

**EMBARGOED FOR RELEASE:**

8 PM EDT on June 14, 2022



**FOR MORE INFORMATION:**

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## **Jackson Township Enters into Settlement Agreement with U.S. Department of Justice**

**JACKSON TOWNSHIP, N.J., June 14th** – The Jackson Township Council approved a resolution this evening to enter into a settlement agreement with the U.S. Department of Justice (DOJ) resolving the department’s lawsuit alleging religious discrimination in the township’s zoning practices. Under the terms of the settlement agreement, the township does not concede liability with respect to the claims alleged in DOJ’s lawsuit and has committed to a series of actions to ensure compliance with all laws governing religious rights in land use and fair housing practices.

“This township council welcomes and embraces people of all faiths, races and ethnic backgrounds,” said Mayor Michael Reina. “It’s time for Jackson Township to move forward. This governing body is committed to ensuring that we will do just that in order to foster one, united community, respectful of all people who call Jackson home.”

Specific details of the settlement will not be released until the agreement is fully executed by the DOJ and signed by the court. All land use changes introduced in the future will be subject to public review and comment before adoption. Settlement highlights, per the terms of the agreement with the DOJ, include the following actions, which the township is committed to undertaking. Jackson Township will:

- Ensure all land use regulations comply with federal and state laws, and will amend or introduce ordinances that permit schools with dormitories as an accessory to private, parochial and public schools in certain zoning districts;
- Provide notice about the township’s active engagement in the settlement agreement, and about the requirements of the agreement, to its officers, elected and appointed officials, contractors, employees and agents, the public and all other interested parties;

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- Provide training on the requirements of the settlement agreement, as well as the Fair Housing Act (FHA) and Religious Land Use and Institutionalized Persons Act (RLUIPA), to all township officers, elected and appointed officials, contractors, employees and agents whose duties relate to planning, zoning, permitting, construction, code enforcement and building occupancy;
- Submit reports to the DOJ detailing the township's compliance with terms of the settlement agreement, per agreed upon details and timelines for submission;
- Notify the DOJ about any amendments or modifications to the township's zoning code, rules, laws or ordinances that affect land uses for schools, residential schools, houses of worship or other religious uses;
- Retain all land use, law enforcement and associated records directly related to or coming from members of the Orthodox community;
- Allow for the inspections and copy of all non-privileged township records by the DOJ upon reasonable notice;
- Develop a written process to address complaints by any person who believes the township and/or any of its political subdivisions or departments may have violated religious and/or fair housing laws;
- Establish a settlement fund to be administered by the DOJ with all determinations made by the DOJ with funds totaling \$150,000 for the purpose of compensating aggrieved persons who have suffered as a result of alleged discriminatory actions by the township; and provide notice to the public about the establishment of the fund;
- And finally, the township will pay a civil penalty of \$45,000 to the DOJ as part of the settlement agreement.

The settlement agreement will remain in effect for a period of three years once executed by DOJ. Both the township and DOJ may seek to terminate parts of the agreement, or the entire agreement, prior to the expiration period if the township can demonstrate that it has established "full, effective and lasting compliance" with either parts

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of the agreement or the entire agreement. If, prior to the expiration of the settlement, the DOJ determines that the township has failed to satisfy the terms of the agreement, or the DOJ has reason to believe that violations of the FHA or RLUIPA are ongoing, the government may seek to extend the term of the settlement.

By entering into the settlement agreement, the township does not concede liability with respect to the claims alleged in DOJ's lawsuit, meaning the township does not admit any wrongdoing on behalf of the township or any of its officials.

"By settling this matter, the township retains control over its planning and zoning functions instead of running the risk of ceding control of those essential functions to the court," Mayor Reina said. "The settlement also gives us the opportunity to ensure that our planning and zoning framework complies with all controlling federal and state laws. And, very importantly, the settlement allows us to put an end to this costly and lengthy litigation."

The DOJ's Division of Civil Rights filed suit against Jackson Township on May 20, 2020. Since that time, township attorneys, in close consultation with the township council, have engaged in collaborative negotiations with the DOJ. Now that the township has agreed to the settlement, it will become effective once executed by the DOJ and signed by the court. Once in effect, the township will introduce revised land use ordinances, which will be subject to public review and comment before adoption. Specifics of the settlement agreement cannot be discussed publicly until it is fully executed.

Related legal actions in this matter, including a complaint filed by the Attorney General of New Jersey and, separately, by a private party, remain pending for the township.

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#### **About Jackson Township**

Jackson Township is a growing, suburban community that offers an ideal environment for families and businesses to grow and prosper. Covering over 100 square miles, Jackson Township is the fourth largest municipality, as measured by area, in the state of New Jersey, and is home to just 60,000 residents. The township boasts an excellent public school system and first-rate recreational facilities, including newly renovated parks and athletic fields. Situated in beautiful Ocean County, N.J., Jackson is located within a short drive from the Jersey Shore and about an hour's drive to New York City or Philadelphia. The township was incorporated in 1844. Visit Jackson Township's website at [www.jacksontwpnj.net](http://www.jacksontwpnj.net) for more information.