

No: 09-3603  
No: 09-3661  
CONSOLIDATED

*To be argued by  
Susan Chana Lask, Esq.*

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**UNITED STATES COURT OF APPEALS**  
for the  
**THIRD CIRCUIT**

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**ALBERT W. FLORENCE,**  
*Plaintiff-Appellee,*

**V.**

**BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON;  
BURLINGTON COUNTY JAIL; WARDEN JUEL COLE,  
Individually and officially as Warden of Burlington County Jail;  
ESSEX COUNTY CORRECTIONAL FACILITY;  
ESSEX COUNTY SHERIFF' DEPARTMENT;  
STATE TROOPER JOHN DOE, Individually and in his capacity as a State Trooper;  
JOHN DOES 1-3 of Burlington County Jail & Essex County Correctional Facility  
who performed the strip searches; JOHN DOES 4-5  
*Defendants-Appellants***

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**ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CIVIL NO.: 1-05-cv-3619(JHR)**

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**APPELLEE'S BRIEF TO  
INTERLOCUTORY APPEAL OF SUMMARY JUDGMENT  
ON FOURTH AMENDMENT STRIP SEARCH ISSUE**

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**ISSUES PRESENTED FOR REVIEW ON APPEAL**

The District Court's June 30, 2009 Order granted certification of this interlocutory appeal premised on two recent out of Circuit cases: (a) *Powell v. Barrett*, 541 F.3d 1298 (11th Cir. 2008) (*en banc*) decision and (b) *Bull v. City and County of San Francisco*, 539 F.3d 1193 (9th Cir. 2008), *rehearing en banc granted*, 558 F.3d 887 (9th Cir. 2009). The District Court confirmed it disagreed with *Powell* as "contrarian" but can not ignore *Powell* exists. It stated those out of circuit cases create a substantial ground for difference of opinion whether non-indictable arrestees can be strip searched without first articulating a reasonable suspicion whether they are hiding contraband, weapons or drugs (A107).

**STATEMENT OF THE FACTS**

On or about March 5, 2005, Plaintiff Albert Florence was a passenger in his vehicle driven by his wife, which was pulled over in Burlington County (A113, SA3). During the stop, the State Trooper claimed a bench warrant existed against Florence (SA4). The Criminal Justice Information System ("CJIS") is the hit system that the Trooper relied upon to arrest Florence, which returned a warrant for "2A:10-1C Civil Contempt"(SA22,82,94). A civil contempt is a non-indictable offense for failure to pay a fine. NJSA 2A:10-1C. An offense is "non-indictable" because there is no grand jury indictment as they are not crimes. N.J.S.A.

2C:1-4(b). Offenses include conduct such as not having your driver's license in your possession N.J.S.A. 39:3-29, smoking in public N.J.S.A. 2C:33-13 or failure to pay fine 2C:46-2, like a traffic ticket, among other minor offenses.

The warrant was actually invalid as it related to a fine Florence paid years before (A45,SA4,6). Although Albert Florence protested the warrant's validity, he was processed at Burlington on the non-indictable charge of failure to pay a fine, awaiting pick-up by Essex County (A119). Burlington's "Inmate Intake Record" created at initial processing confirmed Mr. Florence was there for a non-indictable offense of "2A:10-1C Civil Contempt" (SA23). Despite knowing Mr. Florence was there for a non-criminal offense, Burlington processed him by subjecting him to a strip search where he was ordered by an officer sitting arm's length from him to remove all his clothing and, while naked, ordered to open his mouth, lift his tongue, hold his arms out, turn fully around, and lift his genitals for the officer to check thereunder (SA7-8). For 6 days, Burlington held him without presenting him to a magistrate (A46).

After the sixth day, Essex transported Florence to the Essex County Corrections Facility. (A46). Essex' intake papers document his presence there for the non-indictable offense of "2A:10-1C civil contempt". Essex processed Florence and four other arrestees as a group by ordering them to open their mouths and lift their genitals, then to turn around, face away from the officers, squat and

cough, and then to turn back around; all done while other unrelated persons walked in and out of that room (SA9-12). After the Essex strip search by the officers, then they clothed and saw a nurse for a medical screening (SA132)

After two strip searches pursuant to Essex and Burlington's custom and policy to blanket strip search at processing (SA56-7,80,108,110,130), on March 10, 2005, seven days later, Florence was for the first time brought before Essex County Magistrate Michael Casale who found the warrant was a mistake and released him that day (A120).

**i. Strip Search Laws, Rules & Regulations Provided in Discovery  
By Burlington and Essex**

Essex and Burlington provided N.J.S.A. 10A:31-8.4, et seq., Criminal Justice Code 2A:161A-1, and Attorney General Guidelines as the laws, rules and regulations governing strip search procedures at intake (SA24-30). All said laws, rules and regulations prohibit strip searching upon intake unless it is based upon "Reasonable suspicion to believe that the person is concealing a weapon, contraband of Controlled Dangerous Substances", conducted "in private" and a "dignified manner" and an officer who performs the search makes a written report of how it was conducted, who was present and what was found and the reason for the search (SA24-30). Strip searches are prohibited when an arrestee can "be released or have bail set without unnecessary delay" (SA27).

**ii. Burlington Jail's Intake Procedures**

Burlington's intake search procedures entitled "Policies and Procedures: Search of Inmates—No. Section 1186" ("Section 1186") provides for a "Pat Search" and a "Strip Search". A pat search is "a pat down by the officer's hands to feel for contraband" while the arrestee is clothed and a strip search is "a physical search of an inmate . . . while unclothed consisting of routine and systematic visual observation of the inmate's physical body to look for distinguished identifying marks, scars or deformities, signs of illness, injury or disease and/or the concealment of contraband on the inmate's body." (SA42-49). It further states that "a person who has been detained or arrested for commission of an offense other than a crime . . . shall not be subject to a strip-search unless there is a reasonable suspicion that a weapon, controlled dangerous substance or contraband will be found." ( SA43). Section 1186 tracks the language in cases and laws governing strip searches provided by Burlington, being N.J.S.A. 10A:31-8.4, et seq., Criminal Justice Code 2A:161A-1, and Attorney General Guidelines; however, every officer and its warden testified that everyone gets strip searched regardless of their charge at intake, without reasonable suspicion being first articulated.

