

Attorney General Raoul Urges Federal Appeals Court To Uphold States' Authority To Enforce Laws To Protect Public Health

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CHICAGO - Attorney General Kwame Raoul today led a coalition of 14 attorneys general in filing an amicus brief urging the U.S. Court of Appeals for the 3rd Circuit to

reverse a lower court's decision preventing New Jersey from enforcing a state law intended to protect the health and safety of immigrants by closing private detention facilities.

[In the brief](#) filed in *CoreCivic Inc. v. Murphy*, Raoul and the coalition urge the Court of Appeals to reverse the lower court's decision arguing that states should be able to enforce state laws that protect residents' health and safety without the federal government's interference.

"States have a responsibility to protect the health and wellness of our residents, and private corporations should not be exempt from those laws because they have federal contracts," Raoul said. "I am urging the Court of Appeals to reverse the lower court's decision because states should be allowed to enforce laws that protect the health and safety of all who reside within our borders – without interference by the federal government."

New Jersey's Assembly Bill (AB) 5207 was passed to prohibit counties and private corporations from operating facilities that detain individuals for violating civil immigration laws. The measure was passed in August 2021 in response to historically poor conditions and inadequate medical and mental health care in those facilities. CoreCivic, a private detention company, challenged AB 5207 in February 2023, seeking an exemption and an injunction preventing the New Jersey governor and attorney general from enforcing the statute. The lower court agreed, holding that, as a federal contractor, CoreCivic is exempt from complying with AB 5207, which the court said would significantly interfere with federal operations.

Raoul and the coalition argue the lower court's decision should be reversed because states have the authority to enact and enforce generally applicable health and safety legislation free from federal interference. Furthermore, the coalition explains the decision would raise needless questions about state authority to protect residents by enforcing their laws even against those companies that work with the federal government.

Joining Raoul in filing the amicus brief are the attorneys general of Colorado, Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New York, Oregon and Washington.