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**HAWAII ATTORNEY GENERAL JOINS 18-STATE COALITION
OPPOSING TRUMP ADMINISTRATION EFFORT TO DENY
ASYLUM TO VICTIMS OF DOMESTIC AND GANG VIOLENCE**

*DOJ Reverses Immigration Policy That
Protects Victims Escaping Persecution Back Home*

HONOLULU, HAWAII – Attorney General Russell A. Suzuki today joined a group of 18 state attorneys general to stop the Trump Administration from arbitrarily blocking immigrants who seek asylum from domestic violence or gang terrorism in their home countries. In a friend-of-the-court brief filed in the United States District Court for the District of Columbia, Attorney General Suzuki and his counterparts argue that the Trump Administration ignored decades of federal law and policy designed to protect asylum-seekers who are persecuted in their home countries because of their gender, ethnicity, or other key personal characteristics.

“This administration’s cruel policy arbitrarily closes our borders to refugees who seek asylum due to legitimate fears of violence in their home countries,” said District of Columbia Attorney General Karl A. Racine. “This policy ignores decades of state, federal, and international law. We agree with the plaintiffs and are standing up for victims who are fleeing persecution.”

“We stand firmly with our colleagues for protecting asylum-seekers fleeing persecution,” said Attorney General Suzuki.

The District and partner states filed a friend-of-the-court brief today in *Grace v. Sessions* (Civil Action No. 18-1853 [EGS]). The plaintiffs include predominantly women and children from Central America who sought asylum in the United States from domestic violence and violent persecution by gangs in their home countries. They argued, as past asylum-seekers have successfully claimed, that the governments in their home

countries are unwilling or unable to protect them from such harm. U.S. law provides that immigrants may seek asylum in America “because of a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.”

However, in June, U.S. Attorney General Jeff Sessions issued a decision in *Matter of A-B*,²⁷ I&N Dec. 316 (A.G. 2018), which reversed the federal Board of Immigration Appeals’ grant of asylum to an El Salvadoran woman who was brutalized by her husband. The decision changed federal policy to state that, in general “claims by aliens pertaining to domestic violence or gang violence perpetrated by non-governmental actors will not qualify for asylum.” It also raised the standard that asylum applicants must meet when claiming persecution by a non-governmental actor.

In August, the American Civil Liberties Union and the Center for Gender and Refugee Studies filed suit to block the new policy from taking effect.

While federal law requires that asylum claims be decided on a case-by-case basis, Attorney General Session’s decision in *Matter of A-B* unlawfully creates a presumption that victims of domestic and gang-related violence are likely to not receive asylum. The decision also made it more difficult for asylum applicants to prove to an asylum officer that they have credible fear of persecution. Together, these policies make it extremely difficult for victims of domestic and gang-related violence to successfully gain asylum.

The brief argues that the Trump Administration’s policy reversal is harmful because:

- **Domestic and gang-related violence victims deserve U.S. protection:** The brief notes that in countries such as the ones from which the plaintiffs fled, domestic and gang-related violence are rampant – and that fleeing such violence is a legitimate reason to seek asylum.
- **Women and children predominately suffer from domestic violence:** The brief notes that although both men and women can suffer from gender-based harm, such as domestic violence, it is women and their children who predominantly suffer. While state, federal and international policies and laws have recognized this harm, the new U.S. Department of Justice policy unlawfully ignores this fact.
- **Limiting immigration hurts states:** The brief notes that limiting immigration hurts the economy and well-being of the amici states. For example, one in six workers in the United States is an immigrant. Also, immigrants pursue entrepreneurship at higher rates than the general population.

Today's friend-of-the-court brief is led by District of Columbia Attorney General Karl A. Racine and is joined by state attorneys general from California, Connecticut, Delaware, Illinois, Iowa, Maryland, Maine, Massachusetts, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, and Washington.

The brief as filed is available at: <http://oag.dc.gov/sites/default/files/2018-09/Grace-v-Sessions-Amicus-Brief.pdf>

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