



DEPARTMENT OF THE ATTORNEY GENERAL

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Attorney General Clare E. Connors Joins Lawsuit Challenging President Trump's Contrived Declaration of National Emergency at the Southern Border

HONOLULU – Hawaii Attorney General Clare E. Connors, joined a lawsuit led by California Attorney General Xavier Becerra filed in the U.S. District Court for the Northern District of California challenging President Trump's declaration of a national emergency and his attempt to divert funding appropriated by Congress for other purposes. In the complaint, the coalition alleges that the Trump Administration's emergency declaration and diversion of funds is unconstitutional and otherwise unlawful. The states seek to block the Trump Administration's emergency declaration, the unauthorized construction of the border wall, and any illegal diversion of Congressionally-appropriated funds.

"We joined this litigation because the President's declaration of a national emergency is clearly unlawful," said Attorney General Connors. "In addition, his unconstitutional actions would directly harm our state by diverting lawfully appropriated funds from our drug interdiction programs and military construction budget."

The complaint alleges that the Trump Administration's action declaring a national emergency due to a purported border crisis is unlawful and unconstitutional. President Trump's crisis is merely a pretext to justify redirecting congressionally-appropriated funds to build a wall along the southern border after he failed to get Congress — or Mexico — to pay for it. The facts do not support President Trump's rhetoric or his declaration. Unlawful southern border entries are at their lowest point in 20 years, immigrants are less likely than native-born citizens to commit crimes, and illegal drugs are more likely to come through official ports of entry. There is no credible evidence to suggest that a border wall would decrease crime rates. However, a diversion of funds intended to support programs like our drug interdiction initiatives will make Hawaii less safe.

The states allege that the Trump Administration's action exceeds the power of the executive office, violates the U.S. Constitution and federal statutes, and would illegally and unconstitutionally divert federal funds appropriated by Congress for other purposes. The suit seeks declaratory and injunctive relief to block the emergency declaration, the construction of the wall, and any illegal diversion of congressionally-appropriated funds.

Joining Attorney General Connors in the lawsuit led by California Attorney General Xavier Becerra are the attorneys general of Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, and Virginia.

A copy of the petition can be found [here](#).

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