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DR. RAYNARD E. WASHINGTON, in his
official capacity as Commissioner of the NEW
JERSEY DEPARTMENT OF HEALTH,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
ESSEX COUNTY

DOCKET NO.: _____

Civil Action

VERIFIED COMPLAINT AND ORDER TO SHOW CAUSE

Dr. Raynard E. Washington, Commissioner of the New Jersey Department of Health (the “Commissioner” or “Plaintiff”), by and through his undersigned counsel, hereby alleges as follows against The GEO Group, Inc. (“GEO” or “Defendant”).

INTRODUCTION

1. Plaintiff, the Commissioner of New Jersey’s Department of Health (“the Department”), brings this suit to discharge his statutory obligation to “[e]nforce all laws relating to the health of the people of the State, and all provisions of the State Sanitary Code” pursuant to

N.J.S.A. 26:1A-15(d), including the right to have “full access to any premises for the purpose of examination if he has reason to believe that on the premises there exists a violation of any health law of the State or any provision of the State Sanitary Code,” N.J.S.A. 26:1A-16, and to “enter upon, examine and survey” any “public or private place of detention,” N.J.S.A. 26:1A-18.

2. Defendant GEO owns and operates Delaney Hall, an immigration detention center in Newark, New Jersey. Delaney Hall began operating as an immigration detention center on or around May 1, 2025.

3. Since then, public reporting has raised significant concerns about public health conditions in the facility, including overcrowding and lack of ventilation; lack of or inadequate medical care or hygiene practices; unsanitary food and drink preparation and storage; and the unchecked spread of communicable diseases like COVID-19 and Influenza. In addition, direct reports to the Department have complained of unsanitary bathroom conditions and potentially inadequate Tuberculosis infection control practices.

4. As a result of these complaints and concerns, on May 27, 2026, inspectors from the Department initially sought access to Delaney Hall for the purpose of effectuating the Commissioner’s statutory obligations to conduct an inspection pursuant to the State’s health and sanitation laws, including but not limited to the State Sanitary Code, promulgated pursuant to N.J.S.A. 26:1A-7.

5. Consistent with its past practice, and based on publicly available portions of GEO’s contract with Immigrations and Customs Enforcement (ICE), which confirm that GEO, as the contractor, is responsible for compliance with “all applicable Federal, State and local laws,

executive orders, rules and regulations applicable to its performance”¹ (emphasis added), the Department advised GEO of its intent to exercise the Commissioner’s authority to inspect all areas of the facility.

6. Despite this notice and Defendant’s full awareness of the scope of Plaintiff’s authority and planned inspection, Defendant nevertheless barred Plaintiff from “full access” to the facility to conduct a complete inspection pursuant to N.J.S.A. 26:1A-16.

7. Instead, on May 28, 2026, Defendant specifically refused to permit Plaintiff to inspect any area of Delaney Hall other than the food service areas. Plaintiff was barred from any remaining areas, including but not limited to the medical unit; toileting and shower facilities; ventilation; HVAC; and sleeping areas.

8. Without inspecting these areas, Plaintiff is unable to ascertain whether Defendant is taking sufficient precautions to mitigate the serious and unchecked risk of communicable diseases to both detainees at Delaney Hall and New Jersey’s public at large.

9. Plaintiff now brings this suit pursuant to his authority under N.J.S.A. 26:1A-15(h) to secure immediate entry to Delaney Hall to conduct a full inspection of the premises.

THE PARTIES AND VENUE

10. Plaintiff Dr. Raynard E. Washington is the Commissioner of the New Jersey Department of Health, and at all relevant times was acting in his official capacity under the authority afforded to him by the State’s health and sanitation laws, including, *inter alia*, N.J.S.A. 26:1A-3, 26:1A-15; 26:1A-16, 26:1A-18, and 26:1A-61. Plaintiff maintains a principal place of business at 140 East Front Street, Trenton, New Jersey 08625.

¹ See U.S. Immigration and Customs Enforcement, Amendment of Solicitation/Modification of Contract with The GEO Group, Inc. (Feb. 26, 2025), <https://tinyurl.com/bdeacj93> (last accessed May 31, 2026).

11. Defendant the GEO Group, Inc., with its global headquarters located at 621 NW 53rd Street, Boca Raton, Florida 33487, is the owner of a property and commercial building located at 451 Doremus Ave, Newark, New Jersey 07105, known as Delaney Hall.

