



DEPARTMENT OF THE ATTORNEY GENERAL

News Release

NEIL ABERCROMBIE
GOVERNOR

DAVID M. LOUIE
ATTORNEY GENERAL
Phone: (808) 586-1500

RUSSELL A. SUZUKI
FIRST DEPUTY ATTORNEY GENERAL

For Immediate Release: January 21, 2014

News Release 2014-03

**UNITED STATES SUPREME COURT UPHOLDS THE CONSTITUTIONALITY OF
HAWAII'S REAPPORTIONMENT PLAN**

HONOLULU – Today, the United States Supreme Court affirmed the constitutionality of the Reapportionment Plan issued by the 2011 Reapportionment Commission in 2012. The Reapportionment Plan provided that non-permanent residents would be excluded from the population base to be used for drawing state legislative districts and for state legislative districts to be completely contained within a single county.

Attorney General David M. Louie said that “this decision is a complete and timely victory for the State of Hawaii. By summarily affirming the District Court’s decision, the United States Supreme Court has validated the Reapportionment Plan, a plan that reflects the understanding that Hawaii’s Constitution requires that the legislative districts respect the integrity of each island’s history, culture and concerns.”

The constitutionality of the Reapportionment Plan was challenged in federal court in Kostick v. Nago, Civ. No. 12-00184. In Kostick, the plaintiffs argued that the Hawaii State Constitution violated the equal protection clause of the United States Constitution with respect to the population base and drawing of legislative district lines. In July 2013 a three-judge panel for the United States District Court for the State of Hawaii upheld the Reapportionment Plan, stating that the plan did not violate the United States Constitution. Plaintiffs appealed this decision directly to the United States Supreme Court; in its response to the plaintiffs’ appeal, the State of Hawaii asked the Supreme Court to affirm the decision of the District Court. On January 21, 2014 the U.S. Supreme Court granted the State of Hawaii’s Motion to Summarily Affirm the decision of the District Court.

###

For more information, contact:

Anne Lopez
Special Assistant to the Attorney General
(808) 586-1284
Anne.E.Lopez@hawaii.gov
<http://hawaii.gov/ag/>