Lieutenant Douglas Chilton executed Florence's strip search form entitled "Strip Search Authorization Form", checking a "visual inspection".. because Florence was admitted for a non-indictable offense mandating only a "visual

observation" during intake, yet testifying that when Burlington Officers direct an arrestee to remove all of their clothes they are subjecting them to a "strip search" permitted only for indictables, and that non-indictables should not get strip searched (SA52-57). He testified every non-indictable gets a "visual observation" which is actually being stripped naked (SA55). Officer Haywood Reeder testified that non-indictable arrestees, such as a civil contempt offense like Florence, should not be strip searched during the intake process. (SA60,67). He testified that being completely naked is being strip searched (SA61). He testified that the purpose of Burlington's "Strip Search Form" is to explain why the person was strip searched (SA63). After the strip search, then the last step is the medical clearance or "classification" process where a board consisting of the deputy warden, ID booking personnel and a nurse investigate the arrestee to determine whether he or she is gang related or has medical issues (SA64,71). Officer Charles Palmer testified that Burlington's custom and policy is that all non-indictable arrestees are directed to strip naked before an officer at intake, a strip search means removing their clothes and there is no difference between a "strip search" and a "visual observation"(SA75,79). He testified that Florence's intake papers confirmed he was a there on the non-indictable offense of 2A:10-1C, being a civil contempt of court, which includes missing a court date or a child support payment (SA82). Officer Sean Gallagher and Lieutenant Jerry Coleman testified that it is

Burlington's custom and practice that all arrestees, whether indictable or non-indictable, must strip naked before an Officer, a "visual observation" and strip search are the same and they confirmed that Florence was a non-indictable arrestee, to which all arrestee "charges" are known by the Officers before they are strip searched. (SA84-99). Warden Juel Cole testified that an arrestee admitted for a non-indictable offense is subjected to a visual observation, which involves an officer checking inmate nude (SA103-4). Warden Cole testified that directing an someone to remove their clothing equates to having the person strip(SA105).

Not one officer nor the warden distinguished between a strip search and a "visual observation", and in fact testified that they use the same process for everyone that enters their facility, notwithstanding their charge whether for a traffic ticket or a murder.

### **iii. Essex Jail's Intake Procedures**

The Essex Jail's inmate search procedures during the class period are based on the (1) "Department of Public Safety: General Order No. 89-17" (" Order No. 89-17") and (2) "Department of Corrections: Administrative Directive No. 04-06" (" Directive No. 04-06") (SA31-41). Order No. 89-17 was effective September 2002, directing that, upon arrival at Essex, all arrestees shall be strip searched (SA33). It defines a strip search as having an arrestee undress completely(SA34). Officers should "observe carefully while the inmate undresses" and examine the

inside of their mouth, ears, nose, hair and scalp, fingers, hands, arms, and armpits; and all body openings and inner thighs, and a report should be filed documenting the intake strip search(SA34-5).

In April 2005, Order No. 89-17 was nullified by Directive No. 04-06, directing officers to “conduct a thorough search of individual inmates[.]” and have all arrestees shower during intake and officers are to document in writing the search. (SA40) Directive No. 04-06 facially prohibits strip searching non-indictable arrestees unless reasonable suspicion is articulated that the search will produce a weapon, drugs, or contraband pursuant to N.J.A.C. 10A:31-8, which said statute also requires a written report of any strip search (SA35,40). Not one document was ever produced by Essex of when and how a strip search was performed upon Mr. Florence nor upon any non-indictable or indictable pursuant to their Directive No. 04-06 or N.J.A.C. 10A:31-8.

Essex Sergeant Thomas Logue repeatedly testified that, for intake processing purposes, all arrestees are treated the same, without any distinction whether the arrestee is accused of an indictable or non-indictable offense (SA108,110). Sergeant Logue testified that during processing, officers call three arrestees at a time to enter the shower area where other officers at other desks are present as well as officers who order the arrestees to remove all clothing while the officers view their nude bodies (SA113-118). Consistent with this testimony that

other persons are in the shower room where the arrestees are stripped, is Lieutenant Salzano's and Warden Glover's testimony that there other officers enter that room during the strip searches in addition to the up to three officers that can be conducting the strip searches (SA133,135,140-1). Officer Richard Monroig testified that arrestees are never segregated based on the nature of their offense—indictable versus non-indictable— at the intake process, that everyone, including traffic ticket offenses, are processed the same way (SA124-5,130), and that processing officers are not trained to know which charges are indictable or non-indictable (SA124,129). He testified that the intake process has arrestees led, three at a time, to a shower area where officers direct them to remove their clothing and shower. (SA126-8) The arrestees stand nude while an officer watches them. (SA127-8) Lieutenant Michael Salzano testified Essex' procedures include a mandatory shower where officers bring up to three arrestees into the shower room at a time, and order them to remove their clothing regardless if the arrestee is admitted for an indictable or non-indictable offense (SA133-134). Warden Larry Glover defined a strip search as removing clothing to inspect the naked body (SA138). He testified that all arrestees are searched first in processing by passing through the Body Orifice Scanning System, or BOSS Chair, fully clothed (SA139). The BOSS Chair is non-intrusive technology used at processing that scans arrestees bodies while fully clothed "to detect small weapons or contraband metal

object concealed in the oral, anal or vaginal cavities" (SA38). After the BOSS chair, they order as many as three arrestees to enter the shower area and get naked by remove their clothing (SA139-140). There the procedure of group strip searching proceeds as testified above, and only after the strip search, when they are fully clothed, then the Essex arrestees proceed to a medical screening by a licensed nurse (SA13)

Never did any Essex or Burlington witness testify to or produce proof in the record that blanket strip searching non-indictable arrestees occurs because of a real threat of MRSA, gang membership or security concerns, nor did they produce proof for the record that anyone from this class posed a risk of any such threat to justify being strip searched without a reasonable suspicion first being articulated.

In 2008, Albert Florence filed for summary judgment on the issue of whether Appellants Essex and Burlington County jail facilities were violating non-indictable arrestees' Fourth Amendment rights since 2003 to date by forcing them to strip search during the initial processing stage without first articulating a reasonable suspicion that they were concealing drugs or contraband. The District Court found that both Burlington and Essex indiscriminately strip search everyone that passes through their doors during processing, without first articulating a reasonable suspicion for those persons charged with non-criminal offenses such as parking tickets, failure to pay a fine or failure to pay child support (A111).

