

Case study albert florence

Business



Issue Albert Florence was heading home with his wife and their children in 2005 when their car was pulled over due to a traffic offense. His wife was driving the car. While looking for the details of Florence from a computer database, the officer found out that Florence has an outstanding fine that resulted in the issuance of a warrant of arrest by Essex County court. Though Florence had paid the fine, it was erroneously still in the records as outstanding.

Following the incident, Florence remained in a Burlington County jail for six days. Then, he was transferred to a jail in the Essex County. It is while in both jails that the officers conducted physical inspection on his body. He was forced remove his cloths in order to be inspected by the police. He had to open his mouth for inspection, lift his tongue, arms, and genitals.

He was also forced to have a mandatory shower. These activities were done to examine whether Florence had wounds, body markings or contraband. It had been the procedure that was being followed when inspecting all detainees to ensure that safety of the inmates (incase he/she had a wound or disease that required medical attention) and the safety and security of the other detainees (incase one had drugs, weapons or diseases that could not be allowed in the jail). Florence filed a case against the government authorities in both jails. He claimed that the search violated both the fourth and fourteenth amendment of the federal constitution.

His opinion was that people arrested on minor crimes should not be subjected to the “ strip searching” or what the Fourth Amendment refers to as the unreasonable charges (Taslitz, 256). It was unless the authorities felt

that the reason to suspect that the detainee has plans to conceal weapons, drugs or contraband. According to Florence, the fourteenth amendment was violated, as the jails did not follow the due process. The federal court ruled in his favor but the Third Circuit court of Appeals overturned the ruling by the federal court. The court argued, “ jails’ interest in safety and security outweighed the privacy interests of detainees – even those accused of minor crimes.” Florence was dissatisfied with the ruling and subsequently longed an appeal at the United States Supreme Court. Ruling The United States Supreme Court upheld the decision by the Third Circuit court of Appeals in a 5-4 majority vote. Analysis The opinion of the court that was written by Justice Kennedy emphasized that the courts should defer to jail officials when dealing with penal regulation matters. The regulations should be upheld at all times even if they infringe on the rights of the detainee as long as they are related to the reasonable correctional interests. The court made a conclusion that Florence failed to provide substantial evidence that the jail officials had exaggerated their search activities.

The court felt that it was important for the “ strip search” to be conducted in order to cope with potential threats like communicable diseases and drug and weapon smuggling. The court also felt that contraband could also include some items that could be carried by minor offenders. These items include lighters, cell phones, gum and wigs. Besides, the court was of the opinion that such searches helped the jail officers in classifying detainees. Classifying detainees without the search could be hard, as some of them may have hidden their identity to conceal their previous activities.

The court therefore felt that the jail officers had “ struck a reasonable balance between inmate privacy and the needs of the institution.” The court felt that the Fourth and Fourteenth amendments of the constitution had not been violated by the lower court. Conclusion The ruling by the court set a precedent for other cases involving the rights of a detainee and the safety and security concerns of a correction facility. The court upheld the rule by the Third Circuit court of Appeals that “ jails’ interest in safety and security outweighed the privacy interests of detainees – even those accused of minor crimes.”