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ATTORNEY GENERAL RAOUL DEFENDS STATES' ABILITY TO ENFORCE THEIR OWN LAWS TO PREVENT THE DISSEMINATION OF 3D-PRINTED FIREARMS

Raoul, 20 Attorneys General File Brief with U.S. Supreme Court Arguing That Texas Court Does Not Have Jurisdiction over New Jersey Cease and Desist Matter

Chicago —Attorney General Kwame Raoul, as part of a coalition of 21 attorneys general, today filed an amicus brief in a lawsuit that seeks to stop states from enforcing their laws against a company disseminating dangerous 3D-printed gun files on the internet. In an amicus brief filed with the U.S. Supreme Court in *Grewal v. Defense Distributed*, Raoul and the coalition seek to protect states' ability to enforce their own laws to prevent Defense Distributed from unlawfully publishing easily-downloadable files on the internet that provide the instructions to build dangerous 3D-printed firearms, including assault weapons. Raoul and the coalition argue that individual state courts decide the constitutionality of their own state laws, and the ability to enforce those laws cannot be stymied by the threat of costly litigation in another state.

"States must have the ability to protect residents and enforce state laws by sending cease and desist letters to entities that violate state laws even while operating out of state," Raoul said. "I am committed to ensuring that businesses operating in Illinois follow Illinois law, and I will work to stop unregulated, untraceable guns, including those whose plans originate out of state."

For years, Defense Distributed has attempted to widely disseminate dangerous internet files that give individuals the ability to manufacture unregistered and untraceable 3D-printed firearms that can be extremely difficult to detect, even with a metal detector. A number of state and local officials sent cease and desist letters ordering the company to stop breaking state laws. Defense Distributed then sued the officials in federal court in Texas, but ultimately only pursued its case against New Jersey's attorney general. After the U.S. Court of Appeals for the 5th Circuit found that Texas courts had personal jurisdiction over New Jersey's attorney general, the New Jersey attorney general petitioned the Supreme Court to take up the case.

[In the amicus brief](#) supporting that petition, Raoul and the coalition argue that cease and desist letters are critical and cost-effective tools for enforcing state law, and, in the internet age, state and local officials increasingly must direct such cease and desist letters out of state. Because out-of-state entities, like Defense Distributed, operate online and, therefore, operate across state lines, state officials cannot protect their residents from violations of their own state's laws by such entities without being able to send cease and desist letters out of state.

Additionally, Raoul and the coalition argue that the 5th Circuit failed to account for critical state-sovereignty and federalism considerations when it incorrectly found that the Texas courts had personal jurisdiction over New Jersey state officials. The coalition makes clear that permitting cases like this one to go forward risks burdensome and expensive out-of-state lawsuits each time a state official seeks to protect residents by sending a cease and desist letter to an out-of-state entity that is violating that official's state laws.

Raoul and the coalition ask the Supreme Court to review the 5th Circuit's decision, and ultimately to order the dismissal of Defense Distributed's case in Texas for lack of personal jurisdiction.

Joining Attorneys General Raoul in filing this amicus brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan,

Minnesota, Nevada, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington.