

Women arrested in FTAA protests sue over Miami-Dade strip search

by Coralie Carlson, Associated Press
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MIAMI - Three women arrested during free-trade demonstrations in November have sued Miami-Dade County and several corrections officials, saying they were unnecessarily strip searched and forced to squat in the nude and "hop like a bunny" in plain view of passers-by.

The suit, filed last week in federal court and seeking class-action status, says that corrections workers performed cavity inspections on the three women - Judith Haney, 50, of Oakland, Calif.; Liat Mayer, 19, of New York City, and Jamie Loughner, 39, of Arlington, Va. - in violation of their constitutional rights to freedom from unreasonable searches and seizures and their right to due process.

"It's very shocking for people who are arrested for misdemeanors and exercising their first amendment right, that they would be subjected to such extreme searching procedures," Randall Berg, an attorney for the Florida Justice Institute, said Friday.

County officials have 20 days to respond to the allegations.

"The county intends vigorously to defend itself and its practices against these constitutional challenges," said county attorney Richard B. Rosenthal, who is representing all the defendants. He could not discuss specific allegations in the case.

The suit says only women are subjected to mandatory strip searches. Berg said he has discovered that the women-only strip search policy is an ongoing, county wide practice, not a tactic used only during the Free Trade Area of the Americas protests.

Under state law, people booked on minor offenses can be strip searched if arrested on a drug charge, suspected of having contraband or booked on a violent offense. Supervisors are required to give written authorization for such a search.

Janelle Hall, a spokeswoman for Miami-Dade County jails, said women are not subjected to routine strip searches.

Hall said inmates of both genders are given strip or frisk searches when an officer suspects they might have contraband. Officers performing the search are of the same gender as the inmate, she said.

In the suit, Haney claimed that she was ordered to take off her clothes, bend over to expose herself, then made to squat and "hop like a bunny" three times before she was allowed to put her clothes on. She was made to stand naked in an area with a door open where people walking by could see her.

Mayer said she too was made to disrobe, squat and hop three times while the door was open, so people passing by could see her during the search.

Loughner said she was made to disrobe and expose herself, then officers told her to cough, "open up (privates) wider" and "shake it."

Haney and Mayer were arrested for failure to disperse during the protests. Loughner was charged with failure to obey a lawful order and resisting arrest without violence. All charges against the three were later dropped.