**STATEMENT OF THE STANDARD OF REVIEW**

Appellants misstate the standard of review as applicable to "all arrestees admitted to a jail facility when the search is performed...". This case does not involve "all arrestees" nor "the search". It involves a specific and defined class of "non-indictable" arrestees, not "all arrestees". Moreover, it is limited to a specific time period of initial processing, before the non-indictable ever sees a magistrate. Finally, this case involves strip-searching, not "searching" as Appellants misstate.

The correct statement of the standard of review is: Did the District Court commit error based upon the record before it when it held that blanket strip searching all non-indictable arrestees at initial processing without first articulating a reasonable basis of suspicion that the non-indictable arrestee is concealing contraband, drugs or weapons is unconstitutional under the Fourth and Fourteenth Amendments? Since this is a review of an interlocutory summary judgment order on appeal it is de novo, the same standard as the District Court used is applied here. *American Eagle Outfitters v. Lyle & Scott Ltd.*, 584 F.3d 575, at 580-581 (C.A.3,2009).

## ARGUMENT

### POINT I

#### **A. The District Court Made its Decision Consistent with the Summary Judgment Standard, Considering the Legal Standard of Reasonableness Established by the Law and the Weight of the Evidence in the Record Before it**

Summary judgment should be granted if, drawing all inferences in favor of the nonmoving party, "the pleadings, the discovery and disclosure materials on file, and any affidavits show that there is no genuine issue as to any material fact and that the movant is entitled to judgment as a matter of law." *Fed.R.Civ.P.* 56(c). A summary judgment motion will not be defeated by "the mere existence" of some disputed facts, but will be denied when there is a genuine issue of material fact. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48, 106 S.Ct. 2505, 91 L.Ed.2d 202 (1986). It is not the District Court's function to weigh the evidence or to determine the truth of the matter, but only to determine whether the evidence of record is such that a reasonable jury could return a verdict for the nonmoving party. *American Eagle Outfitters, supra*. The substantive law governing the case will identify those facts that are material and "only disputes over facts that might affect the outcome of the suit under the governing law will properly preclude the entry of summary judgment." *Anderson v. Liberty Lobby, Inc, supra*.

If the moving party meets its burden, the burden shifts to the nonmoving

party to come forward with "specific facts showing that there is a genuine issue for trial." Fed.R.Civ.P.56(e). Neither Essex nor Burlington produced a shred of evidence in the record to justify blanket strip searching this particular class of persons nor to deny that the existing legal standard is reasonableness before this class of non-criminal arrestees can be strip searched at processing. Contrary to Essex' misstating clear law at page 28 of its Brief, it was not for Florence to produce evidence proving Essex' opposition (see Point II herein).

**i. In accordance with the Summary Judgment Standard, the District Court Properly Applied the Substantive Law & Legal Standard as It Existed at the Time of the Strip Searching and Exists Now in this District and Nine Circuits**

The District Court in *Florence v. Bd. of Chosen Freeholders of Burlington*, No. 05-3619, 2009 WL 252174, at 16 (D.N.J. Feb. 4, 2009) held that Defendants' violated the Fourth Amendment rights of the class of non-indictable arrestees at processing by subjecting them to blanket strip searches without first articulating a reasonable suspicion. That decision was not in error. It was in line with 30 years of presidential law established in this District and District Courts in this Circuit. *Davis v. City of Camden*, 657 F. Supp. 396, 401 (D.N.J. 1987); *Roderique v Kovac* 1987 WL 17058 (DNJ); *O'Brien v. Borough of Woodbury Heights*, 679 F. Supp. 429, 434 (D.N.J. 1988); *Ernst v. Borough of Fort Lee*, 739 F. Supp. 220, 224 (D.N.J. 1990); *Martinez v. Warner*, No. 07-3213, 2008 WL 2331957, at \*14-15

(E.D. Pa. June 5, 2008); *Newkirk v. Sheers*, 834 F. Supp. 772, 789-90 (E.D. Pa. 1993). The District Court confirmed its knowledge of the applicable legal standard to both Burlington and Essex:

“Frankly, the Court is uncertain of the point the Essex County Defendants are trying to make. If they are suggesting that the large number of violent offenders in their facility somehow obviates their need to comply with the law, they are mistaken. They are similarly mistaken if they believe that the absence of an opinion from the Court of Appeals casts doubt on the underlying legal principle that suspicionless strip searching is unlawful; *Davis* is an opinion of this Court and is therefore the law within this District.” *Florence*, at 16.

The standard held by all the courts is that of reasonableness before invading a non-indictable arrestee’s constitutional right to privacy; or, in other words, to first articulate a reasonable suspicion that the arrestee is concealing, contraband, drugs or weapons.

The District Court accounted for the fact that District Courts nationwide uniformly hold that without first articulating reasonable suspicion, blanket strip searching of minor offenders is unconstitutional. *Dodge v. County of Orange*, 226 F.R.D. 117 (SDNY 2005); *Mason v. Village of Babylon New York*, 124 F.Supp.2d 807, 816 (EDNY 2000); *Marriott v. County of Montgomery*, 426 F.Supp. 2d 1 (NDNY 2006); *Adnan v. Santa Clara County Dept. of Corrections*, 2002 WL 32058464 (N.D. CA 2002); *Blihovde v. St. Croix County, Wisconsin*, 219 F.R.D. 607 (W.D. Wis. 2003); *Nilsen v. York County*, 219 F.R.D. 19, 22 (D. Maine 2003);

*Bynum v. District of Columbia*, 217 F.R.D. 43 (D.D.C. 2003); *Ford v. City of Boston*, 154 F.Supp.2d 131 (D.Mass.2001); *Tyson v. City of New York*, No. 97 Civ. 3762 (S.D.N.Y.,1998); *Smith v. Montgomery Co.*, 574 F. Supp. 604 (D.Md. 1983); *Tardiff v. Knox County*, 218 F.R.D. 332 (D. Me. 2003), *aff*”, 365 F.3d 1(2004).

