

German Court Sentences Judge for Ruling Against Government's Mask Mandates

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A German court has sentenced one of its own judges to prison for ruling against the government's mask mandates.

In 2021, Judge Christian Dettmar struck down a local government ordinance that required schoolchildren to wear masks in the German state of Thuringia. The case made headlines across Germany.

Judge Dettmar is now set to lose his legal career and pension and receive a two-year suspended prison sentence for allegedly "perverting the law."

During the pandemic-era lockdowns, the Thuringian state government ruled that all children were to wear masks while at school, stay a minimum distance from each other, and take virus tests.

The judge ruled that masks shouldn't be mandatory for children at two schools in Weimar, Thuringia, after the mother of two children, aged 8 and 14, complained that the masks were giving them insomnia, nausea, and headaches.

'I Saw Danger in Delay'

Judge Dettmar told the schools in Weimar that they could no longer enforce the order, as the mandates weren't compatible with the welfare of the children involved.

His decision immediately sparked outrage in the state government, which called for his punishment and removal.

The judge's ruling was overturned by the Higher Regional Court in Erfurt, following a complaint by the state's education department, which forced students to once again wear

masks in schools.

The district court in Erfurt stated that only an administrative court held the jurisdiction to make such a ruling and that Judge Dettmar's decision didn't fall under the scope of his court.

"The good cause of protecting children, which they may have had in the back of their minds, does not justify the way," the district court judge said in his ruling.

Judge Dettmar defended his decision on the matter, arguing that he had merely consulted certified university experts.

"I still don't know why I'm sitting here. I have three grown-up children myself. At that time, I was driven by the everyday life of the schoolchildren. I saw danger in delay. The reports I use come from experienced university professors," he said.

The high court decision also led to Judge Dettmar's suspension from the bench after a disciplinary hearing was conducted by the Judicial Service Court.

State prosecutors then took action against the judge, charging him with "perverting the law" and ruling on a matter he had no authority over.

According to German public broadcasting channel MDR, the court heard arguments from prosecutors that Judge Dettmar had made his ruling as a political statement against lockdowns, not out of genuine concern for the children involved.

He was also accused of deleting emails and files from his computers to cover up the reason for his ruling.

A police raid on his home and his office, conducted only weeks after his ruling was overturned, seized his electronic devices, including his mobile phone, which contained private correspondence that allegedly revealed his bias against lockdown measures.

Prosecutors further accused the judge of being biased toward experts who were critical of lockdown rules before giving his verdict, according to the German tabloid Bild.

They said he met with them before hearing from the official experts who were consulted in the case when making his original decision.

Judge Dettmar said he did consult with scientists who were skeptical of the measures enacted by the government at the time.

State Prosecutors Want Harsher Sentence

Judge Dettmar had been suspended on probation pending the investigation's results.

His legal team is considering an appeal in the case as he faces possible dismissal from his duties as a judge in addition to his two-year suspended sentence.

According to German law, a civil servant who's sentenced to a custodial sentence of more than 12 months is deprived of both position and pension.

The prosecutors, who had originally asked for a three-year sentence, are also appealing the

sentence, according to MDR, which has been following the story since it broke in 2021.

The defense has argued that the trial was politically motivated and was intended to silence dissenters.

Before his sentence, Judge Dettmar said he had no regrets about his decision and that he would make the same ruling again “out of deep inner conviction.”

“I have considerable doubts about the usefulness of masks. If you want to wear them voluntarily to school, you can do so, but we don’t have to patronize parents,” he said.

COVID Lockdown Rules, Revisited

Germany instituted some of the harshest restrictions in Europe during the COVID-19 pandemic. The German government eased most mandates in March 2022, but many German politicians were eager to reinstitute them, and stricter mask rules were issued the following winter.

While most of the world dropped mask travel requirements in 2022, the German government, under left-wing Social Democratic Party (SPD) Chancellor Olaf Scholz, waited until February to finally end the mandates on long-distance trains and buses.

SPD Health Minister Karl Lauterbach, who was known for his enthusiastic lockdown policies, claimed in February 2022 that the world would be dealing with COVID-19 for another 10 years, Der Spiegel reported, implying that Germany would also be dealing with pandemic measures to some degree for several years.

But Mr. Lauterbach told the German publication in January that “the population has built up high immunity, and the experts who advise us no longer believe there will be another big, serious winter wave.”

“At this point, we also don’t foresee particularly dangerous variants reaching us in the coming weeks and months,” he said.

Nonetheless, he appealed to the public to continue wearing masks voluntarily indoors and on trains.

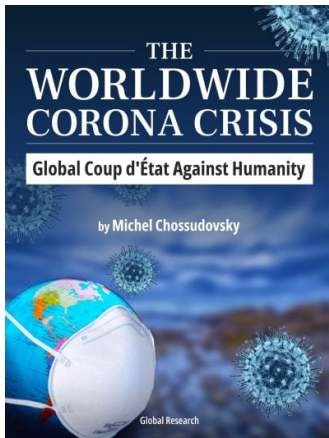
In the United States, some schools and businesses are [reintroducing](#) mask requirements because of concerns about new variants of the virus.

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