



Written by [James Murphy](#) on June 3, 2022

Climate Alarmists Again Hide Behind Children in Lawsuit Against Hawaii

A lawsuit brought by 14 Hawaiian children, ranging in age from nine to 18, claims that the Aloha State's Department of Transportation is making it impossible for them to have a happy and healthy life free of climate-change related hazards. The suit was filed on Wednesday in the First Circuit Court in Honolulu.

The suit seeks to make the state admit that it has a constitutional obligation to protect the climate for future generations.

Fronting the cost of the lawsuit for the kids are climate alarmist non-profit groups Earthjustice and Our Children's Trust, two groups who claim to be dedicated to securing the rights of children to live in a healthy atmosphere.



Maridav/iStock/Getty Images Plus
Waikiki Beach

According to the [lawsuit](#), the defendants — the Hawaiian government and the state's Department of Transportation — “establish, maintain, and operate a state transportation system that violates Hawai'i constitutional mandates to protect public trust resources and the environment by reducing greenhouse gas emissions and decarbonizing the transportation sector.”

According to the plaintiffs, the “state transportation system is being established, maintained, and operated in a manner that harms their ability to live healthful lives in Hawai'i now and into the future in violation of law.”

Hawaii has committed to a Zero Emissions Target by 2045, and the lawsuit claims that the Department of Transportation is actively working against that goal by building roads that plaintiffs believe are “failing to reduce greenhouse gas emissions from the state transportation system, but are, indeed, heading in the opposite direction, without any plan or prospect for meeting the Zero Emissions Target or any other meaningful climate mitigation goal.”

Instead of falling at the knees of the climate hysteric lobby, plaintiffs insist that the Hawaii Department of Transportation (HDOT) is set on building and maintaining roads like every other department of transportation throughout America.

Plaintiffs claim the HDOT has “consistently prioritized infrastructure projects such as highway construction and expansion, which increase vehicle miles traveled in single occupancy vehicles, rather than projects that enable multi-modal travel, electrification of transportation, and the use of alternative fuels.”

While several other climate lawsuits have been brought in the name of children in the past few years,



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it's believed that this is the first one that specifically targets transportation.

"The Hawai'i Department of Transportation is a weak link in the state's ongoing efforts to reduce its overall greenhouse gas emissions," said a joint statement from Leinā'ala L. Ley of Earthjustice and Andrea Rodgers of Our Children's Trust. "All other constitutional climate change cases have focused on energy systems, energy policy or climate policy."

The HDOT has not commented on the lawsuit except to say that they cannot comment on pending litigation.

Similar lawsuits have, thus far at least, struggled to gain traction in court despite the hysteria surrounding climate-change politics. In 2019, a federal judge dismissed a [case](#) brought by two Pennsylvania children which sought to block the Trump administration from rolling back Obama-era climate regulations.

Other courts have decided that climate regulations aren't a matter for the court system. Even the liberal 9th Circuit Court of Appeals has abdicated responsibility for climate change to legislators.

In 2020, the 9th Circuit [dismissed](#) the case of *Juliana v. the United States* — a climate-change lawsuit brought by 15 children who sought to compel the U.S. government to adopt policies designed to reduce greenhouse-gas emissions.

In that suit, a three-judge panel "reluctantly concluded that the plaintiffs' case must be made to the political branches or to the electorate at large."

One judge disagreed with that ruling. In her dissent, Judge Josephine Staton used the [Leonardo DiCaprio defense](#).

"It is as if an asteroid were barreling toward Earth and the government decided to shut down our only defenses," Staton wrote. "Seeking to quash this suit, the government bluntly insists that it has the absolute and unreviewable power to destroy the nation."

Our Children's Trust was intimately involved in that lawsuit as well.

As Judge Staton's incredible dissent in the *Juliana* case shows, it's likely just a matter of time until the right panel of judges gives a victory to one of these absurd lawsuits.

Groups such as Earthjustice and Our Children's Trust truly have no shame, using kids as human shields for their climate-hysterical ends. They routinely hide behind children in obvious attempts to gain small victories for their dubious cause. They're akin to a terrorist group hiding weapons in an orphanage.



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