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TDD (202) 514-1888

MAUI TO PAY \$700,000 TO SETTLE RELIGIOUS ZONING DISCRIMINATION CASE

WASHINGTON, DC - The Justice Department today announced the successful resolution of a religious zoning discrimination lawsuit against the County of Maui, Hawaii. The government today asked the court to dismiss the case, following a settlement agreement reached between the County of Maui and the Hale O Kaula Church.

The case arose from Maui County's 2001 decision to deny the church a permit to expand the religious use of property that the church already owned in an area that was zoned for agricultural use. According to the government's complaint, the county denied the permit even though it had previously granted other groups - including other religious groups - similar permits to use property in the area for nonagricultural purposes. The Justice Department's suit sought a court order prohibiting the county from applying its laws in a discriminatory manner.

As part of a settlement agreement with the church, the county granted the contested permit on November 17, 2004. In addition, the church received \$700,000 in damages and attorneys' fees from the county.

"Churches and religious associations must be treated equally and fairly under the law," said R. Alexander Acosta, Assistant Attorney General for the Civil Rights Division. "We are extremely pleased with this victory for religious liberty and are gratified that Maui County has agreed to respect the rights of a church to practice its religious beliefs on its property. Because the goals of our lawsuit have been achieved, we are asking the court to put the matter to rest."

The suit was the first ever filed by the Department under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), which prohibits religious discrimination in land-use and zoning decisions. The Justice Department filed the suit in July 2003.

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