



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

RUSSELL A. SUZUKI
ATTORNEY GENERAL

For Immediate Release
December 21, 2018

News Release 2018-60

Attorney General Joins Multistate Amicus Brief to Protect DACA Recipients Against Unlawful Termination

Honolulu — Attorney General Russell A. Suzuki today joined a multistate coalition in filing an amicus brief opposing the Department of Homeland Security’s (DHS) unlawful practice of automatically terminating Deferred Action for Childhood Arrival (DACA) status for some recipients without due process and against its own written policies. DHS has been engaging in the unlawful practice of terminating DACA grants and work authorizations based solely on the issuance of a Notice to Appear charging recipients with unlawful presence. DHS has failed to provide these DACA recipients with notice or an opportunity to contest the termination, as required under the DACA program’s written procedures. Attorney General Suzuki joined a coalition led by California Attorney General Becerra in filing the brief in the U.S. Court of Appeals for the Ninth Circuit.

“DACA recipients have a right to rely on the law,” said Attorney General Suzuki. “The government’s unlawful practice is inflicting irreparable harm on DACA recipients that will be felt for years to come.”

In the brief, the States argue that DHS’s policy harms DACA recipients, their families, and communities. DACA recipients have been part of their communities since childhood and have strong family and business ties. According to a 2018 survey of DACA recipients, over 70 percent of respondents have a spouse, child, parent, or sibling who is a U.S. citizen. Revoking DACA status harms DACA recipients by stripping them of legal authorization to work, forcing them back into the shadows and hampering their ability to provide for their families – including U.S.-citizen children.

States also suffer significant harm from the improper termination of DACA grants. DACA and its accompanying work authorization has enabled recipients to enroll in colleges and universities, earn degrees, become medical professionals and teachers, serve in the U.S. military, open businesses, start families, and purchase homes. DACA

recipients make substantial contributions to both the state and U.S. economy and contribute over \$1.2 billion a year in state and local taxes.

Finally, the States argue that DHS's failure to follow its own written procedures for the DACA program causes uncertainty, fear, and confusion in DACA recipients and undermines the public's trust in the government. Hundreds of thousands of residents in the Amici States applied for DACA trusting that the federal government would follow its own rules and comply with the law.

In filing the brief, Attorney General Suzuki joined the Attorneys General of: California, Connecticut, Delaware, Illinois, Iowa, Maryland, Massachusetts, Minnesota, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and the District of Columbia.

The amicus brief is available at:

<https://oag.ca.gov/system/files/attachments/press-docs/inland-empire-states-amicus-brief-12.21.2018-filestamped.pdf>

#

For more information, contact:

Krishna F. Jayaram
Special Assistant to the Attorney General
Department of the Attorney General
(808) 586-1284
krishna.f.jayaram@hawaii.gov
<http://ag.hawaii.gov>