KENT COUNTY SUPERIOR COURT
CRIMINAL DIVISION

STATE OF RHODE ISLAND	:	
Complainant	:	case no K2-2018-0869A&B
VS	:	
	:	
REV. ANNE ARMSTRONG	:	
Defendant	:	

MOTION FOR PRE-TRIAL INJUNCTION

1. Now comes First Defendant, Rev. ANNE ARMSTRONG, with an Equitable motion for injunction against State Attorney General and High Density Drug Taskforce engaging in any activities such as investigation, search, and/or arrest for suspicion of possession and/or delivery of a controlled substance or any other law enforcement activity that would burden the religious practices of the following persons attending and/or participating in the April 15, 2019, 5:00 pm "Chrism Mass" of the Providence Diocese of the Roman Catholic Church, at the Cathedral of Ss. Peter and Paul, 30 Fenner Street based on these persons' participation in or presence at this special Mass:

   A. herself and/or

   B. her fellow officiants and worshipers (including her minor child [redacted] who is invited to be violinist for the Chrism Mass).

   Being an equitable motion, facts sworn are deemed true if uncontested, undenied or unrebutted.

2. The State was, or should have been (and is now, in any event) on notice that the *Chrism* or Anointing Oil of every Catholic Church of valid Apostolic Succession contains hemp balsam, aka *hashish*. The State was and/or at least now is on notice of the Diocesian

hashish to a degree that crosses the "probable cause" threshold, yet the State must not violate the Catholic Church's right to Free Exercise of the Faith of our Fathers here in the Birthplace of Religious Freedom. Notice was and/or is as follows

A. The Biblical **recipe for the Chrism, at Exodus 30:23, specifies cannabis resin** as an ingredient. The Hebrew ***Kaneh Bos'm*** (KNH BSM) literally means "hemp balsam," the source of the "aroma pleasing to the Lord" so oft-repeated in scripture.

B. Ss Peter and Paul **Cathedral's Bible story art is full of Biblical cannabis**, in the stained glass, fresco and sculpture (and the newly installed, newly modified Papal Coat of Arms hung over the Mercy Door)

C. Mainstream news accounts agree that **Pope Pius X was Coronated in 1903 amidst clouds of raw cannabis smoke,** in the Vatican, at which the crowds cried out for more, each time it went out.

D. **Suspicion over the Providence Cathedral aroma has already led to police being called there.** The Diocesan Bishop, Thomas Tobin, and a congregant who once previously called police on Defendant Rev. ARMSTRONG over the smell of the Cathedral's own incense, have each written that the aroma of the Church incense (burned according to Biblical instructions in a brazier lined with Chrism oil) was similar enough to cannabis to cause confusion among even those trained to react to this aroma.

3. While Jews and Catholics and other Christians have been persecuted domestically and abroad since the Church was first established, the Rhode Island and United States Constitutions abhor such behavior - it must never be tolerated.

LEGAL STANDARD

4. The criteria for pretrial injunction are

A. **Reasonable likelihood of success on merits** – The likelihood of merit-based success, in a claim for Free Exercise protection within a Roman Catholic Cathedral's normal Chrism Mass, is over-obviously high. The Constitution simply forbids such action by the State.

B. **Status quo** – the *status quo* is neither to interrupt Chrism Mass, nor any other religious rite which is thematically central and compulsory to a faith.

C. **Irremediability** – disruption of the Chrism Mass threatens the supply of Chrism Oil for every Priest and parish in the Diocese, affected hundreds of thousands of people. The event happens but once annually, and is a matter of great moment, with invitations, announcements, special attire, classical music, and carefully rehearsed pageantry, a matter so sensitive, a neighboring State (Diocese of Manchester NH) has closed the event to the public this year for the first time ever because of concerns.

D. **Balance of Equities** – Given the relative infrequency of police disruption of planned or "live" Cathedral masses generally, or Chrism Masses specifically, the State loses nothing if it leaves the Mass alone – especially since such activity is so fiercely guarded and protected by the Free Exercise clauses of the State and Federal Constitutions. The State benefits, rather than loses, from the granting of such an order, with by consent or even adversarially.

E. **Public interest** -- Nearly half of Rhode Islanders identify themselves as Catholic and have strong personal stake in the outcome of this case which centers on their very right to practice our faith.

1) cannabis is and has always been central to Judeo-Christian scripture and worship (and in fact can be found even more strongly, using nearly identical stories, character names and rites, in the related Hindu-Buddhist scriptures practices and people).

2) cannabis was banned more for the purpose of suppressing that faith than for the health/safety reasons stated (dishonestly)

3) continued bigotry in enforcement of the ban has always been evident, and is evident in the modern era beyond merely the bigotry against Defendants complained-of in filings.

4) The bigotry expressed has been not only religious, but racial, when Defendants' religion is racial by definition.

Public interest is dramatically heightened by Defendants' insistence that actual US Government documents not only show racial, religious and other bigotry in the original intent of the cannabis ban, but also show a strong probability that the idealogical originator of this idea was in fact doing so in the context of anti-US espionage, on behalf of a notoriously racially-religiously bigoted enemy foreign government, during times of war with the US, and for the twin purposes of

diminishing US war readiness while harming specific racial, ethnic, national and religious Classes. **The public interest aspect of this case is tremendous, both in terms of "truth and reconciliation" of these stunning facts, and in terms of finally properly hearing the legal matter itself.**

5. Defendant/Petitioner Armstrong humbly requests injunctive relief. A Draft Order is attached.

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ORDER

1. It is hereby ordered that on the day of April 15, 2019, the RHODE ISLAND ATTORNEY GENERAL'S OFFICE and the RHODE ISLAND HIGH DENSITY DRUG TASK FORCE shall not engage in in any activities such as investigation, search, and/or arrest for suspicion of possession and/or delivery of a controlled substance or any other law enforcement activity that would burden the religious practices of the following persons attending and/or participating in the April 15, 2019, 5:00 pm "Chrism Mass" of the Providence Diocese of the Roman Catholic Church, at the Cathedral of Ss. Peter and Paul, 30 Fenner Street based on these persons' participation in or presence at this special Mass:

   A. Rev. ANNE ARMSTRONG and/or

   B. her fellow officiants and worshipers at the Chrism Mass (including her minor child [redacted] who is invited to be violinist for the Chrism Mass).

So ordered,

Honorable Jeffrey A. Lanphear
Associate Justice of the Superior Court of Rhode Island and Providence Plantations
This _____ day of the month of _____ in the year 2019.

Humbly submitted,

REV. ANNE ARMSTRONG in her own capacity, who declare(s) under penalty of perjury and before almighty God that the foregoing is true and correct.

Executed on the _____ day of March, _____ of the year 2019

Signature _____

CERTIFICATION

I, the undersigned, do hereby certify that on the ___ day of _____ 2019, I filed and served this document through the electronic filing system. This document is electronically filed and served and is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System. In addition, this document hand delivered to the Department of the Attorney General at Kent County Courthouse, 1st Floor .