




MEMORANDUM

TO: Priests of the Archdiocese

FROM: Most Rev. Salvatore J. Cordileone + 
Archbishop of San Francisco

DATE: December 18, 2020
O Adonai

RE: Reopening for public Masses, part 11
Permission to celebrate four Masses on the Solemnities of Mary the Mother of
God and Epiphany

Dear Brother Priests:

As you may be aware, the Supreme Court's decision to issue a preliminary injunction in the *Diocese of Brooklyn* case established the principle that religious worship may not be treated less favorably than the most favored classes of business, meaning at a minimum the rules for indoor retail, for example, must also apply to indoor worship. This principle was reaffirmed in the 9th Circuit Court of Appeals, granting the same sort of injunctive relief in the Nevada *Calvary Chapel* case. There have been a number of other similar decisions in court cases at various levels, and others still waiting to be decided. Given the consistent direction of these court decisions in *Diocese of Brooklyn* and since, we are interpreting the Governor's order together with the court decisions to mean that under the Constitution, houses of worship have to be treated at least as well as retail, which for us in California means 20% indoor capacity at this time.

While this comes as welcome news, I hasten to remind us all that court rulings do not change the science. In the midst of this continuing pandemic, it is always much safer to hold large gatherings outdoors. I therefore ask you to continue to celebrate Mass outdoors (or to start if you haven't yet) whenever possible. Even with winter upon us, God has blessed us with many days in which the weather has been quite amenable to the outdoor celebration of Mass.

At the same time, we cannot rely on this always being the case. Therefore, if in your best judgment it would be safer for your people to have Mass indoors rather than outdoors, you may bring them into the church for Mass observing the 20% capacity rule and all of the safety protocols of the Archdiocese. The determination of safety may depend not only on the weather

(e.g., rain, cold or wind) but other factors as well, such as security (e.g., Mass after nightfall in certain neighborhoods) and avoidance of bodily harm (e.g., a large group in a limited outdoor space immediately next to a street during peak traffic hours).

I want to emphasize once again how absolutely important it is to follow the safety protocols to the last detail: social distancing, face coverings, windows and doors open for ventilation, singer(s) (if there is music) set apart in a separate area, and all the rest. With reports of a surge and limited ICU beds, we will likely be criticized for purportedly endangering public health. These criticisms will have no basis in fact if we scrupulously follow our safety protocols. We have the science that demonstrates that. It is of the utmost importance that we not give credence to such criticisms by failing to observe our safety protocols. The reported surge is not so severe as to close non-essential indoor retail; our churches (which provide the most essential service of all) can be even safer than stores if we act responsibly. And our faith, of course, always dictates that we do so.

In a separate matter, Cardinal Robert Sarah, Prefect of the Congregation for Divine Worship and the Discipline of the Sacraments, in a decree dated December 16, 2020, extends the permission granted to local ordinaries to allow priests to celebrate four Masses on the Solemnity of Mary the Mother of God and on the Solemnity of the Epiphany, as well as on Christmas Eve and Christmas Day. I therefore hereby grant this permission to all priests in the Archdiocese of San Francisco.

Finally, allow me to take this opportunity to renew my thanks to you for all you are doing to provide pastoral care for your people under these extraordinarily challenging circumstances. I pray the celebration of the birth of our Savior will bring you peace and spiritual solace in the midst of these trying times.