

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

THE GEO GROUP, INC.

Plaintiff,

v.

GAVIN C. NEWSOM, in his official  
capacity as Governor of the State of  
California, et al.,

Defendants.

Case No.: 19-CV-02491-RSH-LR

Consolidated with Case No.  
3:20-CV-0154-RSH-LR

**FINAL JUDGMENT AND  
PERMANENT INJUNCTION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GAVIN C. NEWSOM, in his official  
capacity as Governor of the State of  
California, et al.,

Defendants

**FINAL JUDGMENT AND PERMANENT INJUNCTION**

On the joint motion of the parties, the Court having considered the Stipulation for Entry of Final Judgment and Permanent Injunction (ECF No. 86) and finding good cause, it is hereby **ORDERED** as follows:

**I. DEFINITIONS**

For purposes of this Order, the following definitions apply:

1. “AB 32” refers to California Penal Code section 9501, which states that “a person shall not operate a private detention facility within the state.”

2. “Defendants” refers to Gavin Newsom, in his official capacity as Governor of the State of California, his successors in office, and their agents acting within the scope of their official duties; Rob Bonta, in his official capacity as Attorney General of the State of California, his successors in office, and their agents acting within the scope of their official duties; and the State of California.

3. “Plaintiffs” refers to The GEO Group, Inc., and the United States of America.

4. “Person” means that term as used in California Penal Code sections 9500 through 9505.

5. “Private Detention Facility” refers to that term as defined in California Penal Code section 9500(b).

**II. JUDICIAL DECLARATION**

The Court issues the following judicial declaration of rights and responsibilities as between: (a) Plaintiff The GEO Group, Inc. and all Defendants except the State of California; and (b) Plaintiff the United States and all Defendants.

**IT IS HEREBY DECLARED** that, under the Supremacy Clause of the United States Constitution, AB 32 is unconstitutional and invalid as applied to any Person who is operating a Private Detention Facility pursuant to a contract with:

- the United States Immigration and Customs Enforcement agency;
- the United States Marshals Service; or,

- any other federal agency to the extent that the agency is acting pursuant to the authority and discretion to detain a person or persons pursuant to the Immigration and Nationality Act or 18 U.S.C. § 4013(a)(3).

### III. PERMANENT INJUNCTION

The Court **ORDERS** the following injunction based on the claims of: (a) Plaintiff The GEO Group, Inc. against all Defendants except the State of California; and (b) Plaintiff the United States against all Defendants.

**IT IS HEREBY ORDERED** that Defendants, as applicable pursuant to the preceding paragraph, shall be permanently enjoined from enforcing AB 32 against any Person who is operating a Private Detention Facility pursuant to a contract with:

- the United States Immigration and Customs Enforcement agency;
- the United States Marshals Service; or,
- any other federal agency to the extent that the agency is acting pursuant to the authority and discretion to detain a person or persons pursuant to the Immigration and Nationality Act or 18 U.S.C. § 4013(a)(3).

### IV. OTHER ORDERS

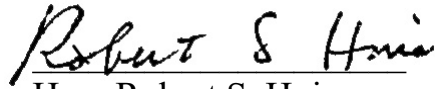
**It is further ORDERED** that this Court shall retain jurisdiction of this matter solely for the purpose of enforcing this Order.

**It is further ORDERED** that all other relief sought in Plaintiffs' complaints in these consolidated cases, including attorneys' fees and costs, is **DENIED**.

**FINAL JUDGMENT IS ENTERED** pursuant to the terms of this Order.

**IT IS SO ORDERED.**

Dated: May 23, 2023

  
Hon. Robert S. Huie  
United States District Judge