April 26, 2020.

7. Attached hereto as **WFVJ-App. 18** is a true and correct copy of a letter from Reverend Joseph B. Baring, Jr., Pastor/Social Action Director of ST. Paul African Methodist Episcopal Church.

8. Attached hereto as **WFVJ-App. 19** is a true and correct copy of a letter from Katherine Griffith, Clerk of the Winnebago Friends Worship Group (Quaker), dated April 26, 2020.

9. Attached hereto as **WFVJ-App. 20** is a true and correct copy of a letter from Reverend Stephen W. Welch of the Plymouth United Church of Christ, dated April 27, 2020.

10. Attached hereto as **WFVJ-App. 21** is a true and correct copy of a letter from Reverend William G. Utke of the United Church of Christ.

11. Attached hereto as **WFVJ-App. 22-23** is a true and correct copy of a letter from Paula Harris, Senior Pastor of St. John Evangelical Lutheran Church, dated April 27, 2020.

12. Attached hereto as **WFVJ-App. 24** is a true and correct copy of a letter from Pastor Martha Butzier of Lake Edge Lutheran Church, dated April 27, 2020.

13. Attached hereto as **WFVJ-App. 25** is a true and correct copy of a letter from Reverend Dr. Marcus Allen Sr., Pastor of Mt. Zion Baptist Church, dated April 27, 2020.

14. Attached hereto as **WFVJ-App. 26-27** is a true and correct copy of a letter from Rabbi Jonathan Biatch of Temple Beth El, dated April 27, 2020.

15. Attached hereto as **WFVJ-App. 28** is a true and correct copy of a letter from Reverend Steve Zekoff, United Methodist Clergy, retired, dated April 26, 2020.

16. Attached hereto as **WFVJ-App. 29** is a true and correct copy of a letter from Robin Greenler, Presiding Clerk of Madison Monthly Meeting of Religious Society of Friends (Quakers), dated April 26, 2020.

17. Attached hereto as **WFVJ-App. 30** is a true and correct copy of a letter from Rabbi David B. Cohen of Congregation Sinai, dated April 26, 2020.

18. Attached hereto as **WFVJ-App. 31-32** is a true and correct copy of a letter from Rabbi Betsy Forester of the Beth Israel Center, dated April 26, 2020.

19. Attached hereto as **WFVJ-App. 33-34** is a true and correct copy of a letter from Reverend Kerri Parker, Executive Director of the Wisconsin Council of Churches dated, April 27, 2020.

20. Attached hereto as **WFVJ-App. 35-36** is a true and correct copy of a letter from Reverend R. Ellen Rasmussen, Senior Pastor of the Brown Deer United Methodist Church, dated April 27, 2020.

21. Attached hereto as **WFVJ-App. 37** is a true and correct copy of a letter from Reverend Dr. Rich Pleva, Pastor of Zwingli United Church of Christ, dated April 25, 2020.



22. Attached hereto as **WFVJ-App. 38** is a true and correct copy of a letter from Reverend Sonja L. Ingebritsen, Pastor of Community of Hope United Church of Christ and the Madison Christian Community, dated April 27, 2020.

23. Attached hereto as **WFVJ-App. 39-40** is a true and correct copy of a letter from Bishop James Arends, La Crosse Area Synod; Bishop Gerald Mansholt, East Central Synod of Wisconsin; Bishop Paul Erickson, Greater Milwaukee Synod; Bishop Laurie Skow-Anderson, Northwest Synod of Wisconsin; Bishop Katherine Finegan, Northern Great Lakes Synod; Interim Bishop Peter Rogness, South-Central Synod of Wisconsin; and Pastor Cindy Crane, Director of the Lutheran Office for Public Policy in Wisconsin, dated April 27, 2020.

24. Attached hereto as **WFVJ-App. 41** is a true and correct copy of a letter from James D. Iliff, Pastor of Middleton Community Church, United Church of Christ, dated, April 27, 2020.

25. Attached hereto as **WFVJ-App. 42** is a true and correct copy of a letter from Reverend Tina S. Lang, Executive Associate Pastor of First United Methodist Church dated, April 27, 2020.


26. Attached hereto as **WFVJ-App. 43** is a true and correct copy of an e-mail from Laiman Mai dated April 25, 2020.

27. Attached hereto as **WFVJ-App. 44-45** is a true and correct copy of an e-mail from Father Jay Poster of the St. Joseph Catholic Church, dated April 27, 2020.


28. Attached hereto as **WFVJ-App. 46** is a true and correct copy of a letter from Ravenna Helson, Presiding Clerk of the Milwaukee Monthly Meeting of the Religious Society of Friends (Quakers), dated April 27, 2020.

29. Attached hereto as **WFVJ-App. 47-48** is a true and correct copy of a letter from the Rt. Reverend Steven A. Miller, Bishop of the Episcopal Diocese of Milwaukee, dated April 28, 2020.

30. Attached hereto as **WFVJ-App. 49-50** is a true and correct copy of a letter from Reverend Khyati Penney Johns of the Still Point Zen Center, dated April 27, 2020.

  
Stephen E. Kravit

Subscribed and sworn to before me  
this 28<sup>th</sup> day of April, 2020.

  
Notary Public, State of Wisconsin  
My commission expires: 9/2/21.





April 27, 2020

To the Wisconsin State Supreme Court

Wisconsin Faith Voices for Justice stands behind the Safer at Home order and Badger Bounce Back plan. We ask the Court to uphold this order for the safety and common good of the state of Wisconsin.

Wisconsin Faith Voices for Justice formed in 2012 as a statewide interfaith education and advocacy organization. We work for social and economic justice, immigrant rights, and interfaith understanding. Our members are Christian, Jewish, Muslim, Unitarian, Buddhist, Hindu, Sikh, Pagan, Baha'i, and Quaker, with Congregations located from Madison to Random Lake to Merrill, Wisconsin, including the statewide organizations United Methodist Board of Church and Society and Wisconsin Friends Action Network

Our organization has two active interfaith clergy groups – the Multi-faith Coalition of South Central Wisconsin, which includes over 100 clergy of all different faiths from Barneveld to Watertown, and the Greater Milwaukee Faith Voices for Justice, which includes clergy of all faiths from Milwaukee, Waukesha, and Racine. Its regular contact list includes 675 clergy and lay people from the listed denominations, plus Muslim, Catholic, Reconstructionist Jewish, Presbyterian, Baptist, Episcopal, Mennonite, Baha'i, AME, Evangelical, Moravian, Hindu, and Pagan.

As people of faith, we believe saving lives is the highest value. As a rabbi, I look to Jewish tradition to inform my values and beliefs. For Jews, pikuach nefesh – saving a life – is paramount above all other commandments. For Christians, the invocation to 'love your neighbor as yourself' means showing our love for each other by staying at home and keeping each other safe. For all faiths, the imperative to look out for the most vulnerable in our society leads us to support all actions that do exactly that. This virus most cruelly affects the most vulnerable in our society – the elderly, the immune-compromised, and particularly and disproportionately affects African Americans and other communities of color. Social distancing has been shown in past pandemics to slow the spread of disease, and it seems to be doing the same now. The Safer at Home order is effective, and necessary, to keep us all safe.

The plaintiffs in this case contend that, among the harms of Safer at Home, people have lost access to the comfort and support of their faith communities. Nothing could be further from the

*Wisconsin Faith Voices for Justice draws on the wisdom, courage, and strength of our various faith traditions to advance the common good. United as progressive people of faith, we move people and government through education and advocacy to raise the dignity and address the needs of the hungry, poor, and marginalized, to care for the sick, and to lift up all voices.*

truth. We have received testimonials from rabbis, ministers, Buddhist priests, and Quaker leaders regarding the strength and resiliency of their communities and their ministries. On short notice, congregations and communities have risen to the challenge and quickly moved all their work online. Worship services, Bible study, religious instruction, meditation classes, book groups, support groups, Easter worship, Passover seders, Ramadan iftars, have all moved online to great success.

Clergy report that their online offerings are better attended than their in-person programs and worship ever were. Shut-ins, the elderly, the disabled, and people from far-flung locations are able to access programs online that they had been unable to attend in person. While people miss the ability to give hugs and see each other in person at times of celebration and times of mourning, nonetheless, weddings, funerals, Bar Mitzvah services, baby namings, all have taken place online, and clergy have found that the attendance is greater than ever. Family and friends who were previously unable to fly a distance to attend a lifecycle event are able to participate online.

Pastoral work continues, as clergy and faith leaders make phone calls, tweet and chat and email, and use Facebook and other platforms to reach out to those in need.

Far from keeping people from receiving the comfort and community of their faith traditions, the Safer at Home order has actually led to members of our congregations feeling a greater sense of connection and commitment to their faith communities than ever before.

It is imperative that we all stay home to protect the safety of ourselves, our families, our communities, and especially our first responders and health care workers who risk their lives to care for us. We all are deeply concerned about the economic impact this pandemic has wrought, particularly upon those least able to withstand an economic shock. Small business owners fear bankruptcy. People are struggling with sudden unemployment, lay-offs, cut hours. They do not know when or if they will be able to get back to work, nor how they are going to pay the rent, feed their families, pay for health care, and keep the lights on and the water running.

The way to help is not to open the state prematurely and risk everyone's health. Rather it is for the Legislature to get back to work, to pass a relief bill that will help those who need it most.

Therefore, we urge the Court to keep Safer at Home in place until such time as the Governor, in consultation with scientists and public health experts, deems it safe to begin implementation of the Badger Bounce Back plan.

