

EXHIBIT O

**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO**

SCOTT HERNDON, REV. JOSH JONES,)
REV. MICHAEL GULOTTA, REV. TIM)
REMINGTON, GABRIEL RENCH,)
CHRIS SCHUELER, AND DON MARTIN)

Plaintiffs,)

v.)

Case No. 2:20-CV-00205

BRADLEY JAY LITTLE, in his official)
capacity as Governor of Idaho, and)
DAVE JEPPESEN, in his official capacity)
as the Director of the Idaho Department of)
Health and Welfare,)

Defendants.)

DECLARATION OF REV. TIM REMINGTON

I, Tim Remington, am an adult, under no disability, and hereby declare the following:

1. I am pastor of Altar Church in Coeur d'Alene, Idaho. I have been a pastor at this church since 1984.
2. I am also a member of the Idaho House of Representatives.
3. My work as pastor of Altar Church includes ministering to people recovering from drug and alcohol addiction; we treat 140 people per year and have had over 3,000 people successfully complete our program over the past 17 years.

4. I am competent to testify as to the matters contained herein, I am over the age of 18, and I make this declaration based upon my own personal knowledge, experience, and oral conversations I have personally held with local law enforcement.
5. My duties as pastor include: Preaching on Sundays, and numerous other events during the week, teaching adult bible studies, administering baptisms, performing wedding ceremonies, serving communion, counseling people five days a week, ministry to the sick and dying, burying the dead, consoling the grieving and sorrowful, suicide prevention, victim and offender mediation, and being present with church members in all the joys and sorrows and significant milestones of life. I also run a Christian Based residential rehabilitation with almost 100 beds, and facilitate their aftercare for six months after they are done with residential. This is another staff of thirty five people. Someone needs to be the shepherd to these sheep.
6. On or about March 25, 2020, the Governor of Idaho issued a “Statewide Stay-Home Order.”
7. On or about April 15, the Governor amended that Stay-Home Order.
8. On or about April 15, 2020, the Governor amended that Stay-Home Order.
9. On or about May 1, 2020, the Governor issued a statewide Stay Healthy Order.
10. On or about May 16, 2020, the Governor issued a new statewide Stay Healthy Order.

11. I have read both the original and the amended Stay-Home Order and both the May 1 and May 16 Stay Healthy Orders.
12. I found the Stay-Home Order disconcerting because churches are excluded from the definition of “Essential Business.”
13. I was also concerned that the Stay-Home Order failed to include pastoral duties and church attendance are in the definition of “Essential Activities.”
14. Because churches are not “essential business” and my work as a pastor is not an “essential activity,” effectively, then, at least at face value, the Stay-Home Order could be read as forbidding me from performing my Ministry to all of these people that need help as a pastor, and forbidding my congregation from coming to church on Sunday, counseling with them over their issues, performing weddings and funerals that are some of the most historic part offer lives over what? No deaths, no hospitalized Covid-19 victims in our area.
15. Said another way, administration of the Christian sacraments of baptism and the Lord’s Supper, as well as conducting the church service generally, appear, by the plain meaning of the words of the Stay-Home Order, to be specifically prohibited, along with the Christian based rehab attending to over three hundred addicts at any time at our church is unconstitutional. Shepherds take care of their flock. If they can’t come together and stay together, the wolves get them. We lost more addicts that have come so far in the program lost in this two and a half than we have in the past two years total.

16. Recognizing this, I was very concerned that the Governor of Idaho had declared the practice of public Christian worship and fellowship to be illegal in this state. That thought is shocking to me as an American who has read the Constitution and swore to protect it. My oath is worthless if I can't follow through on it.
17. As both a Christian pastor and a state lawmaker, I am very concerned to heed the calling of God over the state mandate that had no real hard evidence on what was going on, for instance, in Romans 13:1, that my congregation and I "be subject to the governing authorities," when God called us to also help one another at all costs. "Greater love hath no man that he lay down his life for a friend."
18. In fact, at many Sunday church services, we pray for both our national and local political leaders to always do the right thing for the people who are the government.
19. However, it is also my personal belief, as well as the teaching of my church, that church attendance is an important, yea, necessary, part of the practice of the Christian faith as the Lord has commanded us. To help one another, care for each others needs, even pray over the sick as instructed in the Word of God. We as ministers should take the risk to pray over the people, we call it faith.
20. As an example, my church and I find essential the exhortation from Hebrews 10:25, "not forsaking the assembling of ourselves together," and the words of Jesus in the Great Commission (Matthew 28:19), "Go ye therefore, and teach all nations, baptizing them." Visit the sick, take care of the fatherless,

visit the ones in jail. If it is shut down, we have now violated our own understanding of the gospel. I want to live the Word not just speak it.

21. Further, having been sworn into office on the Bible and taken an oath to support and defend both the state and federal constitutions, I believe that the state government does not have the authority to order the closing of churches in Idaho. Rather, the First Amendment of the United States Constitution and Article 1 of the Idaho Constitution protect our God-given natural law right to publicly attend church services. I now must renounce my oath to obey the Constitution that I swore to uphold, or obey the Governor who also took the same oath that is telling me to go against it. I was ordered to violate the oath I took as a State Lawmaker, to obey the Governor's order that he made. I in good consciousness cannot do that as a man of my word swearing in the Bible.
22. The choice before us was deciding between God and government, between our sincerely held religious beliefs and being arrested by state or local police for exercising them.
23. This is chilling to me; the Stay-Home Order has forced me to chose between my pastoral oath to God and facing arrest, fines, and possible imprisonment.
24. Even if the governor lifts the Stay-Home Order, I am very concerned that he believes he has the authority to ban church again in the future, such as if this virus resurfaces again next winter like some predict.

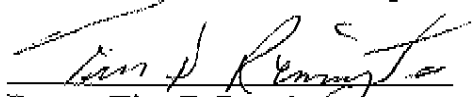
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Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Signed this 29th day of April, the Year of Our Lord Christ 2020, in Laclede, Idaho.



Pastor Tim D Remington