More compelling is that *Florence* is consistent with the persuasive authority of nine courts of appeal, all applying *Bell* as the constitutional guide to balance the government's intrusion upon the privacy of an arrestee at processing charged with a non-indictable offense. *Swain v. Spinney*, 117 F.3d 1, 7 (1st Cir. 1997); *Weber v. Dell*, 804 F.2d 796, 802 (2d Cir. 1986) (holding that reasonable suspicion that an accused minor offender is concealing contraband is necessary before subjecting the person to a strip search because of the intrusive and demeaning nature of such an investigative procedure) and *Walsh v. Franco*, 849 F.2d 66, 67 (2d Cir. 1988) (failure to pay parking tickets); *Logan v. Shealy*, 660 F.2d 1007, at 1013 (4th Cir. 1981) (holding that “[a]n indiscriminate strip search policy routinely applied to detainees ... cannot be constitutionally justified simply on the basis of administrative ease in attending to security considerations”); *Stewart v. Lubbock County*, 767 F.2d 153, 154 n.1 (5th Cir. 1985) (public intoxication and issuance of a bad check); *Masters v. Crouch*,872 F.2d 1248, 1255 (6th Cir. 1989); *Mary Beth G. v. City of Chicago*, 723 F.2d 1263, at 1273 (7th Cir. 1984) (requiring reasonable suspicion by authorities before strip searching minor offender detainees); *Hunter v.*

*Auger*, 672 F.2d 668 (8th Cir.1982) (holding that "the Constitution mandates that a reasonable suspicion standard govern strip searches of visitors to penal institutions") and *Jones v. Edwards*, 770 F.2d 739, 740 (8th Cir. 1985) (leash law violation); *Kennedy v. Los Angeles Police Dept.*, 901 F.2d 702 (9th Cir. 1989) and *Giles v. Ackerman*, 746 F.2d 614, at 617 (9th Cir. 1984) (holding that "arrestees for minor offenses may be subjected to a strip search but only if jail officials have a reasonable suspicion that the particular arrestee is carrying or concealing contraband"); *Hill v. Bogans*, 735 F.2d 391, at 394-95 (10th Cir. 1984).

With this substantial history of well established law by every District Court and nine Circuit Courts, including this District's seminal case of *Davis*, supra. and its progeny, then it can not be said that *Florence*'s decision was in error.

**ii. One Recent Out of Circuit Contrarian Holding of *Powell* Based on an Undeveloped Record Does Not Make the *Florence* Holding in Error**

Four District Courts in this Circuit, including the case at bar, and other District and Circuit courts analyzed *Powell* and rejected it. In *Delandro v. County of Allegheny*, 2009 WL 4723206 at \*3(W.D. Pa., 2009), a District Court in this Circuit held *Powell* to be "the minority view", finding that:

"district courts in this circuit have sided with the majority view, holding that to be constitutional, strip searches of detained arrestees must be justified by a reasonable suspicion that they possess contraband or a weapon. See, *Allison v. The GEO Group*, 611 F.Supp.2d 433, 462-63 (E.D.Pa.2009); *Florence v. Bd. of Chosen Freeholders of Burlington*, 595 F.Supp.2d 492,512-13

(D.N.J.2009); *Newkirk v. Sheers*, 834 F.Supp. 772, 787-90 (E.D.Pa.1993); *Ernst v. Borough of Fort Lee*, 739 F.Supp. 220, 224 (D.N.J.1990). In *Florence*, supra, the Court criticized the *Powell* decision, finding "its contrarian holding less than compelling", as "[t]he post-contact visit searches upheld in *Bell* are dissimilar to the post-intake searches struck down by the [other Circuit Courts of Appeal]". 595 F.Supp.2d at 511. Similarly, in *Allison*, supra, the Court stated that it was "not persuaded by [Powell's ] attempts to place arrestee strip searches under the umbrella of the *Bell* holding with regard to contact visits", 611 F. Supp.2d at 460, as "courts have consistently concluded that the interests which justified the implementation of a blanket policy in the contact visit context in *Bell*--discovery and deterrence--did not justify the implementation of a blanket policy in the arrestee context." *Id.* at 462 (italics in original)."

In *Allison v. The GEO Group*, 611 F.Supp.2d 433, 462-63 (E.D.Pa.2009), the

District Court in this Circuit rejected *Powell*, to wit:

This Court disagrees with the Eleventh Circuit's premise and conclusion. *Powell* attributes the reasonable suspicion standard to the following sentence in *Bell*: "We deal here with the question whether visual body-cavity inspections as contemplated by the MCC rules can ever be conducted on less than probable cause." *Bell*, 441 U.S. at 560, 99 S.Ct. 1861 (emphasis in original); *Powell*, 541 F.3d at 1309. The Eleventh Circuit assumes that this sentence is the source of the circuit court holdings requiring reasonable suspicion and then states that "neither the question nor the answer compels the conclusion that 'less than probable cause' means 'reasonable suspicion.'" *Powell*, 541 F.3d at 1309. This Court agrees with *Powell*'s interpretation of that sentence in *Bell* but disagrees with *Powell*'s reading of the cases requiring reasonable suspicion. Those courts, even the courts cited in *Powell*, did not rely on the untenable premise that, by holding that the contact visit strip searches could be conducted on less than probable cause, *Bell* affirmatively required reasonable suspicion."....

"Circuits other than the Eleventh Circuit relied on the Fourth Amendment's reasonableness requirement and the balancing test articulated in *Bell* to strike down suspicionless custodial strip searches of detained arrestees. Applying that test, circuit courts have ruled that policies requiring strip searches for all arrestees, regardless of the charges or circumstances, are unreasonable and therefore unconstitutional."at 457

In *Boone v. City of Philadelphia*, -F.Supp.2d-,2009 WL 3646398 (E.D.Pa.,2009), the District Court in this Circuit decided in favor of a settlement regarding the exact issues as the case at bar, after analyzing *Powell*, then rejecting it, *Boone* found the standard of reasonableness is the rule before strip searching a class of non-criminal arrestees. In *Myers v. James*, 2009 WL 2050726 at \*3 (10th Cir, 2009), an unpublished decision, the Circuit Court found:

"Relying on *Powell v. Barrett*, 541 F.3d 1298 (11th Cir.2008) (en banc), appellants contend that this circuit's precedent misapplies *Bell v. Wolfish*, 441 U.S. 520, 99 S.Ct. 1861, 60 L.Ed.2d 447 (1979), and that therefore the search was constitutional. We are unpersuaded."

