

7th Circuit considers overturning ruling on Indiana SORA

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By [Dave Byrnes](#) . . .

CHICAGO (CN) – The Seventh Circuit heard arguments over Indiana’s controversial Sex Offender Registration Act on Friday morning, and not for the first time.

Indiana enacted the law known as SORA in 1994, requiring that those convicted of sex offenses in other states must also register as sex offenders in Indiana if they live or work there. It also contains a provision stating that convicted sex offenders moving to Indiana from another state must register even if their offense took place before the enactment of the law.

This contrasts with the law’s treatment of those who committed pre-SORA sex offenses while living in Indiana, and those who continue to live there after their offense. Those in-state residents are not required to register if they weren’t

required to do so prior to SORA's enactment or its subsequent revisions.

This divergent treatment between in-state and out-of-state offenders prompted a constitutional challenge to the law in October 2016, [brought](#) by six men placed on the SORA registry despite being convicted of sex offenses prior to SORA taking effect. The men claimed that SORA inhibited their constitutional right to travel across state lines, and violated the state's ex post facto clause and the federal equal protection clause – that is, punished them under a law that did not exist when they made their offenses, and more severely than longtime Indiana residents.

In a July 2019 ruling, U.S. District Judge Richard Young [agreed](#). The Bill Clinton appointee barred the state from applying SORA penalties to the six men, which in turn prompted the Indiana Department of Corrections to appeal his decision to the Chicago-based Seventh Circuit.

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