

DOJ Sues Town for Discriminating Against Christian Church

The Department of Justice has filed a lawsuit against the city of Troy, Idaho, accusing it of discriminating against an evangelical church.

The DOJ alleges the city violated the Religious Land Use and Institutionalized Persons Act (RLUIPA) by denying the church a conditional use permit (CUP).

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According to the lawsuit, Christ Church outgrew its space and was unable to find a new location. It then sought a CUP in a zoning district where nonreligious gatherings in clubs, museums, auditoriums, and art galleries were permitted.

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"Local residents vociferously opposed the Church's CUP application, and many of their written and verbal comments reflected animus against Christ Church's beliefs," the DOJ explained in a press release on the lawsuit. "In its denial of the Church's CUP application, the City cited the fact that the public was 'heavily against' it and that the 'great majority of the city residents' opposed granting the CUP."

The lawsuit notes that the city's denial of the CUP application suggests that it "treated a religious assembly or institution on terms less than equal to those applied to

nonreligious assemblies or institutions,” “imposed an unjustified substantial burden on the exercise of religion,” and “discriminated on the basis of religion or religious denomination.”

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“RLUIPA unequivocally forbids local governments from deciding zoning matters based on their dislike of certain religious groups,” Assistant Attorney General Harmeet K. Dhillon of the Justice Department’s Civil Rights Division said in a statement. “The Department of Justice will not hesitate to file suit against jurisdictions that discriminate in land use matters on the basis of the applicants’ religious beliefs.”

The Justice Department’s action comes as President Trump has taken steps to support religious liberty and combat anti-Christian biases.

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