In *McCabe v. Mais*, 580 F.Supp.2d 815, 827-829, (N.D.Iowa 2008), the court considered *Powell* and rejected it. In *Young v. County of Cook*, 616 F.Supp.2d 834, at 846 (N.D.Ill.,2009), the District Court rejected *Powell's* holding that every District and Circuit court misinterpreted *Bell*, stating:

"Of all the circuits to consider this issue, only the Eleventh Circuit has reached a contrary result." and "that the Eleventh Circuit, acknowledging *Mary Beth G.* and other cases, held that there is no need, when evaluating a Fourth Amendment challenge to strip searches of detainees, to consider whether the detainees have been arrested for misdemeanors or for more serious crimes. *Id.* at 1309-10. This Court, even if it were so inclined, has no authority to disregard *Mary Beth G.*-even though the Eleventh Circuit believes that case was decided incorrectly."

In *Lopez v. Youngblood*, 609 F.Supp.2d 1125, 1138 (E.D.Cal.,2009), "The *Powell* decision is of no precedential value in this circuit and it is unpersuasive."

Consistent with the other Circuits, it is respectfully submitted that not only is

*Powell* an out of Circuit decision holding little if no weight in this appeal, but Burlington and Essex Counties fail to provide the distinguishing fact that it was decided on a motion to dismiss, without a record ever developed. Without the benefit of a record it is explicitly distinguishable from *Florence's* 4 years of discovery and testimony, and every other case based on developed records that present facts for District and Circuit courts to make reasoned decisions.

The unreasonableness of acting without a developed record is evidenced by *Powell* overruling its own long standing Circuit precedent based on previous developed records. Historically the 11th Circuit held that strip searches of a minor offender may only occur when based upon reasonable suspicion that he or she is concealing contraband because of "the extremely intrusive nature of a strip search". *Justice v. City of Peachtree City*, 961 F.2d 188, at 193 (11th Cir.1992); *Wilson v. Jones*, 251 F.3d 1340 (11th Cir.,2001); *Skurstenis v. Jones*, 236 F.3d 678 (11th Cir. 2000). One explanation for *Powell's* contrarian change against its own and the majority Circuit holdings is that since it had no record before it, then it could not rationalize a holding except through Justice Powell's dissenting opinion in *Bell*:

"I join the opinion of the Court except the discussion and holding with respect to body-cavity searches. In view of the serious intrusion on one's privacy occasioned by such a search, **I think at least some level of cause, such as a reasonable suspicion**, should be required to justify the anal and genital searches described in this case. I therefore dissent on this issue. *Bell*, 441 U.S. at 563 (Powell, J., dissenting); *Powell*, 541 F.3d at 1308 (emphasis added).

Dissenting opinions are unreliable, and a risky proposition in light of the multiple majority opinions, but since *Essex* and *Burlington* rely on *Powell* that relied on a dissenting opinion, then we must account for the fact that *Bell's* dissenting opinion actually confirms that "reasonable suspicion", as emphasized in the above cited dissent, is the standard *Bell* emphasized. And every Circuit holds that reasonable standard as an articulation on an individualized basis to be made before strip searching non-criminal arrestees. Interestingly, as well, *Powell* ignores that *Bell* was limited to body-cavity searches of inmates already confined to prison and after they had contact visits from third parties, and lumps every one into the same category as if they are all "post-contact visit" inmates. The case at bar is completely distinguishable. We are concerned with the rights of non-criminal arrestees blanket strip searched during initial processing at the facility doors, before they ever see a magistrate. Post-contact visits of inmates is not an issue here and those inmates had their chance before a magistrate.

Another distinction is the definition of the *Bell* prisoners and the *Florence* arrestee. *Bell* involved federal prisoners held at the Metropolitan Detention Center in Brooklyn, New York. In *Shain v. Ellison*, 273 F.3d 56, 65 (2d Cir. 2001), the Second Circuit used Black's Law Dictionary to define "prisons" and "jails":

“A prison is ‘a state or federal facility of confinement for convicted criminals, esp[ecially] felons.’ A jail, on the other hand, is ‘a place where persons awaiting trial or those convicted of misdemeanors are confined.’” *Shain v. Ellison*, 273 F.3d at 65 (internal citations omitted).

In *Iqbal v. Hasty*, 490 F.3d 143, 172 (2d Cir., 2007), the Circuit Court concluded that *Bell's* Metropolitan Detention Center was “most like a prison” because the plaintiff “was confined for an extended period of time in a prison-like environment” and apparently “charged with felonies” In the case at bar, our class involves only arrestees at processing who never saw a magistrate, with the chance of immediate release once they saw a magistrate based on their non-criminal offense or even by making bail; thus, being persons belonging to a jail. *Bell* involved persons in a prison. This factual difference explains why *Bell* directed the courts to use a balance test for different levels of citizens as these cases are factually determinative. And that explains how our Circuit Court majority consistently holds citizens charged with non-indictable, non-criminal offenses deserve the constitutional muster of first articulating reasonable suspicion of hiding contraband, weapons or drugs before they can be deprived of their right to privacy by a strip search.

**iii. *Bell* Directs Courts to Use a Balancing Test Upon Particular Facts, Which Jails Easily Can Apply to Protect The Fourth Amendment Rights of Persons Entering Their Facility Who are Not Charged With a Crime**

Burlington and Essex claim *Bell* never addressed the strip search issue. On

the contrary, *Bell* “assume[d without deciding] that inmates, both convicted prisoners and pretrial detainees, retain some Fourth Amendment rights upon commitment to a corrections facility.” *Bell*, 441 U.S. at 558. *Bell* directed the Courts to find the balance according to the facts. Every Circuit applied *Bell*'s balancing of “the need for the particular search against the invasion of rights that the search entails,” including courts considering the factors *Bell* identified (“the scope of the particular intrusion, the manner in which it is conducted, the justification for initiating it, and the place in which it is conducted”) *Bell*, 441 U.S. at 559.

