

25-246 JOUPPI V. ALASKA

DECISION BELOW: 566 P.3d 943

LOWER COURT CASE NUMBER: S-18598, S-18637

QUESTION PRESENTED:

The "touchstone of the constitutional inquiry under the Excessive Fines Clause" is that the amount of the fine "must bear some relationship to the gravity of the offense that it is designed to punish." *United States v. Bajakajian*, 524 U.S. 321,334 (1998). Below, the Alaska Supreme Court upheld the forfeiture of petitioner's \$95,000 airplane because, the court reasoned, petitioner knew that one of his passenger's grocery bags contained a sixpack of Budweiser.

In so holding, the court captured vividly a lower-court conflict over the standard for evaluating the gravity of a property owner's offense under the Excessive Fines Clause. Aligning with the Eleventh Circuit, the Alaska Supreme Court examined the gravity of the defendant's offense at a stratospheric level of abstraction. Meanwhile, the federal circuit in which Alaska sits-in line with many other state and federal courts-holds that "[i]t is critical" to "review the specific actions of the violator rather than by taking an abstract view of the violation."

The question presented is whether, in determining whether a fine contravenes the Excessive Fines Clause, courts may consider the gravity of the underlying offense purely in the abstract or should consider the gravity of the specific defendant's wrongdoing.

CERT. GRANTED 7/20/2026