

February 4, 2026

Dear Mayor Wahler, Council President Lombardi, Council Vice President Carmichael, and Council Members Cahill, Espinosa, Leibowitz, Rashid, and Uhrin:

We write with deep concerns regarding the Township of Piscataway's proposal, advanced on January 20, 2026, to limit the number of days a person may stay in a hotel or motel in the Township. We are alarmed by the potential for significant legal and civil rights violations, particularly under NJ's Law Against Discrimination and the Fair Chance in Housing Act. Further, we are dismayed by the messaging and video images the Township is using, including those created by AI, to promote this proposal with taxpayer dollars. As domestic violence survivor advocates, experienced housing professionals, supportive housing practitioners, re-entry services and others concerned about homelessness and community safety, we believe that the proposed ordinance will result in significant harm to the individuals and families you seek to serve.

We respectfully request you take the following steps:

- 1. Remove the ordinance from further consideration at this time. Let the public know you are working towards solutions that help, not harm.**
- 2. Convene a meeting of experts and practitioners immediately, who can provide successful models of crime reduction through harm reduction models.** This group can help inform your policymaking, and provide insight into legal, effective and compassionate approaches instead of punitive, illegal ones. We recommend the Township convenes a multidisciplinary working group of experts and practitioners, as identified above, who have demonstrated success in community safety through harm-reduction and housing-stability models. Punitive approaches do not reduce crime or homelessness and frequently increase public safety risks, municipal costs, and legal exposure particularly when policies displace vulnerable populations, including victims of domestic violence, into more unstable and dangerous conditions. There is significant data about successful efforts to address street homelessness of which you may be unaware. We encourage you to take the time to learn about these initiatives. We are happy to connect you to others who have resources and experience solving difficult situations. No further consideration of this ordinance should take place until a working group is convened and meets.
- 3. Review the legality of the proposed ordinance:**
  - a) Los Angeles v. Patel, 576 U.S. 409 (2015)** affirms the public's right to privacy. The requirement that hotels and motels provide lists of guests to the Township on demand, without a warrant is unconstitutional. Such right to privacy has also been affirmed by the New Jersey Supreme Court in State v. Shaw, 237 N.J. 588 (2019). The change from the original proposal, from the request being made by the police department to code enforcement, is superficial and does not meet the standard set forth in the Court's ruling. The infringement on the right to privacy by the municipality is furthered through the provision granting the Business Administrator sole discretion in granting extensions of stays. The primary enforcement mechanism of the ordinance relies on the unlawful intrusion on the privacy of guests, thereby placing the implementation of the ordinance in violation of the constitutions of the United States and the state of New Jersey.

- b) The messaging in recent emails and videos distributed by the Township states that people with criminal convictions cannot live in Piscataway. The prohibition against owners with prior convictions for “crimes of moral turpitude” likely constitutes an additional penalty on individuals who have served their time and reentered society. There is substantial case law in New Jersey that municipalities cannot legislate in an area where the State Legislature has comprehensively preempted the field. Here, it follows that penalties for convictions of state crimes would be such an area of preemption as to prevent the municipality from placing an additional penalty on individuals with prior convictions.
- c) Article I, Paragraph 1 of the New Jersey Constitution provides, “All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.” The ordinance under consideration by the municipal council is discriminatory in various instances, in violation of the due process guarantees provided by the New Jersey Constitution and the protections of the New Jersey Law Against Discrimination. Your proposal runs directly counter to the intent of NJ’s Law Against Discrimination, NJ’s Fair Chance in Housing Act and the federal Fair Housing Laws. Piscataway cannot discriminate against its residents and guests, based on their type of dwelling, economic status, or their interactions with the criminal justice system.
  - i. The guidance on extension prohibition outlined in Section 4-16.9 B(4) of the ordinance raises serious concerns on the due process guarantees provided by both the U.S. and New Jersey Constitution. The section prohibits the extension of stays for guests who are “arrested for, or formally charged with, a felony offense” during their stay at a hotel or motel and expressly states that such a determination “shall be based exclusively on police records and shall not require a criminal conviction. In doing so, the ordinance inflicts punishment on individuals absent a conviction and on the whim of law enforcement and other government officials.
  - ii. Individuals and families reside in hotels and motels for varying lengths of time and for a wide range of legitimate reasons. Restricting extended stays to individuals and families including domestic violence survivors displaced is selective and discriminatory. This places law enforcement in the position of making housing determinations rather than public safety decisions.
  - iii. The limiting language of the ordinance does not consider the various life circumstances that can occur, such as people being displaced for reasons like house fires, medical emergencies, and other family issues. It also may impact local businesses who may have professionals working here, including those at Rutgers, the State University of New Jersey. The ordinance also impacts people who live within 30 miles of the township, who are seemingly precluded from extensions under the ordinance. It is unclear what the rationale for that mileage is.
  - iv. Having the Business Administrator as the sole arbiter of who is worthy to stay in a hotel in the Township may be a well-intentioned mechanism but

is problematic for the reasons cited above. The construction of the ordinance and potential enforcement poses a serious risk of inflicting harm in a discriminatory manner. Further, it makes room for abuse to unduly target and perpetuate harm against vulnerable populations. The impact of this ordinance will most be felt by those who do not have the means to access secure and stable housing, survivors of domestic and gender-based violence, and system-impacted individuals. This ordinance leaves the door open for the targeting and criminalization of these communities. These methods are ineffective and do not provide safety to any members of the community.

