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Attorney General Griffin Joins Brief Supporting Texas’s Right to Enforce Its Illegal Immigration Law

Griffin: ‘When federal courts unnecessarily find conflict between federal and state laws and thus block enforcement of state law, it disrupts the balance between state and federal authority’

LITTLE ROCK – Attorney General Tim Griffin issued the following statement after he joined a coalition of 22 attorneys general in urging a federal appeals court to reverse a recent U.S. District Court decision that blocked Texas’s right to enforce its state immigration law:

“When federal courts unnecessarily find conflict between federal and state laws and thus block enforcement of state law, it disrupts the balance between state and federal authority. That’s why I’m joining other attorneys general in asking the Fifth Circuit Court of Appeals to reconsider this case and allow the enforcement of a law that was passed through the democratic process.”

The attorneys general say the court “diminished every state’s sovereignty” in blocking a Texas law that would make illegal immigration a state crime and authorize Texas courts to deport individuals who cross the border unlawfully. The Texas law, the court ruled, likely conflicts with the federal government’s exclusive authority over immigration policy.

In the amicus brief—led by Ohio Attorney General Dave Yost and South Carolina Attorney General Alan Wilson and filed yesterday in *United States v. Texas*—the attorneys general explain why states have a sovereign right to enact legislation that protects their residents’ safety. With southern border crossings reaching historic highs under the previous administration, the

attorneys general argue, more needs to be done, as the impact on public safety, healthcare, and state resources is too severe to ignore.

The brief invokes the doctrine of constitutional avoidance, which encourages courts to interpret statutes in a way that steers clear of unnecessary constitutional conflicts. Had the lower court relied on this principle, the brief says, it would have protected the balance struck in the nation's federalist form of government.

The coalition asks the full court of the U.S. Court of Appeals for the Fifth Circuit to rehear the case and affirm the right of States to enforce state laws that are consistent with federal laws.

Joining Griffin in signing the amicus brief are the attorneys general of Alabama, Alaska, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wyoming.

To read the amicus brief, [click here](#).

About Attorney General Tim Griffin

Tim Griffin was sworn in as the 57th Attorney General of Arkansas on January 10, 2023, having previously served as the state's 20th Lieutenant Governor from 2015-2023. From 2011-2015, Griffin served as the 24th representative of Arkansas's Second Congressional District, where he served on the House Committee on Ways and Means, House Armed Services Committee, House Committee on Foreign Affairs, House Committee on Ethics and House Committee on the Judiciary while also serving as a Deputy Whip for the Majority.

Griffin is currently an officer in the Arkansas Army National Guard and holds the rank of colonel. Griffin served as an officer in the U.S. Army Reserve Judge Advocate General's (JAG) Corps for more than 28 years. In 2005, Griffin was mobilized to active duty as an Army prosecutor at Fort Campbell, Kentucky, and served with the 101st Airborne Division (Air Assault) in Mosul, Iraq.

His previous assignments include serving as the Commander of the 2d Legal Operations Detachment in New Orleans, Louisiana; the Commander of the 134th Legal Operations Detachment at Fort Bragg, North Carolina; and as a Senior Legislative Advisor to the Under Secretary of Defense for Personnel and Readiness at the Pentagon. Griffin earned a master's degree in strategic studies as a Distinguished Honor Graduate from the U.S. Army War College, Carlisle Barracks, Pennsylvania.

Griffin also served as U.S. Attorney for the Eastern District of Arkansas, and Special Assistant to the President and Deputy Director of Political Affairs for President George W. Bush; Special Assistant to Assistant Attorney General Michael Chertoff, Criminal Division, U.S. Department of Justice; Special Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of Arkansas; Senior Investigative Counsel, Government Reform and Oversight Committee, U.S. House of Representatives; and Associate Independent Counsel, Office of Independent Counsel David M. Barrett, In re: HUD Secretary Henry Cisneros.

Griffin is a graduate of Magnolia High School, Hendrix College in Conway, and Tulane Law School in New Orleans. He attended graduate school at Oxford University. He is admitted to practice law in Arkansas (active) and Louisiana (inactive). Griffin lives in Little Rock with his wife, Elizabeth, a Camden native, and their three children.

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