



STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

PAUL J. MORRISON  
ATTORNEY GENERAL

120 SW 10TH AVE., 2ND FLOOR  
TOPEKA, KS 66612-1597  
(785) 296-2215 • FAX (785) 296-6296  
WWW.KSAG.ORG

October 25, 2007

Carol Green,  
Clerk of the Supreme Court  
Kansas Judicial Center  
301 SW 10<sup>th</sup>  
Topeka, KS 66612

RECEIVED  
OCT 29 2007

BY: *SP*

RE: *In the Matter of L.M.*, Case No. 96,197;  
Letter of Additional Authority pursuant to Rule 6.09

Dear Ms. Green,

This morning the Court heard oral arguments in the above-captioned matter. During the course of that argument, Solicitor General Stephen McAllister mentioned a case not previously cited in the briefs of either party. Pursuant to the Court's Rule 609(b), the State of Kansas respectfully and formally brings to attention of the Court and opposing counsel, the decision of the Supreme Court of the United States in *Smith v. Doe*, 538 U.S. 84, 123 S. Ct. 1140, 155 L.Ed.2d 164 (2003). In *Smith v. Doe*, the Supreme Court rejected a federal Ex Post Facto Clause challenge to the Alaska Sex Offender Registration Act, holding that the law was not "punitive" for constitutional purposes. The Alaska law required registration by sex offenders and permitted public disclosure of registration information via inquiries at sheriffs' offices or through an internet website. The Court discusses the constitutionality of the Alaska statute's disclosure provisions at pages 103 - 105 of the opinion.

Respectfully submitted,


OFFICE OF THE ATTORNEY GENERAL  
PAUL J. MORRISON

*FOR* *Stephen R. McAllister* #19626  
Stephen R. McAllister, #15845  
Kansas Solicitor General  
120 SW 10<sup>th</sup> Avenue, 2<sup>nd</sup> Floor  
Topeka, Kansas 66612  
(785) 296-2215

## CERTIFICATE OF SERVICE

I hereby certify that I served two true and correct copies of the above and foregoing Letter of Additional Authority, by depositing them the United States Mail, first class postage prepaid, on this 25<sup>th</sup> day of October, 2007, addressed to:

Paul M. Shipp  
Kansas Legal Services  
120 Grant Avenue  
Garden City, Kansas 67846  
*Attorney for Appellant*

  
Kristofer R. Ailsieger  
Assistant Solicitor General