*Bell* involved pretrial detainees already housed subject to federal orders to assure their appearance at trial. *Bell* held that only after a contact visit could those detainees be cavity searched. The issue before the Supreme Court was “whether visual body-cavity inspections as contemplated by the MCC rules [for contact visit strip searches] can *ever* be conducted on less than probable cause.” *Bell*, 441 at 560 (emphasis in original). Burlington and Essex’ argument that *Bell* permits strip searches is flawed. They are arguing that a non-indictable arrestee at processing at issue here and an inmate already detained after a post-contact visit as in *Bell* are one and the same. That is not true. Undoubtedly, once a person becomes an inmate then they lose allot of privacy rights as they are within the custody of the prison. *Hudson*, 468 U.S. at 525-28; *Bell*, 441 U.S. at 557. However, this class has

protections much different than an inmate after contact visits or persons arrested for an indictable offense or any crime involving drugs and weapons. As well, Burlington and Essex only present one side of the equation, claiming *Bell* was concerned with prison security. However, the *Bell* equation also included its concern with the appropriate manner of strip searches in the prison environment, adamantly holding that strip search abuses "cannot be condoned," *id.* at 560. *Bell* used a reasonable standard based on the facts before it, consistent with the Fourth Amendment which "imposes a standard of 'reasonableness' upon the exercise of discretion by government officials." *Delaware v. Prouse*, 440 U.S. 648, 653-54 (1979).

Reasonableness involves the balancing of (a) the intrusion upon the individual's Fourth Amendment rights against (b) promoting the government's legitimate interests. *Id.* at 654. *Bell* found the reasonable standard is not a precise definition nor a mechanical application, but it is a standard to be determined in each case. at 559. Burlington and Essex feign that they have no other choice and can not use a reasonableness standard, but must strip search everyone that enters their facilities for security and medical reasons. They completely ignore the fact that they do have alternatives by their own internal regulations, Attorney General Guidelines and the laws of the State, which all embrace the constitutional reasonableness standards, by their ability to use pat downs, frisks. More

compelling, they both use medical screening at the end of their processing which, at that point, there is a licensed nurse to determine whether the non-indictable arrestee has a medical issue or not. It is not for an officer, unlicensed in medicine, to determine what is MRSA by stripping a citizen naked as Essex and Burlington claim. Completely deconstructing their “no choice but to strip search” argument is the fact that Essex admits its facility uses the technology of a metal detector and the BOSS chair, both rendering blanket strip searches unnecessary. Most important, *Bell* gives Essex and Burlington latitude by using the balancing test to determine reasonable suspicion before strip searching this class of persons at processing. Reasonable suspicion is defined as considering “the nature of the offense, the arrestee’s appearance and conduct, and the prior arrest record.” *Giles v. Ackerman*, 746 F.2d at 617. Every court used *Bell*'s Fourth Amendment reasonableness standard, applied it to the facts and balanced the scope of intrusion against the government's interest. It is not that difficult for trained officers to apply reasonable suspicion before strip searching.

Essex and Burlington’s excuse of security concerns is incredible. *Allison*, supra. eloquently explains:

“Nevertheless, the invocation of “security concerns” does not give defendant carte blanche to implement constitutionally suspect policies. See *Block v. Rutherford*, 468 U.S. 576, 593 (1984) (Blackmun, J., concurring) (“The fact that particular measures advance prison security . . . does not make them ipso facto constitutional.”)” at 460.

There must be an actual security need proven by defendants.

“Prisons are not beyond the reach of the Constitution,” *Hudson*, 468 U.S. at 523. Courts must ensure that the actions and policies of prison officials do not deprive inmates of those constitutional rights that have been recognized to exist in custodial facilities, such as the Fourth Amendment protection from unreasonable custodial strip searches. U.S.C.A. Const.Amend. 4.” *Allison*, at 443.

*Bell* even acknowledged the dehumanizing strip search process that "Second only to body cavity searches, strip searches are the most debasing indignities to which American citizens are subjected by the government." *Bell v. Wolfish*, 441 U.S. at 558 n. 39, 99 S.Ct. at 1884 n. 39 (“the inmate is a male, he must lift his genitals and bend over to spread his buttocks for visual inspection. The vaginal and anal cavities of female inmates also are visually inspected.”). "Few people would think that their right of privacy in their own body, a “cherished value of our society,” *Schmerber v. California*, 384 U.S. 853 (1966), would be invaded by failing to pay parking tickets, driving without a license or failing to timely pay a fine. “For minor offenders unfamiliar with the incidents of detention, strip searches add shock and unexpected humiliation to the already frightening experience of arrest.” *Allison*, at 453. *Florence* agreed that the requirement for reasonable suspicion first being articulated for this particular class is to protect the "valid concerns for privacy, dignity, and the preservation of self-worth." *Florence*, 595 F.Supp.2d 492, 513.

Burlington and Essex know they do not need blanket strip search as evidenced by their own internal guidelines, state laws and regulations and Attorney General Guidelines prohibiting them from doing exactly what they do. They know that even state law embraces constitutional guarantees, but choose to abuse their power to tip the balance completely in their favor so everyone that walks through their doors is dehumanized. This blanket process is so bad as exemplified by Florence's case. Not only was his warrant for a non-indictable offense of not paying a fine which every officer admitted he should not have been strip searched, but the warrant was a mistake. Yet he was dehumanized by two strip searches and thrown in a dirty cell for one week, left as forgotten, without being brought to a magistrate that entire time, while the officers ignored his pleas that he was innocent. They ignored him because they treat everyone the same. They are all murderers, drug dealers and felons; not the mother who forgot to pay her traffic ticket, the father who could not pay his child support or the daughter who forgot her license and was brought in for not having it in her possession during a traffic stop. These non-criminal persons are all strip searched for something close to failing to pay their phone bill, and left scarred for life.

#### **iv. Burlington and Essex Misstate Case Facts and Holdings**

Burlington and Essex misstate *Hudson*. *Hudson* is irrelevant. It was limited to searches within the confines of a prison cell, not to a class of non-indictable

arrestees at processing whose bodies were strip searched, not their cells; no less who were never even so much as assigned a cell. Notably, *Hudson* never overruled *Bell's* holding or analysis. Historically, the circuit court majority that considered *Hudson* and *Bell* hold that *Hudson* is unrelated to *Bell's* Fourth Amendment analysis to body strip searches.<sup>1</sup>

Burlington misstates *Fraise v. Terhune*, 283 F.3d 506 (3rd Cir, 2002). *Fraise* is completely inopposite here. *Fraise* involved inmates already incarcerated who are “core” members of gangs within the prison confines. *Fraise* mandated eight criteria to be established before designating an inmate a security threat, then notice and hearing to object to being classified as a security threat is mandated, and the inmate can even sign a paper renouncing his affiliation with the prison gang. The criteria, notice and hearing and renunciation is mandated to protect even the incarcerated prisoner’s constitutional rights, including due process. *Fraise* actually supports Florence’s position that constitutional protections exist before being confined and even while confined.