Respectfully submitted,

A handwritten signature in black ink, reading "Rabbi Bonnie Mayhew". The signature is written in a cursive, flowing style. The word "Rabbi" is written in a smaller, more compact script, while "Bonnie" and "Mayhew" are written in a larger, more expansive cursive. The signature is positioned on a light-colored, slightly textured background.

*Wisconsin Faith Voices for Justice draws on the wisdom, courage, and strength of our various faith traditions to advance the common good. United as progressive people of faith, we move people and government through education and advocacy to raise the dignity and address the needs of the hungry, poor, and marginalized, to care for the sick, and to lift up all voices.*

Rabbi Bonnie Margulis  
Executive Director  
Wisconsin Faith Voices for Justice  
Wifaithvoices4justice@gmail.com  
608-513-7121

*Wisconsin Faith Voices for Justice draws on the wisdom, courage, and strength of our various faith traditions to advance the common good. United as progressive people of faith, we move people and government through education and advocacy to raise the dignity and address the needs of the hungry, poor, and marginalized, to care for the sick, and to lift up all voices.*



MZC provides a place for meditation, study and reflection, leading to inner awakening and mindful, compassionate action through traditional Soto Zen Practice.

Wisconsin Supreme Court  
Wisconsin State Capitol  
Madison, Wisconsin

April 25, 2020

Dear Justices,

As the resident priest and spiritual leader of the Milwaukee Zen Center and member of the Milwaukee Buddhist Peace Fellowship I am urging you to accept Governor Evers's Safer at Home order for this time of a pandemic crisis. It would be a shame to risk my community's health by opening the zendo doors too soon.

For the last weeks, I have offered all our programs online, and we meet every day by zoom teleconferencing for meditation, service, classes, dharma talks, board meetings and personal consultation. We held an Equinox Service in March. On April 8, we celebrated Vesak, the Annual Buddha's Birthday, and we hold a weekly well-being service for those who are in physical or emotional distress.

In addition, regular sangha letters are sent out for information and encouragement, and also healthy entertainment.

In fact, I am reaching more people than usual, because some join in who live too far away than regularly coming in person. Those who do not have internet access at their homes, I call by phone, and I also write letters to prisoners. I have reached and offered comfort to some who are living in anxiety about the widespread disease and deaths. We have conducted three memorial services during the last couple of weeks.

One of my friends, a Zen teacher and climate scientist in Washington D.C., was hospitalized with COVID-19 and almost died. She is at home now but extremely weak. She is in her 40s and had not expected to be susceptible to the virus. If we loosen the restrictions too soon, we risk more people to get sick and die.

We are all looking forward to being together and worship in person again, and I think the **Badger Bounce Back**, the gradual plan to open businesses and society in phases, sounds right.

Please, rule accordingly; I have trust in your judgment.

Sincerely,

Reirin

Rev. Reirin Gumbel  
Milwaukee Zen Center  
2825 N. Stowell Ave  
Milwaukee, WI 53211  
414-399-3498  
mkzen.org





## Office of the Stated Clerk

Presbytery of Milwaukee | Presbyterian Church (U.S.A.)

---

23 April 2020

To Whom it may concern,

I write on behalf of the Presbyterian Church (U.S.A.) congregations and clergy in the Southeast area of Wisconsin, as well as a leader in our national denomination. As faith leaders, we have chosen to demonstrate our love of neighbors by closing our doors during the COVID-19 pandemic. In some cases, our moratorium on all public worship and meetings was put in place even before the State order because we believed this was the best way to protect the greatest number of people and slow the spread of this virus. The action of Governor Evers helps people to understand the severity of this moratorium. Is it a sacrifice? Yes. People of faith understand sacrifice and what it requires to give oneself in love for others.

Accordingly, we are troubled by government leaders seeking the Safer-At-Home order be lifted based on religious reasons. As an ecumenical and interfaith relating denomination, we agree with our fellow religious neighbors that the collective moratorium is a wise decision that protects both people in the community and our faith organizations. To pull back from that decision – on a case-by-case, church-by-church, temple-by-temple, mosque-by-mosque basis – puts an undue burden on faith leaders at a time when their energies are best turned elsewhere. Moreover, those most likely to attend such services are older persons who are particularly vulnerable to the effects of the virus.

As has been noted in the media, for many faith groups, this time has been a time of great creativity. Our Presbyterian clergy are leading corporate worship and study through Zoom, YouTube, and Facebook Live throughout the week. Faith organizations are teaming together to offer joint services. Clergy and lay leaders are also reaching out to one another regularly in several ways including the good old-fashioned method of calling one another on the telephone. Put simply, social distancing has not required spiritual distancing. Though we will miss our in-person celebrations during holy days, we know our gatherings will be even sweeter and more meaningful when we are at last able to be together again safely, on the other side of this pandemic.

Worshipping in this way has not only attracted our regulars but is an easier entry point for some who, for whatever reason, are hesitant to enter our buildings. We believe God is using this time as a time of opportunity. While we are grateful for the desire of government leaders to protect religious freedom, we have learned that with freedom comes responsibility. Freedom is freedom for the service and care of others.

As faith leaders in Wisconsin, we agree that the teachings of our various traditions require faithful responsibility and protection of others, and we will continue to strongly urge our respective faith members not to congregate for purposes of communal worship in this challenging time.

Peace and blessings,

The Rev'd Dr. Christian D. Boyd, Stated Clerk  
& Executive Sectry. of the Presbytery of Milwaukee Corporation

6767 West Greenfield Avenue • Milwaukee, WI 53214-4967

Phone 414-292-2740 • Fax 414-292-2750 • [statedclerk@pbymilwaukee.org](mailto:statedclerk@pbymilwaukee.org) • [www.pbymilwaukee.org](http://www.pbymilwaukee.org)



## *First Congregational*

United Church of Christ

April 26, 2020

Wisconsin Supreme Court

Honorable Judges,

I write on behalf of First Congregational United Church of Christ, in support of Governor Evers “safer at home” order. As a Christian Church, our faith calls us to follow Jesus, who taught us to love God and to love our neighbor as ourselves. We acknowledge the hardship this order might place on a faith community, but because we understand the health risk to our members and the wider community (our brothers and sisters), we are committed to upholding the Governor’s order.

Starting March 15<sup>th</sup>, we moved all of our services online, pre-recording the entire service and making it available via Facebook and Youtube. Through Zoom, we have been able to continue all of the regular meetings of the Church. We have one member that does not use computer technology, but even that member receives paper copies of agendas and information through the mail, and joins by phone. Our book studies and Bible studies have been moved online, and have been very successful. If anything, more people are able to join because they don’t have to worry about transportation, or driving at night. We even have After Worship Refreshments, following our regular Worship, when people are able to join via phone or computer to see other members and just chat.

We have also offered additional programming to our members and friends. We connect once a week with parents in the Church who are working and home-schooling, giving them a platform to share joys and concerns. We offer Zoom meetings for members who are experiencing anxiety for a number of different reasons. We hold Zoom meetings for members who are caregivers, dealing with the adjustment of not being with family members. Twice a week, we offer recorded “Blessings,” using poetry and visual art, that is accessible by our membership and the community through Facebook. I have used Zoom to do marital counseling. It was easier to set a time with the couple, and has worked well. Our Confirmation classes and Youth meetings also continue through Zoom. Pastoral Care has been done via email, phone calls, and texts. We have been more attentive to the needs of the community and ways to enhance our communication with them individually and collectively. Prior to COVID-19, we used very little of this technology.

We are aware all of our members are not technology users, so we make phone calls to those individuals. We are now in the process of assigning a calling tree to our Church leadership, because they are at home, and have the time to assist. I think we are probably even more engaged with those who are not able to attend Church regularly. Some of our members are able to join Worship that have not been physically present for a long time. This may have opened a new window of ministry for the Church.

1202 University Avenue, Madison, WI 53726

(608) 233-9741 | (608) 233-7181 | [office@firstcongregational.org](mailto:office@firstcongregational.org) | [firstcongregational.org](http://firstcongregational.org)

We have had to reschedule one memorial service that was planned for May 2<sup>nd</sup> to a later date, but the family understands the importance of keeping people safe. There were many out-of-state family and friends who planned to attend, but the local family did not want to compromise anyone's safety. We may even need to reschedule again, which would be applauded by the family, if necessary.

Our Church takes great pride in being able to assist the marginalized community around Madison. Our members were concerned we would not be able to continue to provide resources for those who count on our Church. However, we have been able to minister to, and assist the marginalized by phone, and the U.S. Postal Service. It has been a relief to our community that we are still able continue to help with eviction prevention, food/gas cards, hotel vouchers, utility bills, etc. This is another way we live out our call to love neighbor.

We have learned, and continue to learn new ways to do "church," and it has given us a wonderful way to be in contact with even more of our membership. We have had to be creative in our ministry. It looks different than it did six weeks ago. We continue to seek and research ways to be and stay connected as a community. Although it has its challenges at times, I think we would say our ministries have reached even wider than we had previously.

The Church has been proactive in making multiple platforms available for online contributions. Each week we encourage members and friends to continue contributions online, or by mail, as there has never been a better time to Be The Church. We trust our members and friends to make the best financial decisions in their personal situations.

Our community loves and cares deeply for each other, and the wider community. They would love to be together again seeing friends and welcoming visitors, but they would never want to put a brother or sister at risk. To that end, First Congregational United Church of Christ supports, and we urge the court to support and uphold, the "safer at home" order.

Sincerely,

A handwritten signature in cursive script, reading "Eldonna Hazen". The signature is written in dark ink and is positioned above the printed name and title.

