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U.S. Court of Appeals for the Eleventh Circuit Rules in Favor of LDF Client in Qualified Immunity Case

Today, the United States Court of Appeals for the Eleventh Circuit [issued an opinion](#) reversing a district court's ruling in *T.R. v. Lamar County Board of Education*, a case involving the repeated strip-searching of a minor ("T.R.") by Lamar County, Alabama, school officials who defended themselves with claims of qualified immunity.

The U.S. District Court for the Northern District of Alabama had previously granted the school officials qualified immunity on its view that the law does not clearly prohibit strip-searching a minor based solely on the smell of marijuana in a classroom, and the presence of drug paraphernalia in the minor's backpack. The district court also found the officials immune from T.R.'s state law claim for invasion of privacy, and not liable for her state law claim of outrage.

LDF represented T.R. on appeal, along with the law firm of Maxwell Tillman. LDF's [brief](#) argued that the district court had improperly distinguished materially analogous precedent from the Supreme Court and the Eleventh Circuit. The brief also argued that the district court's view of T.R.'s state law claims was incorrect and ignored clear guidance from Alabama courts.

The Eleventh Circuit agreed on all counts, finding that the evidence, viewed in the light most favorable to T.R., showed that the officials believed T.R. had smoked marijuana in class, but had no specific reason to think that T.R. had hidden marijuana in her underwear. As the Court explained, the officials' erroneous hunch could not justify the grave intrusion of a single strip search, much less two strip searches. In doing so, the Court recognized the particularly extreme nature of strip searches involving children, noting that the expansive view of qualified immunity taken by the district court would "severely diminish the protections afforded students from strip searches" by clear Supreme Court authority.

"This ruling sends a clear message to school officials who would abuse their power by strip-searching students without adequate suspicion," said LDF Deputy Director of Litigation Christopher Kemmitt, "and we commend the court for appreciating the true seriousness of what Lamar County school officials did to our client and how their behavior should not be protected by qualified immunity."

Qualified immunity, a doctrine which shields public officials from misconduct where the rights at issue were not “clearly established,” has recently come under scrutiny for the many ways in which it allows official misconduct to go unaddressed. Cases like T.R.’s demonstrate the ways in which federal courts view the doctrine so expansively as to shield even the most egregious misconduct.

“We also commend the Eleventh Circuit for correctly analyzing the claims of qualified immunity,” said LDF Assistant Counsel Georgina Yeomans. “This ruling is an important moment for anyone who believes that the Constitution and justice itself demand we as a people adhere to reasonable and equitable standards for when people with the power of the state behind them can claim qualified immunity.”

With today’s decision, T.R.’s claims will move forward to trial. T.R. will continue to be represented by attorneys with Maxwell Tillman.

“This is a great victory for the family, but it is also a victory for the rights of all students,” said attorney Leroy Maxwell. “Our team has worked tirelessly for several years to protect the rights of T.R. We are excited to share this news with T.R. and her family and look forward to our day in court.”

Read the court’s decision [here](#).

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