

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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RAYMOND K. HEDGESPETH, JR.,

Plaintiff,

v.

THE STATE OF WISCONSIN and  
WISCONSIN DEPARTMENT OF HEALTH SERVICES,

Defendants.  
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ORDER

11-cv-76-bbc

In an order dated March 17, 2011, I denied plaintiff Raymond Hedgespeth leave to proceed on his claim that defendants violated his constitutional rights by subjecting him to unnecessary strip searches at the Sand Ridge Treatment Center. Plaintiff's complaint challenged routine strip searches that occurred before and after he was transported outside of the institution to the hospital. I concluded that it was not unreasonable for institution officials to believe that patients may obtain contraband when they are transported between the institution and the hospital and to enact a general strip search policy in such circumstances. Allison v. Snyder, 332 F.3d 1076, 1079 (7th Cir. 2003) (institutions holding civilly committed patients may institute policies that "advance the goals of preventing escape

and assuring the safety of others”); see also Thielman v. Lekan, 282 F.3d 478, 483-84 (7th Cir. 2002); Peckham v. Wisconsin Department of Corrections, 141 F.3d 694, 695 (7th Cir. 1998). Additionally, nothing about plaintiff’s allegations suggested that the searches were conducted to punish, harass or humiliate him; rather, they were conducted in a discreet, expeditious and routine manner. Bell v. Wolfish, 441 U.S. 520, 538 (1979); Mays v. Springborn, 575 F.3d 643, 649 (7th Cir. 2009). I dismissed the complaint for failure to state a claim upon which relief may be granted.

Now before the court is plaintiff’s motion for reconsideration, dkt. #7. Plaintiff argues that I should have construed his complaint more liberally or allowed him to amend his complaint, although he does not say what allegations he would have added. Nothing about plaintiff’s motion undermines my conclusion that he cannot state a claim for violation of his constitutional rights under the facts he has alleged. As I explained in the previous order, the law allows institutions that house civilly committed patients to enact policies that advance legitimate government interests. Although strip searches are invasive and embarrassing, plaintiff’s allegations do not allow an inference that the strip searches to which he was subjected were conducted solely to punish or humiliate him, rather than to advance a legitimate institutional policy. Because plaintiff has raised no new facts or legal arguments that alter this conclusion, plaintiff’s motion for reconsideration will be denied.

ORDER

IT IS ORDERED that plaintiff Raymond K. Hedgespeth Jr.'s motion for reconsideration, dkt. #7, is DENIED.

Entered this 15th day of April, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge