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Clay Jenkins
Dallas County Judge
411 Elm Street
Dallas, Texas 75202

Submitted via electronic mail

April 29, 2020

Judge Jenkins:

As long as the State of Texas has been in existence, the right to work has been paramount among its citizens. In fact, one of the many grievances included in the *Texas Declaration of Independence*, signed 184 years ago by our forefathers, was General Antonio Lopez de Santa Anna's continued attacks upon individual commerce. That is why we are writing to you today deeply concerned about the way in which you are handling a dispute between Dallas County and Texas citizen Shelley Luther, owner of a salon operating as Salon À la Mode in Dallas County. We demand that you cease the tactics you are employing to handle this situation, lest you be remembered among the ranks of the cowardly general the Texian army defeated in San Jacinto so many years ago.

Undeniably, the first priority of every elected official in this great state is to protect the constitutional rights of its citizens. The U.S. Declaration of Independence famously proposes this in respect to protecting life, liberty, and the pursuit of happiness—" [t]hat to secure these rights, Governments are instituted among Men" Nothing else is paramount to this sacred duty. Yet several days ago, you wrote that "[t]he first priority of those you elect is to keep you safe." While safety is important, it is not, as you claim, the first priority of elected officials. Safety must be administered through the lens of constitutional protections.

Since you fail to view your duties as an elected official through a constitutional lens, it is no surprise to us that on Friday, you sent a cease-and-desist letter and citation to Ms. Luther, ordering her to close her businesses due to her being in violation of your order. Ms. Luther, like the proud Texan she is, ripped up that order and continued to operate in a safe, responsible manner. But yesterday, you filed for a temporary restraining order seeking to prevent Ms. Luther from operating her business. This is an unacceptable infringement of liberty on your part, and this must end immediately.

Ms. Luther has been out of business since March 22nd. She simply wants a fighting chance for her small business to survive. Ms. Luther has reopened in a safe and responsible manner: using gloves that are replaced between each client, employing reasonable proper distancing measures, requiring masks, and even requiring temperature check for each person that walks into her establishment.

There is no dignity in arresting a freedom-loving Texan for exercising her constitutionally-guaranteed right to work. You must immediately rescind your cease-and-desist and temporary restraining orders against Ms. Luther.

Ms. Luther is willing to be jailed. Do the right thing and do not jail her. Small business owners should not be imprisoned in their fight to survive and get back to work.

Judge Jenkins, this is Texas, and we do not accept your tyranny.