



505 Fifth Avenue, Ste. 901
Des Moines, IA 50309
(515) 243-3576

ACLU loudly condemns alleged strip searches at Atlantic High School

by R. Ben Stone,
ACLU-IA Executive Director 12/18/2009

This past summer, in the first weeks of the school year, Iowans became aware of a disturbing story out of Atlantic, Iowa, regarding accusations of inappropriate conduct by school officials. It was reported that several high school girls had been forced to submit to a strip search after another female student claimed that \$100 in cash had been stolen.

Rather than investigate the credibility of story of the missing money, school officials reportedly forced five girls to take their gym clothes off in the locker room in front of a female faculty member. At least one of the teenage girls allegedly had to strip off her underwear and bra in order to comply with the demands of the faculty member. No money was ever found, and it is unclear whether it ever existed at all.

If true, such behavior represents a flagrant violation of Iowa Code Section 808A, which bluntly and unequivocally states that school officials “shall not conduct a search which involves a strip search.”

Although offered free representation by the ACLU of Iowa even before the allegations became public, the families collectively chose to retain private counsel. Nonetheless, when the story broke, the Iowa affiliate managed to provide the media with statements strongly condemning the alleged misconduct, making a special effort to point out that the ACLU of Iowa in 1986 had essentially written the Iowa law forbidding strip searches by school officials. In an exclusive Des Moines Register story published on September 5, 2009, ACLU of Iowa Executive Director Ben Stone was quoted extensively:

If a strip search occurred as it’s been described to us, it was an absolutely intolerable act by the government and there should be very high accountability. Young people who are ordered to take off their clothing in front of a stranger whose intention is to search them creates an anxiety that is extremely heightened, especially with kids in their formative years.

The fact that the girls were in a locker room means absolutely nothing. They weren’t taking off their clothes to go back to class. They were taking off their clothes because a person in authority has demanded they take off their clothes. That type of psychological stress can be very long lasting.

In early November, a report by a lawyer hired by the Atlantic School District was released, but it did not expressly identify the school officials who were being punished, nor did it describe the sanctions they received. ACLU of Iowa Legal Director Randall Wilson responded with an open records request to the district demanding release of both the names of the officials and their punishments, telling the Des Moines Register that since “we helped get the strip search law passed in Iowa, we want to make sure it’s taken seriously and not hidden behind a cloak of secrecy.”

The parents of the girls who were allegedly searched are now poised to file a lawsuit. Meanwhile, the ACLU of Iowa is considering its options in regard to its open records request, which has to date not been fully complied with by the school district.