



# Township of Bernards

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908-766-2510; [www.bernards.org](http://www.bernards.org)

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## **FOR IMMEDIATE RELEASE – 11/18/2016**

Company Name: Bernards Township Committee  
Phone Number: 908-766-2510  
Web site address: [www.bernards.org](http://www.bernards.org)  
Subject: United States Department of Justice Potential RLUIPA Claim

On March 10, 2016, Mohammed Ali Chaudry and the Islamic Society of Basking Ridge (ISBR) filed a lawsuit in the federal District Court of New Jersey under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”) against the Bernards Township Planning Board and the Township Committee. The lawsuit alleged that the Planning Board’s denial of ISBR’s application for a development on Church Street was discriminatory. The Township has vigorously denied this claim and has entered a defense. The Township maintains that the Planning Board denial was based on legitimate land use and safety concerns which Plaintiffs refused, and to this day, refuse to address. To that point, the Planning Board presented Plaintiffs an opportunity for reconsideration to address the land use issues early on, and Plaintiffs have shown no interest in complying.

No more than four days after the private lawsuit was filed, the US Department of Justice (DOJ) notified the Township that the DOJ was going to investigate the ISBR allegations.

The DOJ did not disclose to the Township the existence of a relationship between Plaintiff Mohammad Ali Chaudry and one of the lead DOJ investigators, Caroline Sadlowski, Chief of the Civil Division in the United States Attorneys Office for the District of New Jersey. The Township learned only afterwards, when it conducted an internet search, that the Plaintiff and Ms. Sadlowski have been serving together on a board at Drew University, the Center for Religious and Cultural Conflicts. The DOJ dismissed the Township’s concern as irrelevant to the investigation. The Township submitted requests under the Freedom of Information Act for any information or communications related to the Chaudry/Sادلowski relationship. The DOJ has repeatedly refused to provide any information.

In addition, The DOJ communicated with Plaintiffs during and after the Planning Board hearings. The DOJ has admitted in writing that they were in communication with ISBR’s attorney, Robert Raymar, during the land use application well before any decision was reached as to the application. These communications, unknown by the Township at the time, suggest an inappropriate collusion with Plaintiffs rather than an unbiased review.

The DOJ served document demands upon the Township, seeking information going back to 24

years of Planning Board hearings. The Township voluntarily complied with the requests and spent over 350 hours of staff time and delivered over 215,000 pages of documents.

Staff, professionals, and Planning Board and Township Committee members complied with the DOJ investigation and submitted to numerous and lengthy interviews. The Township strongly believes the DOJ investigation, including the interviews, was not conducted in an objective manner designed to seek the truth, but rather only to support and bolster the ongoing ISBR civil lawsuit.

The DOJ recently notified the Township that it would file a Complaint, but did not reveal the specific bases for the Complaint. The DOJ did, however, offer to refrain from filing a Complaint if the Township conceded to substantially all of Plaintiffs' demands. The Township strongly believes that the DOJ action is designed to coerce the Township to settle in a manner which does not address proper land use planning.

The Township believes the investigation is inappropriate at best and raises serious Constitutional issues. The private lawsuit and Plaintiffs' issuance of punitive subpoenas on private citizens merely for participating in the land use process raise further Constitutional issues of free speech and privacy concerns. These invasive probes went so far as to require documents sufficient to show endorsements of, donations to, or associations with political campaigns from the local to the national level.

Among various concerns, we anticipate that the actions of the DOJ and Plaintiffs may well dissuade residents from participating in future land use hearings for fear of retribution from an applicant and the government.

The Township believes an impartial and non-political review of this matter is necessary and have therefore requested a stay of the DOJ Complaint. We will keep you informed.