

SUPREME COURT OF THE STATE OF DELAWARE

Lamberty v. State

Lamberty · No. No. 232, 2014 · Decided January 30, 2015

SUMMARY

The Delaware Supreme Court affirmed Juan Lamberty’s conviction for failure to properly report as a registered sex offender. The Court held that Delaware’s more frequent registration requirement for homeless Tier II sex offenders was rationally related to legitimate governmental interests and that the statutory delegation to the Delaware State Police Superintendent was lawful.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Henry duPont Ridgely; Ridgely; Valihura; Vaughn
JURISDICTION	Delaware
DECIDED	January 30, 2015
DOCKET	No. 232, 2014
DISPOSITION	affirmed
PROCEDURAL POSTURE	Lamberty appealed from the Superior Court's denial of his motion to dismiss and from his subsequent conviction and sentence for Failure to Properly Report as a Registered Sex Offender.
STANDARD OF REVIEW	Constitutional claims are reviewed plenary or de novo for legal error. Legislative enactments receive a strong presumption of constitutionality, and doubts are resolved in favor of the challenged enactment. Because the challenged classification involved neither a fundamental right nor a suspect class, rational-basis review applied.
PRECEDENTIAL VALUE	published
PARTIES	Juan Lamberty v. State of Delaware

TOPICS

- equal protection
- rational basis review
- separation of powers
- standard of review
- appellate procedure

PRACTICE AREAS

- constitutional law
- criminal law
- administrative law
- appellate practice

QUESTIONS PRESENTED

1. Whether the Sex Offender Registration Statute, particularly 11 Del. C. § 4121(k), violated the Equal Protection Clause by requiring homeless sex offenders to register more frequently than sex offenders with permanent residences.
2. Whether the Sex Offender Registration Statute unlawfully delegated legislative power to the Superintendent of the Delaware State Police by authorizing the Superintendent to designate reporting locations.

HOLDINGS

1. 11 Del. C. § 4121(k) does not violate the Equal Protection Clause because the distinction between homeless sex offenders and sex offenders with permanent residences is rationally related to the legitimate governmental interest in monitoring sex offenders and protecting the public.
2. The Sex Offender Registration Statute lawfully delegates administrative authority to the Superintendent of the Delaware State Police because it provides an objectively reasonable standard for designating reporting locations and limits the Superintendent's discretion to implementing the legislative policy.

KEY QUOTATIONS

“Therefore, we conclude that 11 Del. C. § 4121(k) is rationally related to a legitimate government interest, and does not violate the Equal Protection Clause.” (6)

“Accordingly, we hold that the SORS registration procedures are reasonable, and the product of a lawful delegation of legislative power.” (8)

FACTUAL BACKGROUND

Lamberty pleaded guilty to fourth-degree rape in March 2004 and was designated a Tier II sex offender. After registering as homeless in Wilmington in November 2012, he was required to register every thirty days but failed to do so in December 2012. He stated that he lacked money to travel to the designated reporting location, but his counsel conceded that he had not requested a waiver of any registration fee based on indigency.

PROCEDURAL HISTORY

Lamberty was charged under Delaware's Sex Offender Registration Statute after failing to register as required. The Superior Court denied his motion to dismiss, rejected his equal-protection and unlawful-delegation challenges, and Lamberty was thereafter convicted. The Delaware Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Sheehan v. Oblates of St. Francis de Sales, 15 A.3d 1247, 1258 (Del. 2011)
- Abrams v. State, 689 A.2d 1185, 1187 (Del. 1997)

- Wien v. State, 882 A.2d 183, 186 (Del. 2005)
- State v. Baker, 720 A.2d 1139, 1144 (Del. 1998)
- Sisson v. State, 903 A.2d 288, 314 (Del. 2006)
- Hughes v. State, 653 A.2d 241, 247 (Del. 1994)
- Prices Corner Liquors, Inc. v. Delaware Alcoholic Beverage Control Comm'n, 705 A.2d 571, 575 (Del. 1998)
- Marine v. State, 607 A.2d 1185, 1207 (Del. 1992)
- Gottleib, 406 A.2d at 275
- Helman v. State, 784 A.2d 1058, 1074-75 (Del. 2001)
- Kimel v. Florida Board of Regents, 528 U.S. 62, 84-85 (2000)
- Helman v. State, 784 A.2d 1058, 1075 (Del. 2001)
- In re Request of Governor for Advisory Opinion, 12 A.3d 1104, 1110 (Del. 2009)
- Marta v. Sullivan, 248 A.2d 608, 609 (Del. 1968)
- Atlantis I Condo. Ass'n v. Bryson, 403 A.2d 711, 713 (Del. 1979)
- State v. Durham, 191 A.2d 646, 649-50 (Del. 1963)
- Raley v. State, 1991 WL 235357, at *2-*3 (Del. 1991)
- Hoff v. State, 197 A. 75, 79 (Del. Super. 1938)