12. Venue is proper in the Superior Court of New Jersey, Essex County Vicinage, because Delaney Hall is located in Essex County, and all events giving rise to the instant action occurred in Essex County.

FACTUAL BACKGROUND

Plaintiff is Authorized to Enforce the State's Health and Sanitation Laws, including the Right to Have "Full Access" to Inspect Delaney Hall.

13. The Department is charged with "formulat[ing] comprehensive policies for the promotion of public health and the prevention of disease within the State," including by "[e]nforc[ing] the State food, drug, and cosmetic laws." N.J.S.A. 26:1A-37; -37(j).

14. The Commissioner is the "head and chief administrative officer of" the Department of Health. N.J.S.A. 26:1A-3. In this capacity, he is empowered to "exercise general supervision over all matters relating to sanitation and hygiene throughout the State." N.J.S.A. 26:1A-18.

15. The Commissioner is also charged with exercising "all powers conferred and perform[ing] all the duties imposed by law upon the State Board of Health, or any member, committee or officer thereof." N.J.S.A. 26:1A-61.

16. As part of this general supervision, the Commissioner has the longstanding power by statute to conduct inspections. The Legislature provided in N.J.S.A. 26:1A-18 that the Commissioner "may enter upon, examine and survey any source and means of water supply, sewage disposal plant, sewage system, prison, public or private place of detention, asylum, hospital, school, public building, private institution, factory, workshop, tenement, public wash room, public rest room, public toilet and toilet facility, public eating room and restaurant, and also

any premises in which he has reason to believe there exists a violation of any health law of the State, any provision of the State Sanitary Code, or any law which he has the duty of administering.”

17. N.J.S.A. 26:1A-16 further confirms that the Commissioner “shall have full access to any premises for the purpose of examination if he has reason to believe that on the premises there exists a violation of any health law of the State or any provision of the State Sanitary Code.” (emphasis added).

18. The Commissioner also has the right to “institute or cause to be instituted such legal proceedings or processes as may be necessary properly to enforce and give effect to any of his powers or duties as prescribed in this act.” N.J.S.A. 26:1A-15(h).

19. Consistent with this broad authority, the Commissioner, through the Department, regularly exercises his authority to request entry to public and private institutions or premises for the purpose of inspection to ensure that they comply with the State’s health and sanitation laws.

20. These inspections address a broad array of issues that fall within the Commissioner’s and the Department’s authority. For example, the Department regularly assesses, among other things, the existence of environmental health hazards, including whether there is adequate ventilation and odor control; whether hygiene or housekeeping hazards are present; whether the bathing and toilet facilities are maintained and free from mold or mildew; and whether the bedding materials are properly maintained, cleaned, and disinfected.

21. The Department also assesses the adequacy of the facility’s solid and regulated medical waste processes, including whether the facility has adequate storage facilities; whether the facility has established an acceptable and appropriate infection control program that includes oversight by an appropriately qualified individual as well as appropriate barrier and sterilization

protections for contact between patients and medical staff; and whether the food service facilities, including preparation, service, and distribution, comply with the requirements of N.J.A.C. 8:24.

22. These inspections are designed to detect and assess whether there exist current practices or conditions in a particular facility or premises that could facilitate the unchecked transmission of foodborne, airborne, or other communicable diseases.

23. If left unchecked and unabated, an outbreak of communicable disease could impact not only the facility's residents, but also the public health at large, if employees or other visitors to the facility contract and transmit these diseases after they have departed the facility.

24. That is why the Department applies stringent public health and communicable disease reporting standards to facilities within its jurisdiction, including but not limited to a requirement that facilities with active outbreaks "[a]scertain the source and mode of transmission of the disease, infection, or condition" and "[d]etermine and implement appropriate control measures." N.J.A.C. 8:57-2.9(b)(3)-(4).²

25. The Department's authority to assess and minimize the likelihood of such potential consequences is well established, including under its statutory and regulatory authority, as well as under the State Sanitary Code.

26. For example, the Department has statutory authority to monitor the prevention and spread of communicable diseases, including the responsibility to regulate the detection, reporting,

² Indeed, ICE's own 2025 National Detention Standards recognize the importance of robust disease control practices and of "reporting and collaboration with local or state health departments in accordance with state and local laws and recommendations." These Standards require immigration detention facilities to screen all new arrivals for Tuberculosis in accordance with Centers for Disease Control and Prevention guidelines, and to adopt "written plans that address the management of infectious and communicable diseases, including, but not limited to, testing, isolation, prevention, and education." See ICE's National Detention Standards at pg. 114, available at <https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf> (last visited May 31, 2026).

prevention, and control of preventable diseases, including, but not limited to, Influenza, COVID-19, and RSV pursuant to N.J.S.A. 26:4-2.

