

SUMMARY STATEMENT

Doe v. State of Idaho, ISP - Docket No. 42372

On appeal from the district court, the Idaho Supreme Court reversed the dismissal of Doe's Verified Petition for Declaratory Judgment and remanded. Doe sought a declaratory judgment as to whether the misdemeanor Washington sex offense to which he had pled guilty was substantially equivalent to an Idaho offense that would require registration on the Idaho sex offender registry if Doe were to move to or work in Idaho. The district court dismissed the petition for lack of standing on the theory that Doe had not yet moved to Idaho, become employed in Idaho, or registered in Idaho, so his claims were speculative and any ruling would have been advisory. The Supreme Court, noting that the threat of future harm may confer standing, held that declaratory judgment was appropriate because Doe alleged that he is presently not working in Idaho as much as his job demands require and that he had plans to work more in Idaho and move to Idaho depending on whether he would need to register. The Supreme Court also held that the statute Doe violated in Washington, R.C.W. § 9.68A.090(1), is substantially equivalent to Idaho Code section 18-1506(1)(a). The Supreme Court remanded to the district court for further proceedings.