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Lawsuit Filed Against School District That Illegally Strip Searched 12-Year-Old Black and Latina Students

The NAACP Legal Defense and Educational Fund, Inc. (LDF) and [Morrison & Foerster LLP](#) filed a [lawsuit](#) against the Binghamton School District on behalf of parents whose twelve-year-old daughters were subjected to an illegal strip search in January. The lawsuit comes after the school district failed to rectify the situation, including a refusal to issue an apology for the girls' shocking mistreatment at the hands of the East Middle School's principal, assistant principal, and school nurse.

The [complaint](#) filed by LDF, the nation's first civil and human rights law organization, and Morrison & Foerster, a nationally renowned law firm, says that school officials' racial bias caused them to interpret the innocent and playful behavior of four twelve-year-old girls as so suspicious that they conducted the extreme measure of strip searching them. The four students are Black and Latina, and all of the school officials involved in the incident are white. The complaint cites research that shows how stereotypes often lead adults to perceive Black and Latina girls as more suspicious and less innocent than white girls, and needing less nurturing, protection, and support.

After encountering the four girls talking and laughing in the hallway during the lunch period, the principal and assistant principal escorted them to the health office because of what they considered to be unusual behavior. At the health office, the school nurse conducted intrusive and demeaning searches, which involved the removal of various articles of clothing, at the direction and at times with the assistance of the principal and/or assistant principal. The girls were also subjected to humiliating comments during the searches. None of the girls' parents were contacted before the search occurred. The girls have since been moved to a different school within the District.

"All students deserve to learn in a safe and supportive environment. Yet racial bias disrupted the education and wellbeing of four Black and Latina, middle-school students, whose normal, childlike behavior was used by school officials to justify illegal strip searches simply due to the color of their skin," said [Cara McClellan](#),

LDF Attorney and Skadden Fellow. “We cannot undo the trauma endured by these four young girls at the hands of school officials, but we will fight to vindicate their rights and to ensure that all Binghamton students are able to learn in schools that respect and protect them, regardless of their race or gender.”

“In response to the disturbing and intrusive search, the four girls and their families made sensible demands that have gone unaddressed,” said **Micah Barreiro, Broome-Tioga NAACP President.** “Beyond calling for justice for themselves, these students have admirably urged systemic reforms so that no one else is subjected to such degrading and unconstitutional treatment in school. Girls of color are subjected to harsher punishment than their white peers at East Middle School – and across the Binghamton School System – and we stand with the families fighting to make sure that ends now.”

“Morrison & Forester is proud to partner with the NAACP Legal Defense and Educational Fund on this important case,” said **Joshua Hill, Partner at Morrison & Foerster LLP.** “Every student deserves to attend a school where they are not subject to intrusive and demeaning searches, and where there are no artificial barriers to learning. Our firm is dedicated to bringing meaningful social change for those who need it the most and this case is a part of our rich tradition of pro bono work on civil rights cases.”

Read the complaint [here](#).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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