

SUPREME COURT OF IDAHO

State v. Johnson, 152 Idaho 41

266 P.3d 1146 (2011) · No. No. 37758 · Decided December 8, 2011

SUMMARY

The Idaho Supreme Court held that a district court lacked jurisdiction to consider Daniel Johnson's petition for exemption from sex-offender registration because he filed it in an already-dismissed criminal case. The court vacated the district court's decision without reaching the merits of Johnson's constitutional challenges to the 2009 amendments to Idaho's Sexual Offender Registration Notification and Community Right-to-Know Act. The court explained that such exemption petitions must be filed as separate civil actions.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	J. Jones; Chief Justice Burdick; Justice Horton; Justice Eismann; Justice W. Jones
JURISDICTION	Idaho
DECIDED	December 8, 2011
DOCKET	No. 37758
DISPOSITION	vacated
PROCEDURAL POSTURE	Johnson appealed the denial of his petition for exemption from sex-offender registration. The Idaho Supreme Court sua sponte addressed the district court's jurisdiction and vacated the decision without reaching the constitutional merits.
STANDARD OF REVIEW	Constitutional issues are reviewed freely as questions of law. Jurisdictional questions are fundamental issues that the Court must address, including sua sponte.
PRECEDENTIAL VALUE	Published Idaho Supreme Court opinion; precedential
PARTIES	Daniel Johnson v. State of Idaho

TOPICS

appellate jurisdiction

criminal procedure

statutory interpretation

ex post facto

due process

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

appellate procedure

sex-offender registration

QUESTIONS PRESENTED

1. Whether the 2009 amendments to Idaho's Sexual Offender Registration Notification and Community Right-to-Know Act violated the federal Ex Post Facto Clause as applied to Johnson.
2. Whether the 2009 SORA amendments unlawfully impaired Johnson's plea-agreement contract rights.
3. Whether applying the 2009 SORA amendments violated Johnson's federal due-process rights.
4. Whether the 2009 SORA amendments violated corresponding protections in the Idaho Constitution.
5. Whether the district court had jurisdiction to consider Johnson's SORA exemption petition filed in his already-dismissed criminal case.

HOLDINGS

1. The district court lacked jurisdiction to consider Johnson's SORA exemption petition because the criminal case had already been dismissed and the petition was filed in that closed criminal matter. A person seeking SORA exemption after the criminal case has been dismissed or fully adjudicated must commence a separate civil action.
2. The Court stated that the 2009 SORA amendments were civil and regulatory rather than punitive and therefore did not violate the federal Ex Post Facto Clause, but this merits conclusion was not necessary to the disposition because the Court lacked jurisdiction to decide the appeal.
3. The Court stated that the amendments did not impair Johnson's plea agreement because the agreement required compliance with any legal requirements concerning sex-offender registration, including future requirements, but this conclusion was unnecessary to the disposition.
4. The Court stated that applying the amendments did not deprive Johnson of due process because the amendments did not create a new label or offender status; they only affected his ability to petition for exemption. This conclusion was unnecessary to the disposition.

KEY QUOTATIONS

“Sexual offenders seeking exemption from SORA must petition the district court in a separate civil action.”
(266 P.3d at 1153)

“Because Johnson filed his petition in the already-dismissed criminal case, the district court lacked jurisdiction.” (266 P.3d at 1153)

“We likewise lack jurisdiction on appeal.” (266 P.3d at 1153)

FACTUAL BACKGROUND

In 1998, Daniel Johnson pleaded guilty to sexual abuse of a child under sixteen, involving an eleven-year-old victim, under an Idaho Criminal Rule 11 plea agreement requiring compliance with sex-offender-registration laws. The district court withheld judgment, placed him on supervised probation, later set aside his plea,

dismissed the case in 2002, and discharged the remaining probation term. In 2009, Johnson sought an exemption from registration under SORA by filing in the previously dismissed criminal case.

PROCEDURAL HISTORY

Johnson pleaded guilty in 1998 to sexual abuse of a child under sixteen, received a withheld judgment and supervised probation, and was discharged from probation in 2001. In 2002, the district court set aside his plea and dismissed the criminal case. In 2009, Johnson filed a petition for exemption from sex-offender registration in that dismissed criminal case. The district court denied the petition based on the 2009 SORA amendments, and Johnson appealed.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The district court's decision was vacated because it lacked jurisdiction. The Court directed that SORA exemption petitions filed after the criminal case has been dismissed or fully adjudicated be brought as separate civil actions.

CASES CITED

- Allied Bail Bonds, Inc. v. County of Kootenai, 151 Idaho 405, 258 P.3d 340 (2011)
- Collins v. Youngblood, 497 U.S. 37 (1990)
- Smith v. Doe, 538 U.S. 84 (2003)
- Ray v. State, 133 Idaho 96, 982 P.2d 931 (1999)
- State v. Gragg, 143 Idaho 74, 137 P.3d 461 (Ct. App. 2005)
- State v. Hosey, 134 Idaho 883, 11 P.3d 1101 (2000)
- State v. Peterson, 148 Idaho 593, 226 P.3d 535 (2010)
- Smith v. State, 146 Idaho 822, 203 P.3d 1221 (2009)
- State v. Fees, 140 Idaho 81, 90 P.3d 306 (2004)
- State v. Donato, 135 Idaho 469, 20 P.3d 5 (2001)
- Quinlan v. Idaho Commission for Pardons and Parole, 138 Idaho 726, 69 P.3d 146 (2003)
- State v. Lindquist, 99 Idaho 766, 589 P.2d 101 (1979)
- State v. Hartwig, 150 Idaho 326, 246 P.3d 979 (2011)
- State v. Jakoski, 139 Idaho 352, 79 P.3d 711 (2003)
- State v. Knutsen, 138 Idaho 918, 71 P.3d 1065 (Ct. App. 2003)
- State v. Kimball, 145 Idaho 542, 181 P.3d 468 (2008)
- State v. Robinson, 143 Idaho 306, 142 P.3d 729 (2006)