



Press Release

Alaska Court System, 303 K Street, Anchorage, AK 99501

Contacts: Meredith Montgomery, mmontgomery@akcourts.us, 907-264-0612
Mara Rabinowitz, mrabinowitz@akcourts.us, 907-264-0879

ALASKA SUPREME COURT RELEASES OPINION IN CASE ARGUED AT SUPREME COURT LIVE EVENT AT WEST VALLEY HIGH SCHOOL

“Supreme Court LIVE” Event Fosters Understanding of the Justice System

Anchorage, Alaska (April 24, 2020) – The Alaska Supreme Court has released its opinion in *Kaleb Lee Basey v. State of Alaska, Department of Public Safety*, S-17099. The case was argued at the Supreme Court Live Program held at West Valley High School, October 10, 2019. The court held that, other than one express statutory exception, state employee disciplinary records are confidential “personnel records” and are not subject to disclosure under the Alaska Public Records Act. A copy of the opinion is available [here](#).

The case centered on competing public interests: the Alaska State Troopers’ interest in not having work-related discipline in their personnel files available to the public, and the public’s interest in knowing when law enforcement or other public employees have engaged in misconduct leading to discipline. Basey submitted a public records request under the Alaska Public Records Act seeking various documents including two state troopers’ disciplinary records. The State asserted that the requested records were “personnel records” exempt from disclosure under the State Personnel Act and article 1, section 22 of the Alaska Constitution.

The Court found that the disciplinary records are confidential “personnel records” under the Alaska Public Records Act and not subject to disclosure. Because of this ruling, the question of whether state employees have a state constitutional privacy interest was moot. The Court also declined to adopt a per se waiver rule.

Background: Supreme Court LIVE brings Supreme Court oral arguments in actual cases to student audiences at Alaskan high schools. Designed to help students better understand the justice system, this unique learning opportunity debuted in 2010, and has brought cases to Anchorage, Fairbanks, Juneau, Kenai, Ketchikan, Palmer, Sitka, and Utqiagvik.