Rev. Eldonna Hazen  
Senior Minister





# Memorial United Church of Christ

5705 Lacy Road • Fitchburg, WI 53711 • 608-273-1008

Kristin Gorton, Pastor • [www.memorialucc.org](http://www.memorialucc.org)

April 26, 2020

Dear Honorable members of the Wisconsin Supreme Court,

During this time of many changes in our communities as we respond to the pandemic, the faith community at Memorial United Church of Christ (UCC) has been creatively using all modes of communication at our disposal: from phone calls and texts, to letters, emails, FaceTime, Skype, Zoom, and social media. While the church building is closed and staff are working remotely, our Church is still open! The *Safer at Home* order has NOT restricted any of the religious functions of our church. Memorial UCC supports and will abide by the *Safer at Home* order issued by Governor Evers that has been extended to May 26, 2020.

Our response to the novel coronavirus has been a practice in Holy Imagination. March 22<sup>nd</sup> was the first time we gathered online to worship. We had over 200 people “present” in our digital sanctuary. On a typical in-person Sunday, the combined attendance at our 2 services is around 110. One member wrote, *“Thank you so much for all you are doing to bring us the online worship services. The wonderful reflections, prayers, music, and human connection offer such hope and peace for me personally. And I know my 89-year-old parents who are 80 miles away are thoroughly enjoying them as well!”*

Since then, during *Safer at Home* we have built a Virtual Church. Sunday mornings we worship together via Zoom, and then stay on the platform and break into small groups for a virtual Coffee Hour. In the theology of our denomination, I have been able to offer communion online and believe that God fills in the distance between us as we break bread together in our homes. Our music minister has put together a wonderful Virtual Choir that shares music each week in worship. Sunday School and confirmation are happening via e-learning, and the youth are doing service activities in their neighborhoods. We are holding weekly Bible studies, Contemplative Prayer, and church meetings online. Memorial’s Care Team regularly connects with members and friends of the church via phone calls and emails, while I do “home visits” via FaceTime and Skype.

Jesus tells us that we are to “love your neighbor as yourself” (Matthew 22:31, Mark 12:31, Luke 10:25-27). Maintaining *Safer at Home* orders and following the CDC’s reopening guidelines is the greatest way that we have to show our love for our neighbors during this global crisis. Our church governance met remotely this past week. They affirmed our commitment to keep members and the

wider community as healthy and safe as possible by following Public Health guidelines and continuing to worship and Be the Church virtually. Our hashtag mantra is #LoveofNeighbor.

In these uncertain times, as Christians our faith in God leads us to not live in fear of the virus. Our faith also calls on us to live in ways that do not endanger our neighbors, but to continue to serve them and our community with radical love and extravagant hospitality.

Blessings and peace,

Reverend Kris Gorton



Worshipping Together In Love

## ST. Paul African Methodist Episcopal Church

4525 Diamond Drive \* Madison, Wisconsin 53714 \* (608) 242-9728

Church email: [madisonstpaulamec@gmail.com](mailto:madisonstpaulamec@gmail.com)

*ST. Paul: An imperfect people serving a perfect God.*

Rt. Rev. John F. White  
Presiding Bishop

Rev. J. Leon Thorn  
Presiding Elder

Rev. Joseph B. Baring, Jr.  
Pastor

To the Honorable the Court of the State,

I am a Pastor of the oldest Black Church in Dane County, ST. Paul African Methodist Episcopal Church. I Pastor a congregation of at-risk senior citizens of which I am one.

The founder of our Denomination believed in ministering to the whole man, and therefore created institutions of higher learning, organized self-help groups, worked during the yellow fever pandemic, engaged in and encouraged others to participate in the betterment of all people. With that being said, I side with the African Methodist Episcopal Church, Governor Tony Evers, Public Health, and a multitude of others who believe in putting lives ahead of the economy. I understand that we have the freedom to decide, and our economy is suffering, but decisions that endanger the lives of others are foolish and dangerous.

I and my congregation ask that you err on the side of caution. We ask that you uphold the Governor's "Stay At Home" order until we can at least institute necessary testing.

Thank you in advance,

Reverend Joseph B. Baring, Jr.

Pastor/Social Action Director, ST. Paul AME Church

Winnebago Friends Worship Group (Quaker)  
955 Ransom St.  
Ripon WI 54971

Wisconsin Supreme Court

April 26, 2020

To the Honorable Members of the Wisconsin Supreme Court:

I am writing on behalf of the Winnebago Worship Group (Quaker), a group of about 15 individuals which ordinarily meets in the home of one of our members for Sunday worship. We would like to assure you that we support the Safer At Home protocols.

Since the Safer At Home order, we have been meeting online via Zoom. While at first we regretted having to go to this format, we have been pleasantly surprised to find that our attendance has gone up, not down, especially during our midweek Spiritual Nurture Group. Members who had moved away are once again joining us, those of us who have less full schedules can attend midweek meetings in far greater numbers, and in fact we have gone to an every-week schedule from our former alternate-week schedule.

While we greatly miss some aspects of meeting in person (particularly singing and breaking bread together) on the whole we can say that this time has probably served to strengthen our worship group rather than weaken it, and we have even gained new members since the shutdown started.

While we hope with everyone to return to normalcy as soon as is practicable and safe, we do not favor an untimely ending to the Safer at Home protocols. The protocols are not depriving our members of access to a meaningful and supportive spiritual community.

We are committed to avoiding putting our members or anyone else at physical risk. Many of us are medical professionals, family care-givers or both, and we cannot afford to take unnecessary risks. We appreciate the safety the Safer at Home order has provided for WI residents, and we support the protocols for as long as they play an important role in containing the pandemic in our state.

Thank you for your consideration.

Sincerely,

Katherine Griffith  
Clerk, Winnebago Friends Worship Group (Quaker)

**PLYMOUTH UNITED CHURCH OF CHRIST**  
**2717 E. HAMPSHIRE STREET**  
**MILWAUKEE, WISCONSIN 53211**

To: **Wisconsin Supreme Court**

110 E Main St Ste 215, Madison, WI 53703

April 27, 2020

Greetings. My name is Rev. Stephen W. Welch. Have served as a Pastor in the United Church of Christ for 45 years. Currently I am the Pastor at Plymouth United Church of Christ, Milwaukee. I am writing to you in **support** of the Safer at Home order initiated by Governor Evers.

This order does NOT decrease safe access for our church family, but in truth it is increasing our congregation's safety and connectedness. Although there are no person to person meetings at the church, we are connecting regularly with worship on Facebook and YouTube. We have Zoom meetings for our church meetings and board and committee meetings. The Confirmation class and weekly Sunday School lessons are available online as well. The Deacons at our church have reached out to every member either by e-mail or telephone to learn if they have any needs or prayers requests or food or other help.

Many of our church members are over the age of 60. The Safer at Home order is helping to keep them safe. I join with the other religious leaders in strongly supporting the order because it is keeping our faith tradition and our church family safe. Church is not a building. It is a family. Our family is thankful for the many technologies that make it possible for us to be safe and also connected.

Sincerely,

Rev. Stephen W. Welch



## REV. WILLIAM G. UTKE

2812 S. Delaware Ave. Milwaukee, WI. 53207

---

Dear Wisconsin Supreme Court,

I am an active, ordained clergyperson serving in the United Church of Christ. As a faith leader in the State of Wisconsin for over 19 years I want to write in support of the Governor's "Safer at Home" order currently set to expire May 26th.

During these "Safer at Home" days the congregation I serve has been using a number of new tools which we have found to work very well while we replace face to face gatherings. We have held meetings by Skype monthly and are finding it easier for some members of boards to meet than our usual style of meeting in person at the church.

We have learned how to offer online worship through Video's uploaded or presented live on Youtube. We are reaching former members, friends, family members and many others who would not be able to meet in person at our sanctuary due to their location or other health or physical limitations. Our videos are broadcast at a number of retirement centers within the state too. Many weeks we are having more people view these worship experiences than would be able to meet in person.

In addition, our congregation Emanuel Church, Hales Corners, United Church of Christ is offering the ministry of childcare through our 5 star rated, nationally accredited preschool, Park's Edge Preschool. They are providing care for children of essential workers Monday—Friday 6am—6pm. It would be difficult to have the building cleaned 7 days a week so we could make the turn from Preschool to Worship weekly.

We have held Facebook Live "Virtual Coffee hour" and offered a "Virtual prayer Group" through our church Facebook page allowing people to check in with each other and share their concerns and joys. The Coffee hour attracted 181 participants and the prayer group has over 40 members which is more than our usual prayer chains.

We are sharing bible study by email among the participants weekly. Myself as well as our Elders are reaching out to the shut ins, as well as those who do not have internet access weekly. In terms of hours, I am putting in as much time now as when I was pastoring before the epidemic and learning a lot of new valuable skills.

I personally am in a vulnerable category with COPD and my wife, Rev. Ann Utke is as well because of immune suppression medication so going back would be very scary for us. We just had our largest day of cases this past week. I think overturning the order before testing, and PPE materials are in abundance would be a major threat to public health and cause many more illnesses and deaths.

Peace,



April 27, 2020

Wisconsin Supreme Court

Dear Justices,

I am writing to express support of following the clear medical guidance of the CDC, the WI Health Department and other medical and epidemiological professionals, as currently expressed in the Safer-at-Home order.

I serve as the Senior Pastor of St John Evangelical Lutheran Church, in Reedsburg, WI. Since the first Safer-at Home order in mid March, we have adapted in many ways, and in general, seen growth or maintained our ministry and attendance:

Worship:

- Moved our worship services online. Our previous weekend attendance was approximately 200; after the transition to live-streaming it was 862 in March.