27. In addition, the State Sanitary Code also specifically addresses the Department's supervision and inspection of "retail food establishments," which includes any "operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption," including "a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank." N.J.A.C. 8:24-1.5.

28. Retail food establishments "shall permit access by representatives of the Department or health authority to all parts of the establishment." N.J.A.C. 8:24-8.2(b) (emphases added).

29. To the best of the Department's knowledge, aside from the Department's limited inspection of the food service areas only on May 28, 2026, Delaney Hall has not been inspected by state or local authorities since at least the spring or early summer of 2025, when GEO evidently permitted the Newark Local Board of Health access to at least some portions of the facility.

**Public Reporting and Complaints Received by the Department
Establish Reason to Believe that There May Be Violations of
State Health or Sanitation Laws.**

30. According to public reporting, Delaney Hall, which previously operated predominantly as a halfway house, began operating as an immigration detention facility that is owned and operated by GEO around approximately May 1, 2025.

31. Almost immediately, public reporting also began to reveal numerous, escalating concerns regarding its health and sanitary conditions.

32. In June 2025, media outlets began reporting that Delaney Hall was rife with complaints about food access, including that detainees had been denied food for over 20 hours, and were suffering from lack of access to medical care and poor sanitary conditions.³

33. Reports from September 25, 2025 likewise indicated that, despite outbreaks of COVID-19, an illness with symptoms that often include chills and other flu-like symptoms, ill detainees were being housed in frigid rooms with threadbare mattresses, without pillows or blankets.⁴

34. In December 2025, media reports again surfaced concerns about the health and safety of detainees at Delaney Hall, including that detainees were being denied food or were being fed at inconsistent times; that the water tasted metallic and undrinkable; and that detainees were being denied basic hygiene necessities like toothpaste, shampoo, and toilet paper.⁵

35. In addition to public reporting, the Department also received a complaint on February 9, 2026, about the conditions at Delaney Hall, which alleged that the bathroom conditions were “extremely unhealthy” and required further investigation.

36. These conditions reached a tipping point in May 2026.

37. On May 13, 2026, the Department became aware of an open letter from 300 detainees at Delaney Hall reporting that there is a “high spread” of COVID-19 and flu within the

³ Eric Kiefer, ‘Chaos’ Breaks Out At ICE Prison In NJ, Officials Demand Answers, Newark Patch (June 13, 2025, at 16:36 ET), <https://tinyurl.com/3yahhef9>.

⁴ Steve Janoski, Inside New Jersey’s troubled immigration detention center: ‘It’s designed to break people,’ (Sept. 25, 2025) <https://tinyurl.com/4fu5uppu>.

⁵ Steve Janoski, Newark detention center under fire again for abuse and neglect claims, The Jersey Vindicator (Oct. 29, 2025), <https://tinyurl.com/3evyju7d>.

facility. The open letter from Delaney Hall detainees also reported instances of “HIV[,] cancer, diabetes, heart problems” and other health conditions going untreated.⁶

38. Nine days later, public reporting alleged that hundreds of detainees at Delaney Hall had launched a hunger and labor strike in protest of their dire conditions.

39. The same day, USA Today reported that detainees held in Delaney Hall were being forced to live in squalid conditions, including being fed food that is rotten, spoiled, or infested with worms (when served food at all), and that they lacked air conditioning going into the hot summer months.⁷

40. According to reports from United States Senator Andy Kim and Representative Rob Menendez, who toured the facility on Saturday, May 23, 2026, detainees reported being served rotten food and denied essential medical care.⁸

41. More specifically, Senator Kim recounted meetings with detainees, including one with a pregnant woman who said she is not receiving full obstetrics and gynecological care, and another with a woman who had a miscarriage but did not receive necessary care and was left to manage the miscarriage on her own.⁹

42. And on May 26, 2026, ABC7 confirmed statements given by individuals with family members held in Delaney Hall, alleging that detainees in Delaney Hall are being denied

⁶ Cosecha, S.O.S.: A Second Letter from Delaney Hall, <https://www.lahuelga.com/sos> (last visited May 31, 2026).

⁷ Lucas Frau & Nicholas Katzban, Hunger strike begins at Newark’s Delaney Hall over detention conditions, USA Today (May 28, 2026, at 17:39 ET), <https://tinyurl.com/yvxzxjxf>.

