

## Strip Searches and the Supreme Court

Written by Alex

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This year the Supreme Court made a ruling in a 5-4 decision that officials can strip search people arrested for any offense no matter how minor the charge is before admitting them to jail even if there is no evidence or suspicion to suspect the person of contraband.

The court had determined where Justice Kennedy wrote that the courts are not in the position to second guess the judgment of correctional officials, who not only considered the possibility of smuggling weapons or drugs, but public health and other information; including gang affiliations.

The dissent which was 4 people had a strong argument as well, saying in dissent that someone being naked is more intrusive not only being naked, but actually involving bodily contact. It is an invasion of privacy and it should only be used when there is a valid reason to do so.

The 4<sup>th</sup> Amendment and this is justice's prior comments should be understood to stop strip searches on people that are arrested for minor offenses; particularly if they do not involve drugs or violence; unless there is a reasonable suspicion of that person carrying contraband.

Some of the instances that were talked about are anywhere from somebody who was arrested for driving with a noisy muffler; failure to use a turn signal. A nun was stripped searched after an arrest for trespassing.

The case arose from a gentleman that was arrested who's in the passenger seat of his car when his wife was pulled over for speeding. The record showed that he had an outstanding warrant for his arrest for an unpaid fine and the information actually turned out to be incorrect and the fine had been paid.

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He was held in jail and was stripped searched while in two different jails; and a dispute about the details of the strip search, but at a minimum it appeared that the guards required him to move intimate parts of his body; although not touching him. There is a question that seems to be about whether or not somebody should be allowed to be stripped searched for not allegedly paying a fine; where even that turned out not to be true, but the Supreme Court did allow that and allows the authority for officials to strip search people even without a reasonable suspicion.