Faith Formation:

- Added daily Pause-for-Prayer, which reaches approximately 70 people/day, who were formerly not participating.

- Added a new live-streaming Daily Devotions, which currently have approximately 200 views/day.

- Moved events for children and youth online. Sunday School (for children) increased from 20 average weekend attendance to 330 this past weekend.

- Moved Bible study to video conferencing format, and increased attendance (currently by 30%, including younger people.)

Administration:

- Moved Council meetings onto video conferencing, maintaining all legal requirements for a non-profit board: all members in formed, all able to participate by video or phone call, a record of actions kept (minutes).

- Increased cleaning and limited office hours. Transitioned pastors and ministry staff to primarily working at home, except for when required to live-stream worship (generally 3-8 present, 6

**Senior Pastor**  
**Paula A. Harris**

**Interim Associate Pastor**  
**Robert V. Moberg**

**Director of Youth**  
**& Faith Formation**  
**Ben Berg**

**Web Site**  
**www.sjrdb.com**



(6 feet distant).

- Transitioned our newsletter from a monthly paper format to a weekly, either electronic or paper. The email newsletter has a 53% open-rate.

Life events: Members expressing interest in life events have been given the choice of live-streaming a service with 6 present (plus pastor, videographer and musician) or postponing to a later date.

- Baptisms - one family chose to do video conference prep and postpone the event; the other is scheduled for May 29, as above.

- Weddings - a couple chose to schedule the event for future, and do premarital counseling with a pastor by video conferencing.

- Funerals - two families have chosen to postpone funerals, expressing the clear preference to prevent further deaths by adhering to the medical guidelines. A pastor was present for funeral-planning and prayer for both families. Two families chose smaller graveside services, at which a pastor presided.

- My installation (a service celebrating a new ministry) was scheduled. We decided to move forward, and livestream the service with 9 people physically present and 409 watching at a safe distance. Afterwards, the congregation held a parade of cars, with streamers, signs, balloons and candy.

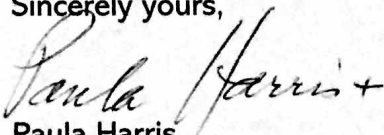
Care:

- Maintained our service ministries and guest count at a food pantry called Christ-Cupboard, by moving to prepacked bags (from a "shopping" system), with curbside delivery (patrons phone the office) and limiting hours.

- Recruited 25 volunteers and initiated an every-member wellness check in, making personal phone calls to our 1100 members and 30 prospective members.

Clearly, we are finding ways to adapt to the new situation, and St John's ministry both continues and even extends its reach. I am not writing on behalf of the church, whose leaders have not had the opportunity to discuss my views. They are aware, however, of our positive experience adapting to the Safer-at-Home guidelines.

Sincerely yours,

  
Paula Harris  
Senior Pastor

April 27, 2020

Wisconsin Supreme Court  
110 E Main St #440  
Madison, WI 53703

Dear Wisconsin Supreme Court Justices,

For 25 years, I worked to save lives in intensive care units and emergency departments. It is with this background, and from my current position as a pastor, that I am writing now to make a plea for keeping the citizens of Wisconsin safe. The decisions you make regarding Governor Ever's Safer at Home order will determine if people will live or die. It is that simple.

Presently, I am serving as a pastor in a congregation with people who cannot wait to get back together on Sunday morning to worship the God who made them and to spend time in community. Truthfully, I long for the same. Because of the deadly nature of Covid-19, I ask that you not allow worshiping communities to be included in returning to our pre-covid-19 gathering practices or gather in groups greater than ten people.

The Lake Edge Lutheran community of Madison, where I serve, has been working extremely hard to stay in contact with our people using modern technology so we can continue to provide worship, council meetings, confirmation, book club, knitting group, and Bible studies in the future. We have also used the old technology of the telephone to stay in touch and stem the tide of depression due to isolation. There is a man who loves to make soup making weekly deliveries to those who are most vulnerable. I wish he lived next door to me.

While the over 65 population is most at risk, the young have a greater tendency to develop problems with their blood clotting abnormally causing strokes in previously healthy men and women, ending their years of productivity making providing for their families impossible.

Congregations are made up of a broad spectrum of age groups, allowing them to return to gathering weekly will lead to unnecessary death, grief, and hardship for many. As you plan to open Wisconsin businesses, please keep our churches within the current safety net of social distancing at home.

Sincerely,  
Pastor Martha Butzier  
Lake Edge Lutheran Church  
Madison, WI



# Mt. Zion Baptist Church

Rev. Dr. Marcus Allen Sr., Pastor  
2019 Fisher Street      Madison, WI 53713

April 27, 2020

To whom this may concern,

I currently pastor the historic Mt. Zion Baptist Church in Madison, WI. Which is a predominantly African American congregation that has been established for over 109 years.

On March 14, 2020 is when I decided to close the church due to this pandemic. For seven weeks now all operations at our church have been suspended and moved online. Though this has been extremely challenging it has been helpful in saving lives. We are engaging so many more people through our online efforts. The church may have been closed but we are continuing our mission: Our food pantry remains open; we are serving food to school age kids daily in our community and we are helping those who are in financial stress.

Governor Evers' "Safer at Home Order," has saved many lives in Wisconsin. I am thankful that he extended this order because the number of positive tests continue to rise. It is astonishing to me, as we look at the data suggesting that African Americans are tested less but are dying more than any other race, that people are now pleading to open the state back up.

My mother lives in Milwaukee, WI. She went to the doctor three weeks in a row and had one video consultation with her doctor but was never told she could have the COVID-19 nor was she instructed of what she should have been doing while she was at home. 911 was called to her home because she had extreme shortness of breath and was instructed by the Milwaukee Fire Department not to go to the hospital because her symptoms were not severe enough. However, after an investigation the MFD admitted she was not evaluated properly. On the next day she went to the hospital because I called her primary care doctor to check on her. She tested positive and spends six days in the hospital on oxygen, fighting for life. I am thankful to God that she is recovering but if she stayed home any longer, she may not be with us today. This is only one instance that has been brought to light, but I am sure that it is happening more throughout our state to African Americans.

For this reason, I am appreciative that the Governor extended his order. When this disease has affected you or a family member you know how dangerous it is to attempt to reopen the state without having a proper plan in place. Please keep the state closed and follow the leadership of the Governor.

Sincerely,

*Rev Marcus Allen .*

Rev. Dr. Marcus Allen, Pastor  
Mt. Zion Baptist Church  
Madison, WI



2702 Arbor Drive, Madison, Wisconsin 53711 608-238-3123

April 27, 2020

The Honorable Justices of the Wisconsin Supreme Court  
110 E. Main Street, #440  
Madison, Wisconsin 53703

Dear Honorable Justices,

I write today, as a leader of my religious community, in support of Governor Evers' recent 'safer-at-home' directives. I understand that petitioners from our state legislative branch have asked you to rule on whether the Governor and his administration should have acted by instituting these guidelines, and for many reasons I believe they are crucial to the health of Wisconsin citizens and the preservation of life.

First and foremost, these directions align precisely with the highest of the values of my religious tradition: the preserving of life. In Hebrew, we call this value *piku'ach nefesh*, "acting to save a life", and our tradition mandates that we pursue the saving of life more than any other responsibility. Our state's ability to flatten the infection curve is directly related to our remaining at home and keeping ourselves away from potential further infection. If we were to loosen the restrictions too soon, we would possibly lose ground and cause a recurring infection cycle, bringing us more loss of life.

As far as our religious community is concerned, please note how we have not only remained in touch with our congregants but they are supportive of the measures we have taken to prevent further infections, and they also patronize our programs and worship in unprecedented numbers.

Worship: We have taken our weekly worship online, and we have almost tripled "attendance". Where on any given Friday night we may have 40-50

people in my sanctuary, we now have upwards of 150 people worshipping online with us.

Life cycle events: In the past three weeks, we have celebrated birth and naming ceremonies, conducted a funeral and held a worship service of consolation (*shivah minyan* in Hebrew), and observed two Bar Mitzvahs. In fact, the Bar Mitzvah that took place just this past weekend saw more than 400 viewers when combining live and post-event log-ons.

Education: Our supplemental religious school has also gone online, and we have attendance in the 80% range: Just yesterday our classes met online and the vast majority of our students attended with their individual teachers. Our adult educational offerings are full, and we experience the added benefit that our senior adult members, people who were not accustomed to being online and using the various platforms for lectures and the like, are becoming quite skillful in their ability to use Facebook and Zoom, which enables them to be better in touch with family, physicians, friends, and merchants.

Our synagogue leadership has also taken to meeting online, and our leaders are easily able to conduct the business of our community from the safety of their homes, and just as able to advance the synagogue's interests.

In short, we are able to conduct practically every function of our congregation in an online fashion, and our worship, social, and advocacy program continues despite the safer-at-home orders. It would be an error to conclude that these guidelines have caused us to distance ourselves from one another. To the contrary, many people feel closer to one another despite the distance. Please maintain the Governor's ability to make the health and welfare of our citizens his supreme goal and responsibility. I support him in this objective.

Most Sincerely,

Rabbi Jonathan Biatch

April 26, 2020

Wisconsin Supreme Court  
State Capitol  
Madison, Wisconsin

Dear Honorable Justices,

I am writing in support of the action of Governor Ever's and his administration to continue the safer at home order in our beloved state. In particular, the value that the order has had in ensuring that public health is not endangered by restricting large group gatherings, including church meetings and services.

