



Press Release

FOR IMMEDIATE RELEASE

June 14, 2011

CONTACT:

Betsy Griffing, ACLU of Montana Legal Director
(406) 529-3106 betsyg@aclumontana.org

ACLU Questions Glasgow High School Drug Dog Searches

Canine "sniff" searches of student vehicles may have violated privacy

GLASGOW, MT — The ACLU of Montana is seeking information about sweeping warrantless searches of Glasgow High School students' vehicles by a drug-sniffing dog which may have violated those students' privacy rights.

The search, conducted in April of this year, was reported to us by a concerned person who said that at least 15 cars were physically searched after being sniffed by the dog, and two were found to contain some kind of prohibited items.

"Students have a right to privacy," said ACLU of Montana Legal Director Betsy Griffing. "As the US Supreme Court has said, they do not shed their constitutional rights at the schoolhouse door. We are looking into this situation to make sure the students', as well as their parents', rights were not violated."

Glasgow School District's policy on searches of students and their property say authorized administrators must have a "reasonable suspicion to believe that any locker, car or container... on school premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or the District."

Case law in Montana also upholds the right to be free from warrantless and suspicionless searches by vehicular canine sniffs. In *State v. Elison* the court found that "particularized suspicion" is required before vehicular canine sniffs can be conducted, even in public areas. And *State v. Tackitt* found that people have a reasonable expectation of privacy in the concealed areas of their cars.

The ACLU of Montana is requesting that the Glasgow School District Board Chairman David Irving provide more information about the searches, including reasons for the search, search protocols and procedures, policies concerning such searches, disciplinary actions taken as a result of the searches, and complete minutes and a transcript or recording of an April 29 school board meeting where the searches were discussed.

"Students' rights should be respected; they should not be treated simply as potential criminals," Griffing said.

###