Essex’ reliance on *Vernonia School Dist. 47J v. Acton*, 515 U.S. 646, 115 S.Ct. 2386, U.S.Or.,1995 is misplaced. That involved children student athletes mandated to take urine tests to discover drug usage; completely irrelevant to the issues at bar of non-indictable arrestees’ Fourth Amendment rights and

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<sup>1</sup> These cases are cited in *Allison*, at 445.

reasonableness at the jail processing stage. *Veronica* found that Fourth Amendment rights in schools are much different than anywhere else because they involve adult teachers in a sort of *parens patriae* situation protecting children and that “legitimate privacy expectations are even less with regard to student athletes” because they are already accustomed to locker room changes as a team. at 657. Essex’ statement in its Brief, page 27, is untrue that Justice Scalia in *Veronica* affirmed that *Bell* did not establish an individualized suspicion. *Veronica* in a footnote stated *Bell* is inapplicable to the school setting: “There is no basis for the dissent's insinuation that in upholding the District's Policy we are equating the Fourth Amendment status of school children and prisoners” at 665.

Essex misstates *Kelsey v. County of Schoharie*, 567 F.3d 54, 62 (2d Cir.2009). *Kelsey* does not stand for permitting incidental observations during clothing exchanges as Essex claims, but holds that it is the manner of the “strip” that is relevant. The facts are completely inopposite to the case at bar. The *Kelsey* arrestee and the officer both testified the officer did not watch the arrestee disrobe, a towel was available for privacy and no one was directed to manipulate genitals. *Kelsey* held that this manner of changing into clothes does not violate privacy rights and that “we do not depart from, or erode in anyway, our “clearly established” precedent “that persons charged with a misdemeanor and remanded to a local correctional facility ... have a right to be free of a strip search absent

reasonable suspicion that they are carrying contraband or weapons....” *Shain v. Ellison*, 273 F.3d 56, 66 (2d Cir.2001)” at 65. Here, Essex officers order arrestees three to five persons at a time, in a group, to not only strip naked before multiple officers, but to turn around, manipulate their genitals and squat and cough as a group; without any privacy or dignity. Essex’ reliance on *Turner v Safely*, 482 U.S. 78, 107 S.Ct. 2254, 96 L.Ed.2d 64 (1987) is misplaced. *Turner* involved inmates already confined to the prison who were then identified as “core” members of gangs within the prison confines. *Turner’s* statistics are related to prisoners within the confines of the prison involved in prison gangs, not traffic violators or a person who failed to pay child support arrested for a non-indictable offense processed before he or she even sees a magistrate with the opportunity to make bail and leave. Also, *Turner* involved the First and Fourteenth amendment challenges to prison regulations within the prison confines that involve a strict scrutiny standard. In the case at bar, we are concerned with the Fourth Amendment intrusion at the processing stage involving the different standard of reasonableness. Moreover, the Supreme Court in *Turner* held a prison regulation passes constitutional muster if it is reasonably related to legitimate penological interests. at 89. *Turner* instructs courts to weigh four factors before invading those prisoners first amendment rights, similar to *Bell’s* factors to be weighed before invading Fourth Amendment rights. Finally, in support of Florence’s position, *Turner* cited

*Bell* approvingly and never held *Bell* should be overturned.

## **POINT II**

### **A. Burlington and Essex Failed to Produce a Record or Valid Opposition to Defeat Summary Judgment**

In the case at bar, both Burlington and Essex failed to prove by a shred of evidence that real security and medical concerns justify blanket strip searching non-indictable arrestees at initial processing. It was their burden to present evidence that a genuine issue of fact existed and a trial was necessary. *Celotex Corp. v. Catrett*, 477 U.S. 317, 324 (1986), not Florence's burden as Essex incredibly claims against clear law. Their burden was to offer specific facts establishing a genuine issue of material fact, not create "some metaphysical doubt as to the material facts." *Matsushita Elec. Indus. Co., Ltd. v. Zenith Radio Corp.*, 475 U.S. 574, 586 (1986), which they did by supplying newspaper clippings and unrelated articles never produced during discovery nor substantiated by any affidavit. A party opposing summary judgment must do more than rest upon mere allegations, general denials or vague statements. *Saldana v. Kmart Corp.*, 260 F.3d. 228,232 (3d Cir.2001). Now, Burlington and Essex ask this Circuit to re-weigh a record they never fulfilled.

After almost more than 4 years of discovery and depositions, the record is devoid of any documented instance in which an arrestee eligible to join the class

smuggled or even tried to smuggle contraband into the jail facilities or created a health risk. Instead, Defendant and Burlington created a record for the District Court at summary judgment of irrelevant, unreliable hearsay of newspaper clippings and unrelated reports that were never produced during discovery (App. 130-227). FRCP 56(e) mandates only an “opposing affidavit must be made on personal knowledge, set out facts that would be admissible in evidence, and show that the affiant is competent to testify on the matters stated. In a slip opinion of *Weller v. Ransom-Garner*, Slip Copy, 2009 WL 2137424 (C.A.3 2009), this Court held that newspaper articles addressing a problem with a State agency were inadmissible hearsay (citing *Roberts v. City of Shreveport*, 397 F.3d 287, 295 (5th Cir.2005) (concluding that certain newspaper articles, which were “classic, inadmissible hearsay,” even if they were “proven up properly,” were insufficient to oppose a motion for summary judgment in a 1983 suit). Neither Burlington nor Essex filed opposing affidavits made on personal knowledge that a security or health issue exist to justify their obviating this District’s established law that it is unconstitutional to strip search non-indictables without first articulating reasonable suspicion. Even in their present Brief, Essex makes assertions of facts regarding an expert, MRSA and other things that are never referenced to any portion of the record nor cited in the appendix, and are not apparent from the context, all in violation of this Court’s Rule 28.3(c). Essex’ attempt to claim Florence came from

another facility to justify their strip search fails because Essex officers admit that Florence was processed pursuant to their policy and procedure to strip search everyone at processing, where he was processed the same as every one else in this class at issue. Essex further misrepresents that there are only a few people strip searched despite Essex and Burlington officer witnesses admitting that there are thousands of non-indictables strip searched every year since this class period of 2003, as supported by the discovery they supplied and as found by the District Court when previously misrepresented by Essex. *Florence*, F.Supp.2d, 2008 WL 800970 at \*7.