Many religious groups have creatively come up with ways to keep their adherents and those they come in contact with safe while connecting with each other. On-line services and classes, drive-in style worship, and telephone/e-mail contact chains are some of the examples I have experienced in my local congregation. I am aware of multiple other churches in the area who have made similar adjustments in the midst of the current health emergency. My United Methodist denomination is organized around basic community understanding of the importance of being connected to each other through regular conferencing gatherings. In light of the current health risk our bishop and other leadership postponed our annual statewide conference scheduled for June until late fall to avoid unnecessarily exposing the clergy and lay attendees to viral infection. I have been proud of the religious community's response of finding ways to communally express and experience faith in the light of current health emergency realities.

In my religious tradition being responsible as a person of faith includes not needlessly placing others in harm's way. Arbitrarily setting a date for once again allowing large attendance religious gatherings would not be well received by many currently maintaining safer at home protocols while still practicing their religious disciplines.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Zekoff", with a stylized flourish at the end.

Rev. Steve Zekoff  
United Methodist Clergy, Retired  
W8212 Stockbridge Ct  
Lake Mills, Wisconsin



## Madison Monthly Meeting of the Religious Society of Friends (Quakers)

1704 Roberts Court, Madison, Wisconsin

---

Robin Greenler, Presiding Clerk  
Madison Monthly Meeting of the Religious Society of Friends  
Madison, Wisconsin

Wisconsin State Supreme Court  
April 26, 2020

To Whom It May Concern,

I am writing on behalf of the Madison Monthly Meeting of the Religious Society of Friends (Quakers) to strongly counter the concern that Evers Safer at Home order might decrease access to religious support and expression.

The Madison Quaker Meeting has been following Ever's Safer at Home Orders by conducting all of our religious activities including robust Sunday services by online web conferencing (Zoom). We have been doing so since March 13 when we closed our meetinghouse to all activities. Online web conferencing activities have included two regular services on Sunday mornings, weekly adult education sessions, Sunday School classes for ages preschool through high school, our monthly Business Meetings sessions, social gatherings, committee meetings, and Clearness Meetings for consideration of individuals applying for membership. We are prepared to continue to do this as long as necessary and can and will conduct online memorials and weddings, if needed.

While being unable to worship in person has been a loss, we have also noticed that the online format has increased accessibility for members less able to travel, as well as members or attenders who live at a distance. We have been regularly joined in worship by individuals from all over the country. Ironically the online format has increased accessibility to our worship for many individuals.

We are committed to the online format in order to protect and support the health and safety of our Quaker community and of our broader society for as long as necessary. Governor Ever's Safer at Home orders protect us all, especially the most vulnerable amongst us; this is a witness that we strongly support. Lifting the Safer at Home Orders would place many people at severe risk of sickness and death and would be an unconscionable act. The witness to protecting life and safety must come before politics, economics or convenience.

Thank you,

*Robin Greenler*

Robin Greenler,  
Presiding Clerk of Madison Monthly Meeting of the Religious Society of Friends.



April 26, 2020,  
2 Iyyar, 5780

Justices of the Supreme Court of Wisconsin:

I have been a rabbi for thirty-two years, the last twenty-five of which I have served as rabbi of Congregation Sinai in Fox Point, Wisconsin. I am writing to oppose the Wisconsin Legislature's emergency petition to temporarily enjoin the enforcement of emergency order twenty-eight.

Over past weeks, I've witnessed the toll taken by the coronavirus and COVID-19. Those who fall ill do so rapidly and, at times, present with insurmountable medical difficulties, such as ARDS<sup>1</sup>, organ failure and DIC<sup>2</sup>. Aged or young, infirm or healthy, none are immune. It seems likely that even those who survive COVID-19 are not assured effective or lasting immunity. The toll COVID-19 takes on Wisconsin families is devastating.

Neither physician nor scientist, I am a congregational rabbi. As such, I want to take issue with a point made on page sixteen of the petitioner's brief, which argues that, the "*Safer at home*" order has led to "*decreased access to community and religious support.*"<sup>3</sup>

My experience has been the opposite. Yes, we've had to find new ways to connect with, and minister to, our congregants. Yet, if numbers are any indication, we are seeing increased participation across the board in all aspects of congregational life: religious prayer services, online classes and discussion groups for youth and adults, pastoral "visits," as well as holiday celebrations (we ran several very popular online Passover Seders) and lifecycle events. Yes, the current situation precludes some customary rituals for funerals, but, on the whole, the quantity and quality of our interactions with congregants during these challenging, yet sacred, moments has not been diminished. By some measures, they have been enhanced.

I don't mean to downplay the challenge we face. Yet, given my experience, it's demonstrably untrue to say Emergency Order 28 has "decreased safe access to religious activities and pastoral support." The numbers we see say otherwise.

Respectfully submitted,

David B. Cohen, Rabbi

David B. Cohen  
Rabbi

Jay R. Brickman  
Rabbi Emeritus

Richard Newman  
Cantor

Brian Avner, RJE  
Director of Youth Education

Karen Berk  
Director of Administration

Jen Friedman  
Director of Engagement

Janet Padway  
Co-President

Nick Padway  
Co-President

Jenni Goldbaum  
Vice President

Dick Seesel  
Vice President

Mike Weinshel  
Vice President

Michael Hool  
Treasurer

Josh Parkes  
Secretary

<sup>1</sup> Acute Respiratory Distress Syndrome

<sup>2</sup> Disseminated Intravascular Coagulation, wherein blood simultaneously clots in one portion of the body while hemorrhaging elsewhere.

<sup>3</sup> The petitioner's brief cites Beth Braverman, *The Coronavirus Is Taking a Huge Toll on Workers' Mental Health across America*, CNBC (Apr. 6, 2020) [ <https://cnb.cx/3cuP8Ui>; id] Nowhere does the article mention "*decreased access to community and religious support.*" Instead, it focuses exclusively on the current challenges businesses face in providing their employees mental health services. The problem is not new. "Even before the pandemic, The US had a workplace mental health crisis." Beth Braverman, *The Coronavirus Is Taking a Huge Toll on Workers' Mental Health across America*, CNBC (Apr. 6, 2020)



1406 Mound St.  
Madison, WI 53711

April 26, 2020

To Whom It May Concern:

On behalf of my Jewish congregation, Beth Israel Center, I fully support the Governor's Safer at Home order. I am appalled that there are those who assert his order decreases safe access to religious support. That is untrue. In fact, during this challenging time, my congregation is providing more support than ever to our members.

We are the only congregation in Madison affiliated with United Synagogue for Conservative Judaism. As such, some might think that our practices are less amenable to change. However, we have creatively adapted by transferring our communal focus to two worship programs a day, 6 days a week, and a different set of supports for our Sabbath. At those online worship events, every participant has the opportunity to speak and listen to one another, to see and be seen, and to hold one another in caring, online venues as we process what is happening. We are also finding viable work-arounds for Jewish holidays that involve a mixture of online programming and provision of resources for personal practice.

In addition to those worship events, we are running Bible study groups, and I carry a regular schedule of pastoral counseling sessions. I and my staff stay connected with members through regular phone calls, emails, and online conversations. We also have a phone calling system for members to check in on one another and alert me to possible needs for additional support. Moreover, we have an online process for requesting and offering support to meet individual needs.

We have found that our new service delivery models offer opportunities for connection even beyond Madison, as members, friends, and relatives from all over the country, and even from

other countries, join us in our online events. It is not a stretch to say that our initial duress has yielded new opportunities for engagement and religious support.

Life cycle events do pose a particular challenge. We are meeting either through online platforms or by modifying and/or deferring events until such time as large gatherings are safe. Public health is our top priority, consistent with Jewish values. Indeed, nothing could be more important to Jewish people than the preservation of life. I am leading my congregation to take that imperative seriously and to find the spiritual teachings the current health crisis offers. There are times when we cannot have all that we want, and it is crucial that we take this opportunity to practice qualities in short supply in our century, such as patience, humility, generosity, to name just a few. If we fail to make public health our top priority, and uphold the “safer at home” order for as long as it is deemed necessary by the medical community, the result will be a colder, more polarized, and more isolated society. I believe that by moving through this pandemic responsibly, we stand a chance of emerging from this pandemic more compassionate and more resilient than before.

It is both a moral and a civic imperative to keep people at home until testing, a vaccine, and a thoughtful and well-reasoned plan for re-opening are in place. As a congregational rabbi, I am at high risk of becoming a vector for the illness, due to my many contacts with people in various settings, including care facilities, hospitals, communal gatherings, and private homes, in addition to daily worship, meetings, and classes in my synagogue building. I am not sure that I have not had a mild case of COVID-19. I have no way of knowing if I am an asymptomatic carrier now or if those I would encounter in person-to-person contacts would expose me to the virus. It is a risk I cannot afford to take--not only based on my religious values and my own survival instinct, but as a communal leader responsible for holding up hundreds of other people and being able to serve them in their times of need.

Respectfully,  
*Rabbi Betsy Forester*

**Rabbi Betsy Forester (she/her/hers)**



1406 Mound St.  
Madison, WI 53711  
(608) 256-7763



April 27, 2020

Wisconsin State Supreme Court  
16 East State Capitol  
PO Box 1688  
Madison, WI 53701-1688

Dear Justices,

I write in response to the petition of the Wisconsin Legislature to overturn the 'Safer at Home' order put into place by the Evers Administration in response to the Coronavirus pandemic. I am particularly concerned that the impact on religious followers' ability to obtain spiritual support in these times is being mischaracterized by the petitioners, and other opponents of these measures.

