



NEWS

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**ACLU and Keene & Currall Challenge State Violation of Medical Privacy
*Hundreds of Ketchikan Women’s Medical Records Improperly Seized and Read***

KETCHIKAN, AK, June 28, 2010 — The American Civil Liberties Union of Alaska Foundation (“ACLU”) along with the Ketchikan law firm of Keene & Currall are serving the State of Alaska, Department of Law, and the Division of Corporations, Business and Professional Licensing with a lawsuit seeking court protection for the private medical information of hundreds of Ketchikan women.

The lawsuit arises out of a January 2010 raid conducted by the Department of Law, and assisted by the Ketchikan Police Department, on a local medical care provider. The state seized approximately 400 whole patient files.

During the raid, the medical records of Ketchikan residents were alleged to have been read. These files contained information on women’s private medical matters, including ob-gyn issues, reports of sexual abuse, and testing for sexually transmitted infections. The ACLU has received multiple reports that – following the raid – several women were ridiculed with comments concerning their private medical history.

While the lawsuit does not contest the authority of the Department of Law to investigate allegations of criminal activity – even in a health care context – in this instance the State set out to seize more information than authorized in the search warrant, and took more files than necessary to prove any case.

Tom Stenson, attorney with the ACLU, stated: “There is almost no regulation of what law enforcement agencies may do with your medical information once they seize it. There are now women in Ketchikan who are afraid to have honest conversations with their doctors because they’re afraid the government could take their records and find out what was reported.”

The Complaint in the matter, *Cadle v. Department of Law, and Division of Corporations, Business and Professional Licensing*, 1KE-10-00334CI, filed in the Superior Court in Ketchikan, can be read online at www.akclu.org.

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