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NEWS RELEASE



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US SUPREME COURT UPHOLDS ALASKA SEX OFFENDER REGISTRATION ACT

(Juneau) - Alaska Attorney General Gregg Renkes announced that the United States Supreme Court today upheld the Alaska Sex Offender Registration Act, the state's law that requires convicted sex offenders to be registered, and that puts their pictures and other identifying information on the internet. The Act was challenged as violating the Ex Post Facto Clause of the U.S. Constitution on the grounds that it imposed additional penalties on convictions obtained before the law was enacted. The Court held that because the Act is nonpunitive, its retroactive application does not violate the Ex Post Facto Clause.

In a separate decision issued today the Court upheld a similar Connecticut sex offender registration law, holding that a hearing on a convicted sex offender's dangerousness is not necessary to protect that individual's procedural due process rights.

A class action lawsuit in a different case filed in federal district court in Alaska has stopped the state from using the Department of Public Safety's internet website to provide information about sex offenders convicted of crimes committed before August 1994, the effective date of Alaska's Sex Offender Registration Act.

Attorney General Renkes explained, "Right now two-thirds of our internet registry has been blocked by the district court's injunction in the class action case - that's 3000 sex offenders. We have an obligation under the Act to take action as soon as possible to have the injunction lifted now that the Supreme Court has ruled in the state's favor."

The Attorney General went on to say, "The Department of Public Safety has indicated that the full registry should be back in operation within 48 hours of the district court dissolving the injunction."

The Attorney General cautioned, however, that the Alaska Sex Offender Registration Act would be subject to further review by the federal courts where other legal issues must be decided in the pending cases. "The Supreme Court was not called on to rule on all of the possible legal challenges. The state's lawyers believe Alaska's law is constitutional and will continue to defend it before the federal courts."

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