The Wisconsin Council of Churches is a statewide network of 20 Christian traditions, as well as allied faith-based nonprofits, committed to Christian unity, and common mission to assist our society's most vulnerable. We were founded in the wake of the Great Depression, recognizing that the united power of faithful people was necessary to help society address great needs which were too much for any one body to address alone. Our staff has significant expertise in the field of ministry and organizational development: two ordained pastors with master's degrees, parish ministry experience, nonprofit management background, and another staff member with a Ph.D. in theology and decades of experience in faith-based communications.

From the first days of the pandemic's impact in this state, we have been consulting with clergy across Wisconsin, providing support to pastors, local churches, regional church offices and their leaders (bishops, executive ministers and the like), curating and writing resources that help them engage in adaptive ministry. Through this work, we have access to 2000 churches and even more clergy from a wide range of traditions – mainline Protestant, historically Black, Eastern Orthodox, Roman Catholic, and Evangelical. They have pivoted to deal with changing conditions, moving from regular to low-touch worship to recording in sanctuaries to recording at home. They have created or expanded online and conference call prayer groups. Sunday School is being offered by Zoom in some places. They are engaging in theological reflection and healthy discussion in order to determine how best to bring their sacred practices online in a way that has integrity and meaning.

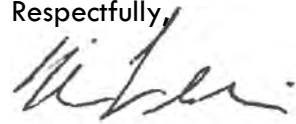
It is not only the worship and teaching ministry of the church which continues, but spiritual care as well. Clergy are providing pastoral care by videoconference, text message, instant message, phone call, and porch visits through window glass. They are serving in chaplain rotations in hospitals in full PPE while still caring for a congregation. Support groups for pastors have moved online – indeed, the Council has even added two of our own – “shepherding the shepherds” while they provide spiritual care for people under stress. Community service ministries continue: volunteers wear masks and practice physical distancing, and younger folks fill in the gaps where their elders or higher-risk individuals stay home for their own safety. The churches coordinate financial aid funds for people who do not have access to other forms of assistance.

(over)

Our care for our neighbors means that we have a commitment to doing what reduces the risk of harm to them. If staying home for longer protects our congregational elders, those with asthma and high blood pressure, newborns, and the wider community, then our adaptations can become a sustaining faith practice, and an act of devotion. The Christian church does not need to gather in buildings in large numbers to be the church. For a very long time when the church began, we gathered in small numbers in homes, doing ministry as individuals and in small groups. Churches have had many worship, teaching and ministry patterns over two thousand years of history; the church is profoundly adaptable. There is no reason we cannot continue dispersed practices for some time, for the good of all.

The Council of Churches has been resourcing the churches of Wisconsin for this extraordinary time. We have every intent of continuing to do so. We are confident that the faithful in Wisconsin are not being denied spiritual support despite the arrival of the Coronavirus, Safer at Home orders and other restrictions which have been imposed in order to protect life.

Respectfully,

A handwritten signature in dark ink, appearing to read "Kerri Parker", written over a light blue horizontal line.

Rev. Kerri Parker  
Executive Director  
Wisconsin Council of Churches





## ***Brown Deer United Methodist Church***

5736 West Brown Deer Road, Brown Deer, WI 53223

414.354.4447

[www.browndeerumc.org](http://www.browndeerumc.org)

[fb.me/bdumc](https://fb.me/bdumc)

*Rev. R. Ellen Rasmussen, Senior Pastor*

*Heather Forbes, Office Manager*

April 27, 2020

To the Clerk of the Wisconsin Supreme Court:

This letter is in support of Governor Evers' Safer at Home order and to dispute the claim that this order has caused "decreased access to community and religious support." My experience has been just the opposite: we have discovered ways of being supportive through technology and have also revived and expanded "old school" methods of connection.

I write with the authority granted to me through my ordination as an elder in The United Methodist Church, and with the expertise obtained through 17 years of servant leadership in the church. According to the 2016 Book of Discipline, my charge as an ordained elder is: "By the authority given in their ordination, they [ordained elders] are authorized to preach and teach the Word of God, to provide pastoral care and counsel, to administer the sacraments of baptism and Holy Communion, and to order the life of the Church for service in mission and ministry." (§332 2016 Book of Discipline) I am able to honor all of these duties taking appropriate safety measures outlined in the Safer at Home order. In fact, except for baptism, of which there has been no request and I could still provide, all have been and continue to be vital ministries. I am able to continue to order the life of the church using Zoom, Facebook, YouTube, email, MailChimp, phone calls, text messages, cards, letters, and newsletters. We continue to explore options to nurture and support our members and the communities in which we live and serve.

According to the 2016 Book of Discipline, the local church is to fulfill its mission: "Under the guidance of the Holy Spirit, the church exists for the maintenance of worship, the edification of believers, and the redemption of the world." (§201) The church is also "To witness to Jesus Christ in the world, and to follow his teachings through acts of compassion, justice, worship, and devotion under the guidance of the Holy Spirit." (§1117 2a) Members do this by honoring their membership vows "to faithfully participate in its [local church] ministries by their prayers, their presence, their gifts, their service, and their witness." (§271 6).

As the Apostle Paul invites us to "pray without ceasing" (1 Thessalonians 5.17 ESV), we continue to offer both small group prayer and study and a Wednesday Night Prayer Circle via Zoom. Prayer is included in our phone calls, our writings, and our meetings and webinars via Zoom. We are called to private and corporate prayer and continue to do this through daily devotionals, small group ministry, and weekly worship. We have been able to expand our prayer connection through Facebook.



We share the gift of our presence through Zoom, Facebook, Cisco Webex, YouTube, Skype, text messages, and phone calls. We comfort each other in our grief and celebrate our joys.

We share our financial gifts through the mail, electronic banking, and online giving.

Our members are still in service as masks and gowns are sewn and delivered, food is dropped off at food banks, monetary donations are given to service agencies, and we work against injustices through letters to the editorial, Facebook posts, phone campaigns, and preaching.

We witness to Jesus Christ in the world to all of the means that are safely available to us. This leads to the most important call of our faith, "Love the Lord your God with all your heart and with all your soul and with all your mind and with all your strength." The second is this: "Love your neighbor as yourself." There is no commandment greater than these." (Mark 12.30-31 NIV) Often the first act of love is to do no harm and the most profound way that we can show love to our neighbor is to NOT meet in person and to FOLLOW the Safer at Home order. This is a moral imperative! Many of my members and the people we serve, fall into the high-risk categories, and instead of inviting them into life, I would be inviting them into death. Jesus "came that they may have life, and have it abundantly." (John 10.10b NRSV)

In order that all may have life, I will do all that I can to ensure the safety and well-being of all whom God has given me charge. In John Wesley's words, "the world is my parish." I will continue to call my congregation to stay home.

Sincerely,



Rev. R. Ellen Rasmussen  
Senior Pastor

**Sources:**

*The Book of Discipline of The United Methodist Church*---2016. Copyright © 2016 by The United Methodist Publishing House. Used by permission.

**English Standard Version (ESV)**

The Holy Bible, English Standard Version. ESV® Text Edition: 2016. Copyright © 2001 by Crossway Bibles, a publishing ministry of Good News Publishers. [www.biblegateway.com](http://www.biblegateway.com) accessed 04.27.2020.

**New International Version (NIV)**

Holy Bible, New International Version®, NIV® Copyright ©1973, 1978, 1984, 2011 by Biblica, Inc.® Used by permission. All rights reserved worldwide. [www.biblegateway.com](http://www.biblegateway.com) accessed 04.27.2020

**New Revised Standard Version (NRSV)**

New Revised Standard Version Bible, copyright © 1989 the Division of Christian Education of the National Council of the Churches of Christ in the United States of America. Used by permission. [www.biblegateway.com](http://www.biblegateway.com) accessed 04.27.2020.





## **Zwingli United Church of Christ**

### **Paoli, Wisconsin**

---

1338 CR PB, PO Box 530, Belleville, Wisconsin 53508  
[www.paoliucc.com](http://www.paoliucc.com) - 608-845-5641

Rev. Dr. Rich Pleva, Pastor

25 April 2020

The Wisconsin Supreme Court  
Madison, WI

RE: The "Safer at Home" order

Greetings,

In the Christian Church there is no more succinct understanding of our fundamental ethic than the mandate to love God and neighbor. During this time of pandemic, our congregation has adjusted in creative ways to the exigencies of the "Safer at home" directive. We follow the mandate in part because we aim, when not inconsistent with our bedrock values, to be good citizens. But that is not the fundamental reason we do so. First and foremost, we do so because we are compelled to love of neighbor. We believe that to insist on some overarching right to physically gather in spite of the damage it may do to others would do violence to the fundamental values of our faith.

Many of us have quickly learned to meet by videoconference and to use live-streaming technologies and more. Our faith community is adapting and learning and quite lively in spite of not gathering in person. We are assuredly not unduly harmed by staying home during these days. The notion that the church cannot be the church without a public gathering is a puny and selfish understanding of our faith. We eschew that notion even as we are looking forward to gathering again in person – BUT only when we can do so in a way consistent with our intention to love our neighbors as we love ourselves.

Sincerely,

Rev. Dr. Rich Pleva, Pastor  
Zwingli United Church of Christ

**Madison Christian Community**

**Advent Lutheran Church**

Nick Utphall, Pastor

608-824-1761

[mccnick@tds.net](mailto:mccnick@tds.net)



**An Ecumenical Partnership**

**Community of Hope, UCC**

Sonja L. Ingebritsen, Pastor

608-824-1762

[mccrevsonja@tds.net](mailto:mccrevsonja@tds.net)

April 27, 2020

To the Wisconsin Supreme Court

Dear Honorable Judges:

I write in strong support of Governor Ever's Safer at Home Order in the midst of this coronavirus pandemic. We are in a crisis of proportions we have not seen in our lifetimes.

