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Hawaii Attorney General Joins Coalition in Defending States' Right to Access Private Property in Order to Protect Public Health and Safety

HONOLULU – Hawaii Attorney General Clare E. Connors is joining Virginia Attorney General Mark Herring and 16 other state attorneys general in filing an amicus brief with the U.S. Supreme Court arguing the importance of state and federal regulations that allow limited access to private property in order to protect the health and safety of workers and of the general public. The coalition filed today's amicus brief in the U.S. Supreme Court case *Cedar Point Nursery v. Hassid*.

"We have joined this action to ensure the viability of statutes that authorize access to private property for the limited purpose of conducting inspections," said Attorney General Connors. "These statutes protect the welfare of our community and therefore are very important."

In their amicus brief, the coalition argues that state and federal statutes allowing states limited access to private property are essential to protecting the health and safety of workers and the general public. The amicus brief cites numerous examples of laws and regulations that could be impacted by this lawsuit including:

- Federal statutes that allow for inspections of mines and railroad property, e.g., to determine the cause of an accident, inspect equipment or records, etc.
- A Virginia law that allows inspectors to check for asbestos in construction sites
- A Tennessee law that allows health officials to inspect any site with a radiation source
- A Nebraska law that allows state officials to visit and observe foster care facilities to make sure that foster children are adequately cared for

The coalition also argues that Petitioners' proposed rule could threaten numerous state statutes and local ordinances providing limited rights of access in a variety of circumstances. Among those are workplace and food-safety inspection laws, public access provisions, record-keeping inspection regimes, and environmental laws. Additionally, certain longstanding federal statutes might be called into question, such as provisions in the Mine Safety Act that allow periodic, unannounced inspections.

Joining Virginia Attorney General Herring and Attorney General Connors in filing today's amicus brief are the attorneys general of Colorado, Connecticut, Delaware, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

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

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