The *Florence* District Court understood that:

"to withstand a properly supported motion for summary judgment, the nonmoving party must identify specific facts and affirmative evidence that contradict those offered by the moving party. *Andersen*, 477 U.S. at 256-57, 106 S.Ct. 2505. "A nonmoving party may not 'rest upon mere allegations, general denials or ... vague statements ...' "See *Trap Rock Indus., Inc. v. Local 825, Int'l Union of Operating Eng'rs*, 982 F.2d 884, 890 (3d Cir.1992) (quoting *Quiroga v. Hasbro, Inc.*, 934 F.2d 497, 500 (3d Cir.1991))" *Florence* at 502.

Contrary to Burlington's and Essex' position that the District Court did not consider their health and security risk claim, the fact is that the District Court took great pains to analyze competing cases, supporting cases, and their newspaper and other uncertified submissions, yet still concluded that as a matter of law, in this District and Circuits nationwide, blanket strip searches are unconstitutional:

"Finally, it is worth noting that neither county submits supporting affidavits that detail evidence of a smuggling problem specific to their respective facilities. Although the Supreme Court opined that evidence of a smuggling problem is "of little import" to the analysis, *see Bell*, 441 U.S. at 559, 99 S.Ct. 1861, it did not exclude the evidence from analysis altogether. In sum, the search policies at issue fail the *Bell* balancing test. Moreover, the overwhelming weight of authority still supports the conclusion that blanket strip searches of non-indictable offenders, performed without reasonable suspicion for drugs, weapons, or other contraband, is unconstitutional." *Florence*, 2009 WL 252174, at 513.

The District Court considered the same lack of proper evidence to discard their MRSA claim. *Florence*, at 513. Notably, MRSA is a recent media sensation, which precludes Defendants surreal MRSA argument to justify their policy since 2003 of violating the Fourth Amendment. More revealing, neither Burlington's nor Essex' policies offered in discovery state they were or are searching for MRSA since 2003, the starting date here at issue here.

Finally, Essex improperly states in its Brief's "Statement of Facts", page 10, that its expert George Camp and a deposition of a Raymond Sabbatine in an unrelated case called *Knox* support their position of a security risk. Mr. Camp holds no weight just because he is claimed to be Essex' expert. Summary judgment is a question of law to be decided by the Court as a matter of law, not by expert opinion *Doe v. Groody*, 361 F.3d 232, 238 (3d Cir.2004). His alleged expert report is not even signed pursuant to FRCP 26(a)(2)(b), among other failures, thus

inadmissible (A314-327). Mr. Sabbatine is completely unrelated to this case. He is not a party nor witness for anyone. Sabbatine was immediately terminated and his report was never filed in this case upon discovering he gives conflicting opinions depending upon whom he works for, i.e. *Knox*. Essex fictionalizes here, as it did before the District Court at Summary Judgment, that Mr. Sabbatine was Florence's expert, to add to the appendix pages of unrelated documents regarding Sabbatine at an unrelated deposition which are inadmissible and not part of the record, nor helpful (A362-386)<sup>2</sup>. Essex fails to inform or provide the document that Sabbatine actually confirmed by a sworn report that the Essex and Burlington strip searches are unconstitutional as they fails to use "reasonable suspicion" must articulated before strip searching non-indictables at processing (SA-144-152). The District Court noted Sabbatine's "two different opinions" and implied the conflicting opinions are untrustworthy (A302). Moreover, *Knox* did not involve the rights of non-indictable arrestees during processing. That case involved Ms. Knox on a felony arrest who was strip searched after the jail reviewed her arrest charge and her history of prior felony arrest and after an officer obtained a superior's permission to strip search *Knox*. *Knox* actually supports Florence's position and the District Court's holding in this case that reasonable suspicion is needed before strip searching. In fact, the *Knox* jail implemented reasonable

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<sup>2</sup> In reality, there are 4 deposition pages to each appendix page, creating 96 pages of unnecessary appendix for this Court (24 pages of appendix x 4 pages each)

suspicion and specific procedures of contacting a supervisor before strip searching an actual felony arrest, providing major constitutional protections to its arrestees. On the other hand, Essex and Burlington testify everyone is treated the same at processing, so a felony or a traffic ticket offense will both be strip searched without any reasonable suspicion first articulated in the non-criminal offense; and worse, in Essex' case, they do not even document when, how, where and upon whom is being strip searched. Lastly, Warden Pringle's self serving after the fact 2008 memo is unsworn, inadmissible hearsay (A310-311). In sum, the Pringle, Sabbatine and Camp appendix documents are inadmissible.

Considering the above, literally the majority of Burlington and Essex's Joint Appendix, including 310-327, 362-386 and the bulk of its unsubstantiated newspaper clippings, are frivolous, improper, and did not create a record for the District Court nor this Court of Appeals to review.

### **CONCLUSION**

For the forgoing reasons, the judgment of the District Court should be affirmed.

DATED: January 11, 2010

Respectfully submitted,  
LAW OFFICES OF SUSAN CHANA LASK  
/s Susan Chana Lask (scl-1744)

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**COMBINED CERTIFICATIONS**

SUSAN CHANA LASK, ESQ., hereby declares, pursuant to 28 U.S.C. Section 1746, and certifies to the following :

**(1) Bar Membership**

I am counsel to Plaintiff-Appellee Florence and am a member in good standing of the Bar of the United States Court of Appeals for the Third Circuit.

**(2) Word Count**

This brief complies with the type-volume limitations of Fed. R. App. P. 32(a)(7)(B), containing 8,443 words of proportionately spaced, 14-point text, excluding permitted parts per Fed. R. App. P. 32(a)(7)(B)(iii). It also complies with the type style as being Times New Roman at 14 point font pursuant to Fed. R. App. P. 32(a)(6).

**(3) Service Upon Counsel or Litigants**

On January 11, 2010 I caused two (2) copies the foregoing Brief of Appellee and Supplemental Appendix to be served by first class mail and via electronic filing to the following:

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**(4) Identical compliance of briefs**

The electronic brief is identical to the hard-copy brief served to the Third Circuit Court of Appeals.

**(5) Virus check**

This brief was checked by Norton's Symantec Antivirus, fully updated, and contains no virus.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 11, 2010.

LAW OFFICES OF SUSAN CHANA LASK  
/s Susan Chana Lask

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SUSAN CHANA LASK, ESQ. (SCL-1744)