

Written by Nisha N Whitehead  
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SPRINGFIELD, Mo.—The U.S. District Court for the Western District of Missouri has declared that school officials at a Missouri high school did not violate students' constitutional rights when they imposed a "lockdown" of the school for the purpose of allowing the local sheriff's department, aided by drug-sniffing dogs, to perform mass inspections of students' belongings. Attorneys for The Rutherford Institute had filed a lawsuit in *Burlison v. Springfield Public Schools, et al.*, asking the court to declare that officials at Central High School in Springfield violated their students' Fourth Amendment right to privacy. Institute attorneys plan to appeal the ruling to the Eighth Circuit Court of Appeals.

[The Rutherford Institute's complaint in \*Burlison v. Springfield Public Schools\* is available at www.rutherford.org.](http://www.rutherford.org)

"We have moved into a new paradigm in America where young people are increasingly viewed as suspects and treated as criminals by school officials and law enforcement alike. To then be denied justice by the courts only adds to the wrongs being perpetrated against young people today," said John W. Whitehead, president of The Rutherford Institute. "Such random, suspicionless lockdown raids against children teach our children a horrific lesson—one that goes against every fundamental principle this country was founded upon—that we have no rights at all against the police state."

According to the complaint filed by attorneys for The Rutherford Institute, on April 22, 2010, the principal of Central High School announced over the public address system that the school was

## U.S. District Court Declares Mass Student Searches & Random Lockdowns in Missouri High Schools To B

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going into “lockdown” and that students were prohibited from leaving their classrooms. Deputies and agents of the Greene County Sheriff’s Department thereafter ordered students and teachers to leave all personal belongings behind and exit the classrooms. Dogs were also brought in to assist in the raid. Upon re-entering the classrooms, students allegedly discovered that their belongings had been rummaged through. Mellony and Doug Burlison, who have two children at Central High School, complained to school officials that the lockdown and search were a violation of their children’s rights. According to the complaint, school officials responded that this was a “standard drill” and policy of the school district which would continue.

The lawsuit, filed by Rutherford Institute attorneys on behalf of the Burlisons and their two children, asked the court to declare that the practice of effecting a lockdown of the school and conducting random, suspicionless seizures and searches violates the Fourth Amendment to the U.S. Constitution and the similar provision of the Missouri Constitution. The U.S. District Court for the Western District of Missouri rejected the Institute’s argument, finding that the students’ belongings were not subject to an illegal seizure when ushered away from their classroom and told to leave their possessions behind before police entered to conduct a search. Affiliate attorney Jason T. Umbarger of Springfield, Mo., assisted the Institute with its defense of the Burlisons.

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