

RIGHTS ACLU AMERICAN CIVIL LIBERTIES UNION of MICHIGAN REVIEW

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SETTLEMENT REACHED IN UNCONSTITUTIONAL STRIP AND CAVITY SEARCH

Agreement Includes New Policies, Police Training and \$900,000 Payment

When 117 young men and women walked into Club What's Next in Flint on a Spring night in 2005, they had no idea that their lives would be forever changed.



Shortly before 2 a.m., a team of officers from the Flint Area Narcotics Group stormed the licensed nightclub and detained, strip searched, and, in some cases, body cavity searched and charged everyone in the club with the crime of "frequenting a drug house" simply because they were present at the club. The raid was conducted after undercover officers bought drugs from a few individuals at the club; however the vast majority of the club patrons were not involved in any illegal activity.

The American Civil Liberties Union of Michigan came to the defense of the young men and women, and in December, a settlement was reached in the ACLU's class action lawsuit against the City of Flint and Genesee County. Under the agreement, the police department has agreed to institute new policies and training to prevent unconstitutional searches and arrests from happening again. Flint and Genesee County also agreed to pay the victims of the unconstitutional searches and arrests a total of \$900,000.

Thompson was strip searched, cavity searched, and unlawfully arrested. "I became a part of this lawsuit not only to have my voice heard, but also to help make sure that this doesn't hap-

pen again," said Jennifer Thompson. "We've been waiting for this moment for a long time and my only wish today is that the lessons learned here will go beyond the City of Flint."

During the raid, the dance club patrons were handcuffed and divided into two groups, females and males. Women were taken into a bathroom and searched by police officers, at times in the presence of others. Some were told to lift their shirts and bras in view of male officers. An officer commented to one woman about the size of her breasts and asked if they were "real."

Most of the men were taken into a men's bathroom and told to raise their shirts, drop their pants and underwear, and to bend over and cough. Some were told to put a finger into their anus. Those who were still handcuffed had their pants and underwear pulled down to around their knees by police officers. One man was stripped on the side of the road after he had left the club.

"This has been a long journey for the innocent young people who have dealt with the emotional and physical toll of being strip searched and cavity searched by the very individuals who have taken an oath to serve and protect them," said Michael L. Pitt, ACLU of Michigan cooperating attorney whose law firm Pitt McGehee Palmer Rivers & Golden led the effort on behalf of the ACLU. "We are confident that this settlement will send a strong message to all law enforcement in Michigan - police abuse comes at a cost; it is illegal and must not be tolerated."