My Christian faith tradition, as well as the faith traditions of others and, indeed, our moral imperative as a civil society, require that we care for the well-being of all, and especially the most vulnerable among us. This pandemic puts us all at risk, some more than others. In my congregation, many individuals fall into the high-risk category who are most likely to contract coronavirus and experience deadly complications. We also have others who are on the front lines treating individuals hospitalized with Covid-19. It would be irresponsible and dangerous for us to gather for worship in our sanctuary or for other face-to-face church events until health officials indicate, based on scientific evidence, that coronavirus is under control and we are not likely to contribute to the spread of the disease by such gatherings.

It is for the sake of our vulnerable congregants, the well-being of the entire congregation, and the health of the community at large that we have found alternate and effective means of practicing our faith and preserving the community life of the congregation. We are using Zoom and livestreaming for our worship services. This allows us to be face-to-face virtually. Even those for whom the technology is new have been able to participate. In fact, we have had an increase in attendance most Sundays counting people who are viewing the service live online or watching the video afterward. Some individuals are now able to come to worship who have limitations attending under normal circumstances. In addition, we are holding small groups, Sunday School, youth gatherings, and committee meetings online. We continue to provide pastoral care, now via phone calls or virtual visits.

As a faith leader, I am called to shepherd in a way that models God's care for the community and for our world. Therefore, I am ministering from home. This way of being church is different than it is in ordinary times. But these are extraordinary times. I myself fall into a higher-risk category for contracting coronavirus. Therefore, protecting my health by complying with data-driven Safer at Home orders—and being able to trust that others will do the same—allows me to continue to be available to my congregation and the communities that count on me.

I vehemently urge you to retain the Safer at Home order for the sake of all Wisconsinites.

Respectfully,

Rev. Sonja L. Ingebritsen

Pastor, Community of Hope United Church of Christ  
and the Madison Christian Community



April 27, 2020

Lutheran Office for Public Policy in Wisconsin  
6401 Odana Rd., Ste. 20  
Madison, WI 53719  
[cindyc@loppw.org](mailto:cindyc@loppw.org) or 608-469-5836

Wisconsin Supreme Court  
110 E. Main St., #440  
Madison, WI 53703

Dear Honorable Members of the Wisconsin Supreme Court,

The Lutheran Office for Public Policy in Wisconsin is an advocacy ministry of the Evangelical Lutheran Church in America. We support the health and well-being of Wisconsinites by supporting just public policies. Usually, that takes the form of addressing proposed legislation. In this highly unusual time of a pandemic, we find ourselves studying and tracking Governor Evers' executive orders and information from our state and federal health care professionals who are determining when it is safe for us to return to business as usual. We supported Order #12 and now support Order #28 to extend Safer at Home.


In relation to making decisions about sheltering in place, the first question to worshipping communities should not be whether or not they are meeting the spiritual needs of their members, but if their lives and the lives of others would be at risk by attending worship in person. We happen to know that the spiritual needs of people are being tended to as best as possible online and via television, radio, and the telephone during this time. As the curve flattens and health professionals determine that it is becoming safer to return to worship, then the question is how to practice safe distancing as we gradually return to worship in person.

It is interesting that Order #28 should be a matter for the Wisconsin Supreme Court, causing us to question if the pandemic has become a launching ground from which partisan groups are moving forward to try to consolidate power. The governor and DHS are working within their realm of authority, just as the legislature worked within its realm to decide on keeping April 7 as election day, even though that has led us to discovering correlations between people infected with the coronavirus and having voted or worked at the polls on April 7. We ask that you honor the authority of the governor.

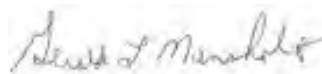
***I shall ask God mercifully to protect us. Then I shall fumigate, help purify the air, administer medicine and take it. I shall avoid places and persons where my presence is not needed in order not to become contaminated and thus perchance inflict and pollute others and so cause their death as a result of my negligence.***

—Martin Luther, 1527 letter, “Whether One May Flee from a Deadly Plague”.

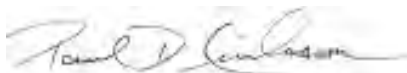
Sincerely,



Bishop James Arends  
La Crosse Area Synod



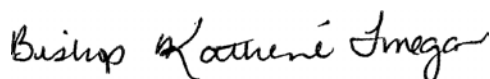
Bishop Gerald Mansholt  
East Central Synod of Wisconsin



Bishop Paul Erickson  
Greater Milwaukee Synod



Bishop Laurie Skow-Anderson  
Northwest Synod of Wisconsin



Bishop Katherine Finegan  
Northern Great Lakes Synod



Interim Bishop Peter Rogness  
South-Central Synod of Wisconsin



Pastor Cindy Crane  
Lutheran Office for Public Policy in Wisconsin Director



## Middleton Community Church United Church of Christ

*Middleton Community Church, Inc. was organized in 1936*  
645 Schewe Road, Middleton, Wisconsin 53562  
phone: (608) 831-4694 email: [mccucc@middletonucc.org](mailto:mccucc@middletonucc.org)  
James D. Iliff, pastor

DATE: April 27, 2020  
TO: Wisconsin Supreme Court  
FROM: Rev. James Iliff  
pastor, Middleton Community United Church of Christ  
Middleton, WI  
RE: Support for Governor Evers' Safer at Home order

I am writing in support of Governor Evers' efforts to keep Wisconsin residents safe and healthy in the face of the COVID-19 pandemic.

I am responding in particular to the lawsuit's claim that his order has "decreased access to community and religious support."

While the shutdown has necessarily affected the ways in which we provide access and offer religious support, it has not decreased them at Middleton Community UCC. In fact, it has increased them.

For example, our online Easter worship service has been viewed over 270 times—a number far greater than our typical worship attendance.

We have also made phone or email contacts with everyone in our congregation multiple times, including our elderly and shut-in members.

We have been using videoconferencing software to continue our church activities, including leadership meetings, discussion groups, educational classes, and weekly fellowship gatherings.

Given the highly infectious nature of COVID-19 and the devastating impact that previous pandemics have had on people in the US and around the world, we believe there is a moral imperative to protect one another through practices such as isolation, frequent handwashing and sanitizing, face masks, and maintaining social distancing. In a Christian community that is called to "love our neighbors as we love ourselves," we can do no other.

Thank you for considering my

Sincerely,

James D. Iliff  
Pastor



To: Wisconsin Supreme Court  
From: Rev. Tina S. Lang, Executive Associate Pastor  
First United Methodist Church  
203 Wisconsin Ave., Madison, WI 53703  
Date: April 27, 2020  
Subject: Lawsuit Against Safer at Home Order

This letter is directed to the Court on behalf of the congregation I serve. Please support the Governor's decision to continue the Safer at Home Order. Of the 700+ members of our congregation I've not heard one suggestion that we return to group gatherings or open up other parts of the larger community until at least the end of May. Our members and friends are deeply grateful that the Governor has moved at the advice of experts and is doing what is reasonable to protect the health and welfare of the citizens of Wisconsin and beyond.

It is my understanding that the lawsuit alleges "decreased access to community and religious support." That has simply not been the case for our congregation. We have actually seen an increase in participation and the numbers of people receiving support. With the help of technology we have reached many more members and community members than we had in person prior to the Safer at Home Order. The numbers of people not just opening sites, but engaging in our online activities is nearly double the numbers we had previously engaged in a week.

Daily posts on our website and on Facebook, brief e-news sent three times weekly to the entire mailing list, classes for children, youth, and adults and various committee meetings via Zoom, Go-to Meeting, Facetime, and Go-to Webinar, pastoral care via some of the previous platforms mentioned and personal phone calls are engaging our folks very effectively. We've received many calls, emails and notes of appreciation for the creative ways we've moved "outside the box" in order to continue the church's ministries. Our members are glad to be home where they are safe and have repeatedly indicated their gratitude for good modeling by staff members who are working from home.

In addition to the ongoing spiritual nurture provided by our congregation, our Food Pantry, one of the largest in Dane County, continues to provide community service. The organizational model has been adapted to address health and safety concerns. Pantry guests are no longer guests to the church building. People who need assistance call with their shopping needs and food is boxed or bagged then delivered to their residences. There is no personal contact other than a friendly voice on the phone and a wave from a distance as the food is dropped off.

To care for one's neighbor as one's self is a major tenet of all world religions. Our congregation is just one that understands that we are caring for our neighbors by continuing the social distancing recommended by experts. Please rule against the lawsuit that could bring further harm to our state.

----- Forwarded message -----

From: **Laiman Mai** <[laimanmai@yahoo.com](mailto:laimanmai@yahoo.com)>

Date: Sat, Apr 25, 2020 at 8:52 PM

Subject: Re: Time sensitive! clergy letters needed ASAP

To: Wisconsin Faith Voices for Justice <[wifaithvoices4justice@gmail.com](mailto:wifaithvoices4justice@gmail.com)>

To whom it may concern

I am a member of two Buddhist groups. I am happy to inform you that the order from the governor: safe at Home, has helped our members to get together weekly and do meditation and discussion. Since we do not have to drive. We have more people to join our Monday night group. The other is Snow Flowers sangha. We have more meeting because we can join at home though Zoom. I don't have a computer but cell phone is fine. I support the governor's decision for the safety of ourselves and the safety of our community. I appreciate that he really care about us. It has helped us to practice our faith.

