

Federal Judge rules parts of Tennessee sex offender law punitive

By [Travis Loller . . .](#)

NASHVILLE, Tenn. (AP) – A federal judge has ruled that parts of Tennessee’s sex offender registration act should not be applied retroactively to two offenders who sued over the law.

Monday’s ruling in the U.S. District Court for the Middle District of Tennessee was narrowly written to apply only to the two plaintiffs. But it could open the door to more lawsuits and a broader ruling in the future.

U.S. District Judge Eli Richardson found that parts of the law violate the Ex Post Facto Clause of the U.S. Constitution, which prevents people from being punished by a law passed after their crime was committed. In order to find a violation, Richardson had to determine that parts of the law were punitive. He analyzed the specific circumstances of the two plaintiffs, who are identified only as John Doe #1 and John Doe #2, and found that parts of the law did act as punishment in the cases of the two men.

Richardson ruled in favor of the state on one issue. He said that a part of the act that requires offenders to provide law enforcement with information about their online activity was not, on its face, a violation of the First Amendment right to free speech. However, Richardson noted that the law is “confusing and unclear regarding what is required of registrants.”

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