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For Immediate Release
October 16, 2019

News Release 2019-72

**Hawaii Attorney General Continues Opposition to
Trump Administration Rule Restricting Asylum Access**

HONOLULU – Attorney General Clare E. Connors joined a multistate coalition, led by California and Massachusetts, in opposition to the Trump Administration’s rule illegally limiting access to the asylum process. Under the rule, individuals entering the United States at the southern border, except in limited circumstances, are no longer able to seek asylum unless they applied for and were denied protection in at least one country they transited through prior to their arrival. In an amicus brief in support of a lawsuit brought by the American Civil Liberties Union in *East Bay Sanctuary Covenant v. Barr*, the attorneys general urge the U.S. Court of Appeals for the Ninth Circuit to uphold the district court’s ruling on the preliminary injunction.

“The rule was issued in violation of existing laws and harms those lawfully seeking refuge,” said Attorney General Connors. “Hawaii’s history and culture is tied to immigration, and these rules would disproportionately harm children, women, and LGBTQ asylum applicants.”

In the brief, the coalition maintains that the rule significantly departs from core values enshrined in federal law and harms asylum-seekers and the states that welcome them. The rule forces asylum-seekers to go through what could amount to a fruitless asylum process in a potentially dangerous third country to even have a chance of being eligible for asylum in the United States. This unnecessarily subjects asylum-seekers to peril and trauma throughout the process and could encourage people to attempt risky journeys to enter the United States undetected in an effort to flee persecution. Moreover, the rule will have a particularly negative effect on unaccompanied children, LGBTQ applicants, and women asylum-seekers, for whom applying for asylum in a third country is extremely perilous. For example, two-thirds of LGBTQ Central American asylum-seekers reportedly suffered sexual violence while transiting through Mexico and, in Guatemala, children are frequently targets of recruitment by criminal gangs. In addition, the rule will cause state agencies and non-profits to divert resources to address the

added trauma asylum-seekers will suffer because of precarious conditions in third countries and will force states to lose out on the economic contributions of those who might otherwise have been welcomed to the country. Finally, in promulgating the rule, the Trump Administration failed to provide adequate notice, in violation of the Administrative Procedure Act.

In filing the amicus brief, Attorney General Connors joins the attorneys general of California, Massachusetts, Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

A copy of the brief is available [here](#). In a [September decision](#), the U.S. Supreme Court stayed a nationwide preliminary injunction pending subsequent proceedings that are currently before the U.S. Court of Appeals for the Ninth Circuit.

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