Laiman Mai

Sent from my iPhone

----- Forwarded message -----

From: **Fr. Jay Poster** <[jayp@stjosephbaraboo.com](mailto:jayp@stjosephbaraboo.com)>

Date: Mon, Apr 27, 2020 at 11:13 AM

Subject: "letter"

To: <[wifaithvoices4justice@gmail.com](mailto:wifaithvoices4justice@gmail.com)>

Dear Rabbi Margulis--

I'm sorry to be unable to respond with a letter. I'm in Madison and unable to write anything from my



computer at St. Joseph Catholic Church in Baraboo.

We have been livestreaming all our Masses (nine per week) as well as funerals, memorial Masses, weddings.

We also have (almost) daily staff meetings on Zoom as well as taking part in many other diocesan and outside activities on Zoom.

I believe Governor Evers safer at home order is necessary and prudent and we're coping.

-j

Fr. Jay Poster  
St. Joseph Catholic Church  
Baraboo WI

Ravenna Helson, Presiding Clerk  
Milwaukee Monthly Meeting of the Religious Society of Friends (Quakers)  
Milwaukee, Wisconsin

Wisconsin State Supreme Court  
April 27, 2020

To Members of the Court,

I write on the behalf of the Milwaukee Monthly Meeting of the Religious Society of Friends to communicate to you our alliance with the Evers Safer at Home policy.

Milwaukee Meeting has adapted to new virtual ways of practicing our faith in order to care for and protect, members of our community. We are in unity around our concern to keep our members, and anyone who wishes to visit our meetings safe, by holding Zoom services on Sundays including Meeting for Worship, Adult Religious Education and Children's Religious Education. Our monthly Meeting for Worship with Attention to Business was successfully conducted last Sunday.

Our Meetinghouse has been closed since March 13, however work by our Land Committee continues following safe distancing and sanitizing practices. Our Community gardeners, members of our community but not Quakers, are in agreement and participate actively following all Governor Evers's Safer at Home orders. The Lifeways Daycare, operating in our meetinghouse during regular weekdays, is in agreement with our decision to close until such time as they are deemed essential. They do not want to put families of the children they care for at risk.

There have been unexpected positive consequences of our online format. Members who have moved away or have found it difficult to come to our Meetinghouse in person can be with us again.

Friends' testimony of Community asks us to do whatever we can to sustain a healthy community; community that has no boundaries. Governor Evers's Safer at Home order is a protection for all of us. It would be untenable to choose to put people at risk unnecessarily.

Thank you,

Ravenna A Helson  
Presiding Clerk, Milwaukee Monthly Meeting of the Religious Society of Friends



THE RT. REV. STEVEN ANDREW MILLER, D.D.  
BISHOP OF MILWAUKEE

April 28, 2020

To the members of the Wisconsin Supreme Court

I am writing in support of Gov. Evers' Stay at Home Orders.

Many of us as children learned the nursery rhyme with the accompanying motions "This is the church, this is the steeple, open the doors and see all the people." While helpful in entertaining small children during car trips back in the day, for Christians it falls a bit short. In my seventeen years as bishop of the Episcopal Diocese of Milwaukee I have been teaching a revised version which is much more theologically correct. Doing the motions in reverse order, I say, "this is the Church, the Church is people, on Sundays some meet in a building with a steeple."

I share this for your consideration as you deliberate on the suit challenging the extension of the Safer at home order by Governor Evers. Like our Roman Catholic counterparts in Wisconsin, I have also called for a moratorium on all public worship and public church meetings at this time.

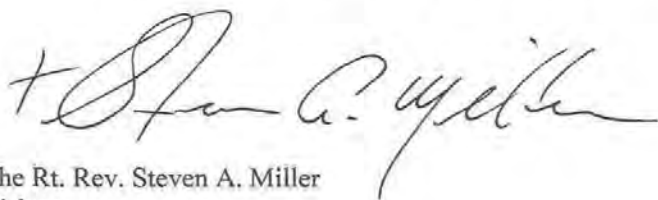
Many of us did this freely even before the State order because we believe this is the best way to protect the greatest number of people and slow the spread of Covid 19. The actions of the governor help people understand the severity of this moratorium. Is it a sacrifice? Yes. Christians are people of sacrifice. Our model for life is one who gave himself for others. Someone said, true sacrifice is giving up what you love for the love and well-being of others. With all that I am learning about this pandemic, I sincerely doubt I will end this moratorium for a number of months.

At a recent virtual gathering of our House of Bishops, our Presiding Bishop Michael Bruce Curry (you may remember him as the preacher at the wedding of Prince Harry and Meaghan) reminded us that we are all in this (time of pandemic) together. In our diocese congregations large and small are sharing in this sacrifice of giving up public in-person worship. A diocesan wide moratorium is a wise decision that protects both people and the Church. On a personal note, I can't imagine what an additional burden it would be to make decisions on a congregation by congregation basis at a time when my energies are best turned elsewhere. Moreover, those most likely to attend are older persons who are particularly vulnerable to the effects of the virus.

In the Episcopal Diocese of Milwaukee, this time has been a time of great creativity. Clergy are leading corporate worship and study through Zoom and Facebook Live and not just on Sundays. We are working on a diocesan wide worship gathering that will be rolled out shortly. Clergy and lay leaders are also reaching out to one another on a regular basis in a number of ways including the good old fashioned method of calling one another on the telephone.

What we are finding thus far is that worshipping in this way is not only attracting our regulars but is an easier entry point for some who for whatever reason are hesitant to enter our buildings. I believe God is using this time as time of opportunity for the Church. While I am grateful for the senator's desire to protect religious freedom, I have learned that with freedom comes responsibility. Freedom is freedom for the service and care of others. As Christians, we are called to love our neighbors as ourselves, and that means doing whatever it takes to care for one another.

Therefore, I request that Governor's Stay at Home Orders not be struck down.

A handwritten signature in black ink, appearing to read "Steven A. Miller". The signature is fluid and cursive, with a cross-like symbol at the beginning.

The Rt. Rev. Steven A. Miller  
Bishop  
The Episcopal Diocese of Milwaukee

# Still Point Zen Center

N1811 Knorr Rd.

Random Lake, WI 53075

Phone 920-994-8650

[www.stillpointzen.com](http://www.stillpointzen.com)



April 27, 2020

## Wisconsin Faith Voices for Justice,

The Safer at Home order has changed religious practices in many ways during the last few weeks. The traditional practice of meeting for services in person has shifted to Zoom meetings, E-mail, letter writing, increased newsletters, and phone calls for our center. As a clergy that holds services in the prisons, we have developed a newsletter and teaching packets that the prison Chaplains can use to share with our members along with videos, and online services. We also work with Veterans across the US and have been increasing our communication through E-mail, Zoom, and phone calls to help them with the Moral Injury so many of them experience from their time in service. This replaces the monthly interfaith retreats we have been holding for years to help our service members transition back to civilian life.

Hollow Bones Rinzai Zen, which is our Global Denomination, has developed many online services reaching our international community, staggered at different times, several services a week. Each of the Roshi's and Priests in the order offer teachings now worldwide. This has been a wonderful collaboration of thoughts and connection outside our local community togetherness, a deeper understanding of a global togetherness.

I have found even though we can not be with each other in person, there is a richness of deeper personal communication in place of a superficial short discussion in person with our members after traditional face to face services.

On a personal level, I experienced symptoms early on in March after spending a week at Johns Hopkins Hospital in Maryland with one of our Veterans we serve. It took 14 days to receive results from my test which was negative. The Veteran I was with was on an isolation wing due to TB she picked up volunteering at a Veterans Homeless shelter. I witnessed the building stress of staff as they prepared for the increase of patients due to COVID 19. Each time I left the Veterans room I had to take off my PPE and dispose of it. All drinking fountains were shut down and there were no public bathrooms or kitchenettes on this isolation unit so we had to go outside the unit for any beverage, food, or bathroom

needs. To come back on the unite we had to again scrub, put on PPE, and be checked to make sure the PPE was on properly. The nurses worked 12-hour shifts on this unit, and by the end of the shift with only two patients each, they were exhausted. Now that COVID 19 has infiltrated the hospitals they are working on up to 5 patients or more each.

What I took from this experience was the immediate need for all of us to protect ourselves, and those on the front lines. We have seen how some companies that were allowed to stay open like meatpacking plants have exploded with COVID 19 cases. By opening up the state to soon additional cases of COVID 19 will surface. This will deplete the limited resources we have in the hospitals further and cause an increase in the cost of medical expenses and life to our people. Stay at Home until the curve flattens for 14 days with increased testing and tracking is in place is the safest option we have right now.

**Sincerely,**

**Rev. Khyati Penney Johns**

**APPENDIX CERTIFICATION**

I certify that if the record is required by law to be confidential, the portions of the record included in the appendix are reproduced using one or more initials or other appropriate pseudonym or designation instead of full names of persons, specifically including juveniles and parents of juveniles, with a notation that the portions of the record have been so reproduced to preserve confidentiality and with appropriate references to the record.

Dated this 29<sup>th</sup> day of April, 2020.



---

Stephen E. Kravit  
State Bar No. 1016306  
Benjamin J. Glicksman  
State Bar No. 1086852  
Kravit, Hovel & Krawczyk, s.c.  
825 North Jefferson – Fifth Floor  
Milwaukee, Wisconsin 53202  
(414) 271-7100

*Counsel for Amicus Wisconsin  
Faith Voices for Justice*