

# Victory in New Jersey: part of Megan's Law ruled unconstitutional

written by admin | April 25, 2018



[By S.P. Sullivan](#) . . . New Jersey's highest court has ruled a portion of Megan's Law unconstitutional because it requires juveniles to remain listed on the state's sex offender registry for life.

The unanimous Supreme Court decision found placing such a lifetime requirement on child offenders violated their due process rights under the state constitution.

"Indeed, categorical lifetime notification and registration requirements may impede a juvenile's rehabilitative efforts and stunt his ability to become a healthy and integrated adult member of society," Justice Barry Albin wrote in the decision.

The court reverted to an older requirement that allows juvenile sex offenders to apply to be removed from the

registry after 15 years.

The ruling concerned a defendant identified only as C.K., who was convicted of sexually assaulting his adopted brother.

C.K. was 15 and his brother was seven at the time of the offense, which only came to light years later. Prosecutors wanted to try C.K. as an adult but he accepted a plea deal for aggravated sexual assault in juvenile court.

[Megan's Law](#), landmark legislation creating the sex offender registry, was enacted in 1994. But a 2002 addition to bring New Jersey's version in line with federal law brought new, even more stringent punishments those convicted of certain sex offenses, including the lifetime registry requirement.

The court's decision still requires defendants to register as sex offenders, but allows an individual convicted as a juvenile to appeal to a judge who will hold a hearing to determine whether the defendant "has been offense-free and does not likely pose a societal risk" after 15 years.

[\*\*Read the remainder of the article here at NJ.com\*\*](#)