

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

JANE DOE I, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 03-CV-219085
	)	
THOMAS PHILLIPS, et al.,	)	Division No. 4
	)	
Defendants.	)	

**MOTION FOR ORDER PROHIBITING USE OF PHOTOGRAPHS OF SORA  
REGISTRANTS WHOSE CONVICTIONS PREDATED JANUARY 1, 1985**

COME NOW Plaintiffs, by counsel, and move this Court for an order prohibiting the use and internet publication of photographs of Plaintiffs (other than Jane Doe III) and other SORA<sup>1</sup> registrants whose convictions predated January 1, 1985, which photographs were provided by those registrants in compliance with the statute. The Missouri Supreme Court has held that application of SORA's registration requirements to those Plaintiffs and other registrants whose convictions predated January 1, 1985, is unconstitutional under the Missouri Constitution's prohibition against laws with retrospective application. *Doe v. Phillips*, 194 S.W.3d 833, 852 (Mo. banc 2006). Accordingly, those Plaintiffs and other registrants whose convictions predated January 1, 1985, should never have had to register, and should never have had to provide their photographs to law enforcement authorities as a part of that registration process. Continued use and publication on the internet by law

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<sup>1</sup>MO. REV. STAT. §§ 589.400 to 589.425, "Sexual Offender Registration Act", also referred to as "Megan's Law".

enforcement authorities of photographs which should never have been collected in the first place should be prohibited.

In further support of their motion, Plaintiffs refer the Court to the Suggestions in Support of this Motion, filed herewith and incorporated herein by this reference.

Respectfully submitted,

ARTHUR BENSON & ASSOCIATES

By 

Arthur A. Benson II Mo. Bar #21107  
Jamie Kathryn Lansford Mo. Bar #31133  
4006 Central Avenue (Courier Zip: 64111)  
P.O. Box 119007  
Kansas City, Missouri 64171-9007  
(816) 531-6565  
(816) 531-6688 (telefacsimile)  
abenson@bensonlaw.com  
jlansford@bensonlaw.com

Attorneys for Plaintiffs

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was served via electronic mail and First Class U.S. Mail, postage prepaid, this 30<sup>th</sup> day of October, 2006, on counsel listed below:

Ms. Lisa Gentleman  
Deputy Jackson County Counselor  
2nd Floor, Jackson County Courthouse  
415 E. 12th Street  
Kansas City, Missouri 64106  
(816) 881-3355  
(816) 881-3398 (telefacsimile)  
kkedigh@jacksongov.org

Mr. Michael Pritchett  
Assistant Attorney General

Missouri Attorney General's Office  
P.O. Box 899  
Jefferson City, Missouri 65102  
(573) 751-3321  
(573) 751-9456 (telefacsimile)  
mike.pritchett@mail.ago.state.mo.us



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Attorney for Plaintiffs