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Judge grants injunction in WA suit against unconstitutional birthright citizenship order

Seattle, WA - This morning, a federal judge granted Northwest Immigrant Rights Project and Washington state's request for a preliminary injunction against the president's unconstitutional birthright citizenship executive order, preventing the federal government from denying birthright citizenship to the children of immigrants.

Immigrant families nationally are protected from any threat of their children losing citizenship while this lawsuit continues.

Thursday's hearing was in response to a class action lawsuit brought by Northwest Immigrant Rights Project on behalf of three expecting mothers and a proposed class including pregnant people in Washington state who would be impacted by the president's order. The case was consolidated with a similar multistate lawsuit filed on Jan. 21 by the State of Washington in the U.S. District Court for the Western District of Washington and joined by Oregon, Arizona, and Illinois.

"This Executive Order presents a fundamental attack on the integrity of our democracy," said Matt Adams, NWIRP's Legal Director. "The President does not have the authority to disregard the Constitution, and its guarantee of birthright citizenship. The Citizenship Clause was enshrined in the Constitution specifically to ensure that groups of citizens could not be deprived of their place in our society based upon changing political tides."

“Our argument is simple and true — birthright citizenship is enshrined in the U.S. Constitution,” Washington State Attorney General Nick Brown said. “The president may not care about the Constitution or the rule of law, but we do.”

The complaint asserts that the president’s executive order directly violates the Citizenship Clause of the 14th Amendment of the U.S. Constitution.

If allowed to stand, the president’s order would cause thousands of children born in Washington state and across the U.S. each year to lose their ability to fully and fairly participate in American society as citizens, despite the Constitution’s guarantee of their citizenship.

The Court held that the president acted far outside the bounds of his legal authority in issuing this executive order. Allowing federal agencies to implement and enforce it would harm thousands of Washingtonians and the state and country at large.

The individual plaintiffs and proposed class of children and pregnant persons are represented by Matt Adams, Leila Kang, Glenda M. Aldana Madrid, and Aaron Korthuis, and supported by Legal Advocate / DOJ Accredited Representative Sydney Maltese, of the Northwest Immigrant Rights Project.

Wing Luke Civil Rights Division Chief Colleen Melody, Assistant Attorneys General Lane Polozola, Daniel Jeon and Alyson Dimmitt Gnam, and Paralegals Tiffany Jennings, and Anna Alfonso are handling the case for Washington.