

# US school rebuked for ibuprofen strip search

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**A divided US appeals court has ruled an Arizona school violated the constitutional rights of a 13-year-old student by conducting a strip search for ibuprofen.**

Suspecting that a student had violated a policy against prescription or over-the-counter drugs without permission, public school officials in Safford, Arizona, ordered a search of Savana Redding.

A school nurse had her remove her clothes, including her bra, and shake her underwear to see if Ms Redding was hiding anything.

The 2003 search, prompted by a tip from another girl, did not find ibuprofen, which is found in common medications like Advil and Motrin to treat pain like cramps and headaches.

Higher doses require a prescription.

Previous court decisions ruled the school did not violate the US Constitution's Fourth Amendment rights against unreasonable searches and seizures because officials have a legitimate interest in protecting students from prescription drugs.

The 6-5 ruling by a panel of the 9th US Circuit Court of Appeals on Friday overturned an earlier decision, setting out its reasoning in an extensive 75-page ruling with many details on the complications of eighth grade life.

"Directing a 13-year-old girl to remove her clothes, partially revealing her breasts and pelvic area, for allegedly possessing ibuprofen, an infraction that poses an imminent danger to no one, and which could be handled by keeping her in the principal's office until a parent arrived or simply sending her home, was excessively intrusive," Justice Kim McLane Wardlaw wrote for the majority.

The majority found flaws in the school's logic that a tip from another student justified the action.

"The self-serving statement of a cornered teenager facing significant punishment does not meet the heavy burden necessary to justify a search accurately described by the 7th Circuit as 'demeaning, dehumanizing, undignified, humiliating, terrifying, unpleasant [and] embarrassing'.

"And all this to find prescription-strength ibuprofen pills.

"No legal decision cited to us, or that we could find, permitted a strip search to discover substances regularly available over-the-counter at any convenience store throughout the United States."

In a dissenting opinion, Justice Michael Daly Hawkins wrote: "We should resist using our independent judgment to determine what infractions are so harmful as to justify significantly intrusive searches."

"Seemingly innocuous items can, in the hands of creative adolescents, present serious threats.

"Admittedly, ibuprofen is one of the mildest drugs children could choose to abuse. But that does not mean it is never harmful."

- Reuters

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