



**PRESS RELEASE from
LIBERTY JUSTICE CENTER**

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Alaska state officials face federal lawsuit over new requirements that violate free speech, privacy rights

Campaign donors and independent expenditure groups filed the first federal lawsuit challenging Ballot Measure 2 donor disclosure requirements

ANCHORAGE (April 7, 2022) –Today two citizen advocacy groups and five Alaskans filed a federal lawsuit to stop the most anti-privacy election laws in the country. The provisions adopted by a slim margin in Ballot Measure 2 in Nov. 2020 violate the free speech and privacy rights of individuals who make certain political contributions and discourage participation in Alaska’s political process. The on-air donor disclaimer requirement, the disclosure of donor layers, and the requirement that donors double-report contributions all violate the First Amendment’s protections of political speech and association.

The lawsuit was filed by Doug Smith, an Anchorage resident, four other individual Alaska-based donors, and two citizen advocacy organizations, the Alaska Free Market Coalition and Families for the Last Frontier. With the help of attorneys from the national, nonprofit law firm, the Liberty Justice Center, they are suing state officials from the Alaska Public Offices Commission (APOC). The Liberty Justice Center fights for Americans’ fundamental constitutional rights and has previously challenged donor disclosure requirements in Montana, New Jersey, New Mexico, and Rhode Island.

“Americans have the right to support causes they believe in without overly intrusive and burdensome requirements from the government,” said **Daniel Suhr, managing attorney at the Liberty Justice Center**. “Alaska’s new reporting requirements present Americans with an unconstitutional choice: sacrifice privacy to support causes and candidates or sit out of critical debates facing Alaska. We will not stand by as Alaskans’ free-speech rights are squelched by bureaucrats enforcing this unconstitutional law.”

The law requires that donors redundantly report donations or face thousands of dollars in fines. It demands that speakers fill their ads with extensive disclaimers for the entirety of an ad’s run time, converting ads from communications about issues or candidates into an advertisement of a speaker’s contributors. It further requires the disclosure of not only donors but the donors of donors—who gave money to someone who in turn gave money to a speaker—demanding comprehensive genealogies of contributions that run far afield from any state interest in protecting the integrity of elections or curtailing corruption.

As Alaska prepares for upcoming elections, the state’s onerous new regulations and requirements on donors will potentially discourage certain donors from supporting causes and candidates important to them.

“These overly intrusive requirements will shut down speech in Alaska,” said **Doug Smith, Alaskan and lead plaintiff in the lawsuit**. “We should welcome and encourage debate over important issues in Alaska, rather than impose laws and requirements that deter people from supporting causes they believe in and open them up to political intimidation.”

This lawsuit is the first challenge to Ballot Measure 2 filed in federal court. A separate challenge was brought on state constitutional grounds.

The lawsuit, Smith v. Helzer, was filed April 7, 2022, in the U.S. District Court for the District of Alaska. Case filings are available here: <https://libertyjusticecenter.org/media/alaska-ballot-measure-2>.

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The Liberty Justice Center is a non-profit, public-interest litigation center that fights to protect fundamental constitutional rights. The Liberty Justice Center is best known for its 2018 U.S. Supreme Court victory in Janus v. AFSCME. Learn more about the Liberty Justice Center at LibertyJusticeCenter.org.