

U.S. Supreme Court OK's Strip Searches on New Inmates

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The U.S. Supreme Court has held that prison officials may perform strip searches on new inmates, even when they have no reason to suspect the inmate is involved in some criminal activity. *Florence v. Board of Chosen Freeholders of County of Burlington*, No. 10-945. (2012)

When his wife was pulled over for a traffic violation, Albert Florence was arrested under a civil contempt order for failing to pay a fine that he had paid in full. During his six days in jail, Florence was stripped search each time he was transferred to a new county jail. Jail officials admitted they did not believe Florence was involved in any criminal activity or carrying any contraband.

Florence sued claiming his constitutional rights were violated. Florence argued that strip searches should not be done unless a prison official has a "reasonable suspicion" the inmate is involved in some criminal activity.

In a 5-4 decision, the Supreme Court held that a "strip-search all arriving inmates" rule strikes the better balance between inmates' rights and jailhouse security than allowing jail intake officers to determine if there is a "reasonable suspicion" to strip-search and inmate. Furthermore, regardless of the reason for their incarceration, prison officials can strip-search inmates even if they are incarcerated for a minor offense..

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