



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

For Immediate Release
May 16, 2019

News Release 2019-24

**Attorney General Clare E. Connors Joins Multistate
Coalition before the Ninth Circuit Court to Protect Asylum-Seekers**

HONOLULU – Attorney General Clare E. Connors today joined a multistate coalition, led by California, in an amicus brief supporting a lawsuit filed by the American Civil Liberties Union. The lawsuit, now before the U.S. Ninth Circuit Court of Appeals, challenges the Trump Administration’s efforts to prevent those who have not entered the country at a “port of entry” from applying for asylum in the United States. In the brief, the coalition of attorneys general urges the appellate court to uphold the preliminary injunction secured before the district court, preventing the Trump Administration from implementing its harmful rule that would exacerbate inhumane conditions at our borders and cause significant harm to the states.

“The tremendous challenges facing our immigration system are made that much worse by this arbitrary and unlawful rule,” said Hawaii Attorney General Clare E. Connors. “The Federal District Court was right to enjoin the Trump Administration from implementing it and we believe the injunction should be upheld by the appellate court.”

The Trump Administration’s rule forbids people who enter the United States between ports of entry from applying for asylum. The states’ brief argues that this rule, in combination with existing policies to turn away people who present themselves at the border, makes it difficult or impossible for asylum-seekers to present their claims. This de facto denial of asylum claims violates the law and creates inhumane conditions at the border, forcing already vulnerable families to experience additional trauma, live outside in extreme weather conditions, face additional persecution, and be denied basic health services, education, and other life essentials.

The coalition also argues that states will be harmed by the effects of this illegal rule. States invest their own resources to provide education, healthcare, and other services to immigrants residing within their borders, including asylum-seekers once they are in

the country. States and local governments will incur the cost of providing needed services to asylum-seekers to address unnecessary trauma they suffer as a result of the rule. The impact is particularly significant for the coalition of states, which together welcome over 68 percent of all individuals granted asylum. Finally, the states argue that the rule is arbitrary and capricious and was implemented without complying with notice and comment requirements in violation of the Administrative Procedure Act.

Joining California Attorney General Becerra and Hawaii Attorney General Connors in filing the brief are the Attorneys General of Colorado, Connecticut, Delaware, Illinois, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

A copy of the brief is available [here](#).

#

For more information, contact:

Krishna F. Jayaram
Special Assistant to the Attorney General
(808) 586-1284
Email: Krishna.F.Jayaram@hawaii.gov
Web: <http://ag.hawaii.gov>
Twitter: @ATGHlgov