⁸ J. McDougall, Gov. Sherill demands access to Delaney Hall as hunger strike roils N.J. immigration Jail, NJ.com (May 26, 2026, at 14:05 ET), <https://tinyurl.com/536t97yd>.

⁹ Lauren Glassberg, Protesters clash with ICE agents outside Delaney Hall amid hunger strike, abc7 Eyewitness News (May 25, 2026, at 12:13 ET), <https://tinyurl.com/3xdvz4xt>.

necessary medical care, including diabetes medication to at least one individual and obstetrics and gynecological care to a pregnant detainee.¹⁰

43. On May 28, 2026—the same day the Department was denied access to the medical unit at Delaney Hall—the Department received a complaint from a physician who reported that a detainee from Delaney Hall was brought to University Hospital with an active case of Tuberculosis. The complainant requested that the Department examine Delaney Hall’s infection control practices.

44. On May 29, 2026, New Jersey Senators Kim and Cory Booker, along with eight of New Jersey congressional delegates, authored a letter to Secretary of Homeland Security Markwayne Mullin of the Department of Homeland Security and Acting Attorney General Todd Blanche.¹¹ The letter reiterated concerns about conditions at Delaney Hall, including “security breaches, limited access to medical care, overcrowding, impediments to detainee access to legal counsel, the slow pace of adjudication in immigration courts, unsanitary conditions, the poor quality of food provided to detainees, treatment of, and medical care provided to, pregnant women, and minimal space and opportunity for familial visits.”¹² The letter also asserted that “multiple inquiries to both ICE and GEO Group, publicly and privately” about these conditions by the elected officials had gone unanswered, and that “the current administration has worked tirelessly to impede Congress’ oversight responsibilities at ICE Detention Facilities, including Delaney Hall.”¹³

¹⁰ Ibid.

¹¹ Letter from New Jersey Congressional Delegates (May 29, 2026), <https://tinyurl.com/mr3cd3x3> (last visited May 31, 2026).

¹² Id., at 2.

¹³ Id., at 1, 2.

Delaney Hall Denies the Department Meaningful Access to the Facility for Purposes of Inspection.

45. On May 27, 2026, based on these escalating reports of concern, inspectors from the Department attempted to visit the facility to discharge the Commissioner's statutory right and obligation to inspect the full premises pursuant to N.J.S.A. 26:1A-16 and -18 and N.J.A.C. 8:24-8.2(b).

46. Prior to arriving at Delaney Hall, consistent with the Department's past practice, it notified GEO that an inspection would be occurring, and requested that GEO ensure that an appropriate staff member would be available to escort the inspectors through the facility.

47. The same day, at approximately 11:15 in the morning, Department inspectors arrived at Delaney Hall and requested entry. GEO declined to permit the inspectors entry to the facility, citing the high number of congressional delegates visiting the facility that day.

48. GEO refused to schedule an appointment with the inspectors in person. Later that afternoon, via telephone, Delaney Hall Facility Manager Helen Grimes and Fire and Safety Manager Shaniquah Williams agreed to permit the Department to conduct its inspection on May 28, 2026 at 11:00 a.m.

49. During that telephone call, the Department clearly and fully explained the scope of its authority and planned inspection, including that it would require access to food service areas; toileting and shower areas; detainee sleeping areas; the medical unit; and other areas as well. The Department also explained that it would need to examine Delaney Hall's solid and medical waste disposal practices, its infection control practices, and its HVAC and ventilation systems.

50. GEO did not object or otherwise advise that the scope of this inspection was or would be problematic.

51. On May 28, 2026, at approximately 11:00 in the morning, the Department's inspectors returned to the facility and were permitted to enter.

52. Soon after the inspectors' entry, however, it became clear that its access would be severely limited. Not only did GEO decline to engage in any pre-meeting to discuss the scope of the inspection—as is the Department's customary practice—GEO also repeatedly declined the Department's offers to split its inspection team in half to cover both food safety and general sanitation.

53. In fact, GEO specifically declined to permit the inspectors access to the medical facilities even when the inspectors were escorted past those facilities.

54. Eventually, during the Department's inspection of the food preparation and storage areas, GEO for the first time advised that the Department would not be permitted to inspect any other areas of the facility without the permission of Immigration and Customs Enforcement (ICE).

