



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

For Immediate Release
October 16, 2020

News Release 2020-92

Circuit Court Decision Upholds Lawfulness of Governor’s Emergency Proclamations

HONOLULU – Circuit Court Judge Wendy M. DeWeese has dismissed a legal challenge to the Governor’s COVID-19 emergency proclamations. In *Partial et al. v. Ige et al.*, the plaintiffs argued that the Governor’s emergency powers under Hawai’i law were time-limited. In particular, the plaintiffs argued that emergency proclamations issued by the Governor could not be renewed or reissued after an initial 60-day period had elapsed—even if an emergency situation, such as the COVID-19 pandemic, continued beyond that time period.

In dismissing the plaintiffs’ complaint, the court reaffirmed that the Governor may lawfully issue successive proclamations to respond to the evolving emergency situation. In a written order entered on October 15, the court explained that the purpose of Hawai’i’s emergency-powers statute “is to confer comprehensive powers to protect the public and save lives.” The court further explained—based on the text and purpose of the statute—that Hawai’i law does not bar the Governor from issuing supplementary emergency proclamations when necessary.

Attorney General Clare E. Connors issued the following statement: “This decision sends an important message at an important time—the Governor’s emergency proclamations are lawful. By continuing to follow these rules, all residents and visitors protect each other and promote public health during this pandemic crisis.”

A copy of the court’s order can be found [here](#).

###

For more information, contact:

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