

# Jail Strip Search

The U.S. Supreme Court's 2012 ruling in *Florence vs. Board of Chosen Freeholders of the County of Burlington* established that jail strip searches are now legal in the United States regardless of the offense an individual has been arrested for or charged with. This means that those arrested for matters as small as a traffic violation are subject to strip searches by authorities.

Controversy surrounding the decision involves the Fourth Amendment, which addresses privacy rights and protects citizens from "unlawful search." In light of the 2012 ruling, many are questioning the interpretation of "unlawful" in this context. The ostensible purpose of strip searches is to ensure jailhouse security for inmates as well as those who run the jail. The recent ruling grants permission to search any person arrested for any crime under the presumption that even a low-level nonviolent offender could be carrying a weapon.

The Court's ruling was a 5-4 decision: the four dissenting justices disagreed with a policy that gives police full discretion in deciding to strip-search anyone brought to the jail for nearly any reason. They maintained that strip searches are "inherently harmful, humiliating, and degrading," and especially acute when the person in question had only violated a traffic law.

## STUDY QUESTIONS

1. Without reasonable suspicion that a person is carrying contraband, is it morally permissible to strip-search suspects citing jailhouse security concerns? Is it morally permissible to search them for illegal drugs or other contraband?
2. How does one ethically balance the competing needs for jailhouse safety with an individual's right to privacy?