55. When pressed for information about how the inspectors could contact ICE or obtain permission to conduct its full investigation, GEO eventually produced a form for the inspectors to fill out, which included fields for the time and date of the request, the contact information of the individual requesting access, the statutory authority for access, and the sections of the facility to which the requestor was seeking entry.

56. The inspectors completed the form as requested.

57. GEO refused to provide a photocopy of the completed form, but did explain that the form would be provided by the facility to GEO's legal and compliance teams. From there, it would be provided to ICE.

58. GEO declined to provide any timeline for approval or response. Eventually, the inspectors departed the facility without being allowed to finish the inspection.

59. The same day, at 6:16 p.m., the Department sent an email to Ms. Williams, advising that—pursuant to its authority under N.J.S.A. 26:1A-18—the Department intended to return on Monday, June 1, 2026, at 11:00 a.m. to complete its investigation.

60. In the same email, the Department requested that GEO confirm no later than Monday, June 1, 2026 at 9:00 a.m. that the Department would be permitted to enter.

61. The Department also sought information for an appropriate contact at ICE, although it did not concede that the inspection required ICE's permission.

62. On May 29, 2026, the Department sent a follow-up email seeking a response as soon as possible.

63. On May 31, 2026, at the request of senior federal officials, the Department contacted a senior federal official, reiterating the Department's intention to conduct a full inspection of Delaney Hall on Monday, June 1, 2026 at 11:00 a.m. and seeking assurances that ICE would not obstruct the Department from exercising the Commissioner's statutory authority. The federal official replied the same day, indicating that she would be happy to help facilitate a response.

64. On Monday June 1, 2026, the Department spoke with the federal official, who advised the Department that it would not be able to inspect any areas of the facility other than the food service areas it had already visited. The Department asked for the response in writing.

65. Two telephone calls to GEO the same day were never returned.

CAUSES OF ACTION

COUNT ONE – FAILURE TO PERMIT FULL ACCESS FOR INSPECTION

66. Plaintiff repeats each and every allegation set forth in Paragraphs 1-65 as though fully set forth herein.

67. Plaintiff is responsible for exercising “general supervision over all matters relating to sanitation and hygiene throughout the State,” N.J.S.A. 26:1A-18, and is charged specifically with “[e]nforc[ing] all laws relating to the health of the people of the State, and all provisions of the State Sanitary Code,” N.J.S.A. 26:1A-15(d).

68. As part of the powers afforded to Plaintiff to fulfill these statutory mandates, Plaintiff—through the Department—“shall have full access to any premises for the purpose of examination if he has reason to believe that on the premises there exists a violation of any health law of the State or any provision of the State Sanitary Code.” N.J.S.A. 26:1A-16 (emphasis added).

69. Plaintiff is also entitled to inspect any public or private detention facility, N.J.S.A. 26:1A-18, as well as “all parts” of any “retail food establishment,” N.J.A.C. 8:24-8.2.

70. This statutory and regulatory authority is designed to ensure that the Department can identify any practices that would facilitate the unchecked spread of foodborne, airborne, or other illnesses, including but not limited to insufficient ventilation, inadequate medical facilities, improper solid and medical waste storage and disposal, unsanitary bathing or showering facilities, insufficient sleeping areas, or unsafe and unsanitary food preparation or storage areas.

71. The consequences of such practices being left unchecked threaten not only the health and safety of residents of Delaney Hall, but also the public at large, if employees or other visitors to the facility contract an illness and spread it after they have departed the facility.

72. Defendant GEO has refused to comply with Plaintiff’s request for full access to Delaney Hall for the purpose of inspection of the premises.

73. Without full access, Plaintiff is unable to verify whether Delaney Hall is engaged in practices that pose serious health and food safety risks to the residents and employees inside or the public at large.

VERIFICATION

1. I am Deputy Commissioner of the Public Health Services Branch for the State of New Jersey, for the within action.

2. I have read the Complaint and certify that the allegations contained in the Complaint are true to the best of my knowledge.

3. I hereby certify that the foregoing statements made by me are true. I am aware that if and of the statements made herein by me are willfully false, I am subject to punishment.

Dated: June 2, 2026



NOVNEET SAHU, MD, MPA
Deputy Commissioner
Public Health Services
New Jersey Department of Health

CERTIFICATION OF COMPLIANCE

I certify that confidential personal identifiers will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

JENNIFER DAVENPORT
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiffs

By: /s/ Eric Apar
Eric Apar
Assistant Attorney General

Dated: June 2, 2026
Newark, New Jersey