#### 4. **Review the efficacy of the proposed ordinance:**

- a) In practice, such limits do not resolve homelessness, they simply displace it. People are forced to move repeatedly from one temporary location to another, increasing instability rather than creating pathways to stability and permanent housing. This is especially destabilizing for children experiencing homelessness, who may be forced to move between schools, causing additional disruption and learning loss. Arbitrary time limits also undermine public safety and community well-being. When individuals are pushed out of temporary housing without alternatives, they are more likely to enter unsheltered homelessness, rely on emergency services, and cycle through crisis systems at significantly higher public cost. This approach increases strain on law enforcement, emergency medical services, hospitals, and social service providers without addressing root causes. Keeping people housed without harmful deadlines reduces emergency calls, improves safety, and creates better outcomes for individuals and communities.
- b) Domestic violence is a leading cause of homelessness. Housing options including hotel and motels placements are critical for victims and survivors of domestic violence and can be a matter of life or death. Best practices in domestic violence response emphasize confidentiality, survivor choice, and trauma-informed systems. Survivors have access to domestic violence advocates in the community that support them in safety planning and assisting with holistic support and obtaining stability. Policies that require police involvement to determine who may remain housed risk discouraging survivors from seeking help, increasing instability, and undermining safety rather than enhancing it.
- c) Denying stable housing to individuals with prior justice-system involvement increases instability and risk, creating greater harm for both individuals and the broader community. Many of the organizations signed below and other stakeholders around the state worked tirelessly to pass the Fair Chance in Housing Act precisely to address this outdated and ineffective approach. We remain committed to ensuring that its intent is fully implemented and upheld, and that housing policy in the Township aligns with both the law and evidence-based public safety practices.

#### 5. **Make Piscataway a Housing First and Stigma Free Community:**

- a) Piscataway can join other communities to adopt policies that **successfully house vulnerable community members** by engaging homeless service providers to develop care plans with residents experiencing housing instability and assist them to secure permanent, supportive housing. This work is more important than ever before, as costs are rapidly rising and more residents are struggling to meet basic needs. We respectfully

ask you to work toward compassionate, community-led strategies that provide rapid rehousing through programs that treat people with dignity and offer real solutions.

b) Veterans, victims and survivors of domestic violence, families with children, and people experiencing housing instability, many of whom also have co-occurring disabilities or chronic health conditions, would bear the greatest burden, facing increased disruption, stress, and risk as a result of this policy. The ordinance would consume public resources, strain law enforcement and local government capacity, and inflict avoidable harm on people who are already struggling without any evidence that it would achieve its stated goals.

As we all know, the root cause of homelessness is the lack of access to affordable housing. Removing people to neighboring towns and forcing them to shuffle from place to place in Piscataway is not a long-term solution. There are already laws in place to address dangerous or unlawful behavior. Enforcing those laws is very different from punishing people simply for being poor. We urge you to listen, learn and lead by bringing together experts to work towards solutions that protect our most vulnerable neighbors.

**We hope you will remove this proposal from the agenda and move forward with compassion and care to solutions that solve homelessness. We appreciate your attention to these concerns and hope you will work with us to address them.**

Respectfully submitted,

DaWuan Norwood  
Policy Counsel  
ACLU of New Jersey  
[dnorwood@aclu-nj.org](mailto:dnorwood@aclu-nj.org)

Cierra Hart  
Director of Advocacy, Housing, and  
Economic Justice  
NJ Coalition to End Domestic Violence  
[chart@njcdv.org](mailto:chart@njcdv.org)

Connie Mercer  
CEO  
NJ Coalition to End Homelessness  
[cmercer@njceh.org](mailto:cmercer@njceh.org)

Eileen O'Donnell, JD, MPP, MSW  
Executive Director  
Coming Home of Middlesex County, Inc.  
[eodonnell@cominghomemiddlesex.org](mailto:eodonnell@cominghomemiddlesex.org)

Laura Sullivan, Ph.D.  
Senior Director, Economic Justice Program  
New Jersey Institute for Social Justice  
[lsullivan@njisj.org](mailto:lsullivan@njisj.org)

Taiisa Kelly  
CEO  
Monarch Housing Associates  
[tkelly@monarchhousing.org](mailto:tkelly@monarchhousing.org)

Richard J. Uniacke  
President  
Bridges Outreach  
[runiacke@bridgesoutreach.org](mailto:runiacke@bridgesoutreach.org)

Al-Tariq K. Witcher  
Co-founder  
Returning Citizens Support Group

Jenna Mellor  
Executive Director  
NJ Harm Reduction Coalition  
[jenna@njharmreduction.org](mailto:jenna@njharmreduction.org)

Joan Farkas  
Director of Public Housing  
Community Enterprise Corporation  
[jfarkas@cspnj.org](mailto:jfarkas@cspnj.org)

Kate Kelly  
Executive Director  
Supportive Housing Association of New  
Jersey  
[kate.kelly@shanj.org](mailto:kate.kelly@shanj.org)

Heather Simms  
Deputy Director Advocacy & Peer Services  
Collaborative Support Programs of New  
Jersey, Inc.  
[hsimms@cspnj.org](mailto:hsimms@cspnj.org)

Staci Berger  
President and CEO  
Housing and Community Development  
Network of NJ  
[sberger@hcdnnj.org](mailto:sberger@hcdnnj.org)