



**For Immediate Release**  
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## **LDF Appeals Grant of Qualified Immunity in Case Involving Invasive Strip Search of Prison Visitor**

Today, the [Legal Defense Fund \(LDF\)](#), along with co-counsel Shania King, filed an [appellate brief](#) in *Gilmore v. Milton*, a case before the United States Court of Appeals for the Eleventh Circuit. The case concerns an invasive and retaliatory strip search of Clarissa Gilmore by correctional officers during her visit to a Georgia state prison.

Ms. Gilmore filed a lawsuit alleging that her Fourth Amendment rights were violated when officers strip-searched her without cause during a visit to her then-husband. Despite already subjecting Ms. Gilmore to a rigorous pre-entry screening and finding no evidence of contraband, two correctional officers instructed Ms. Gilmore to remove all her clothing, including underwear, and conducted an extreme search that included extensive grabbing and manipulation of her buttocks, breasts, and genitals. After leaving the prison, Ms. Gilmore felt traumatized and humiliated and broke down crying. And a supervisor who reviewed video footage of the encounter agreed that Ms. Gilmore did nothing to deserve such treatment. However, a district court in the Southern District of Georgia dismissed Ms. Gilmore's suit, ruling that the doctrine of qualified immunity shielded the correctional officials in question from accountability in the events.

The appellate brief filed by LDF and co-counsel argues that the district court erred in granting qualified immunity to the prison officials who conducted the search of Ms. Gilmore. The brief highlights that the strip search was both unjustified at its inception and excessive in scope. Established law requires prison officials to have at least reasonable suspicion that a civilian possesses contraband or weapons in order to conduct a strip search. Official documentation of the incident made no reference to any reason for suspecting Ms. Gilmore of possessing contraband. And similarly, established law is clear that making physical contact with an individual's buttocks or genitals during a strip search heightens the intrusiveness and embarrassment of the search. The brief also argues that the correctional officers acted outside the scope of their expressly defined authority under Georgia state law, and therefore are ineligible for qualified immunity.

“The Supreme Court and other courts of appeals have made it clear that reasonable suspicion is required for strip searches of prison visitors,” said LDF Assistant Counsel Ashok Chandran. “People should not have to risk this kind of categorically extreme humiliation during a routine visit to a family member. The district court's ruling creates the possibility that anyone — a child visiting a parent, a lawyer meeting with a client, or a minister providing religious services at a

prison — could be strip searched by prison officials at any time, with no accountability. This decision must not be allowed to stand.”

“Clarissa Gilmore was subjected to humiliating, traumatizing, and unlawful treatment,” said attorney Shania King. “Any correctional official should know that they cannot strip search a civilian for no reason at all. These officials violated the Georgia Department of Corrections’ internal regulations, and they violated Clarissa Gilmore’s constitutional rights.”

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*Founded in 1940, the Legal Defense Fund (LDF) is the nation’s first civil rights law organization. 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 Legal Defense Fund or LDF. Please note that LDF 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.*