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3 women sue Miami-Dade, say they were strip-searched  
By Diana Marrero, Sun-Sentinel

Miami -- Three activists arrested during free-trade demonstrations in downtown Miami four months ago filed a class-action lawsuit in federal court Friday against Miami-Dade County and several county corrections officials for what they called an unnecessary use of "invasive" strip-searches.

Judith Haney, Liat Mayer and Jamie Loughner allege in the lawsuit that corrections workers perform cavity inspections of female arrestees as they are booked at correction facilities throughout the county.

"For women, this is visual rape," said Randall C. Berg, Jr., executive director of the Florida Justice Institute, who is suing on behalf of the three activists along with California attorney Mark E. Merin. "It's about as bad as it comes."

The lawsuit alleges that only women are selected for strip-searches -- a claim that county officials deny. It seeks a permanent injunction against the practice and unspecified monetary damages.

Randy Duvall, an assistant county attorney, said he has not yet seen the lawsuit and could not address specific allegations outlined in the suit. But Janelle Hall, a spokeswoman for the county jails, said corrections officers do not automatically conduct strip-searches on every detainee. She said jail policies permit men and women to be strip-searched only in accordance with state law.

Haney, 50, a project manager at a California biotech firm, said the way she was searched was demoralizing.

Once in jail, she says she was ordered to take off her clothes so corrections officers could inspect her. Haney said corrections workers told her to squat and "hop like a bunny" three times before she was allowed to put her clothes back on.

According to Florida law, people who have been arrested for minor offenses should not be subjected to strip-searches unless the person is arrested on a drug charge, is suspected of having contraband or is booked on a violent offense. The law requires supervisors to give written authorization for such a search.

The lawsuit filed on Friday against Miami-Dade claims that its corrections officials routinely flout state law by indiscriminately strip-searching female detainees.

The plaintiffs' attorneys say they expect more women will come forward with their own stories of improper strip-searches.

Similar class-action lawsuits have resulted in million-dollar settlements across the country. In 2001, New York City officials agreed to pay \$50 million to settle a class-action lawsuit alleging improper

searches in jails, making it one of the largest civil rights settlements against a municipality.

"The states that have done it and have been sued have stopped doing it," said Merin, who has filed five lawsuits alleging illegal strip-searches in counties across California.

Earlier this year, officials in San Francisco responded to similar lawsuits by announcing they would revise their policies on strip-searches in an effort to comply with California law.

That's the kind of change attorneys for the three women would like to see in Miami-Dade, where Haney said she felt humiliated by the strip-search conducted as she was being booked at the Miami-Dade County Pre-Trial Detention Center. Haney, who had been charged with failure to disperse during the protests, said the hopping motions officers made her do as she was getting booked hurt her bad knees.

"It has been very dehumanizing going over it again and again," said Haney, who lives in Oakland, Calif., but came to Miami in November to protest the Free Trade Area of the Americas meetings.

Mayer, a 19-year-old student from New York City, claims in the lawsuit that she was also strip-searched at the pretrial center after being charged with failure to disperse during the protests.

Mayer said that she, Haney and two other women were ordered to take off their clothes, bend over and hop as they were getting booked. Mayer said the door to the area where she was getting strip-searched remained open and that people passing by could see her naked.

Loughner, a 39-year-old activist from Arlington, Va., claims she went through a similar ordeal at the Miami-Dade County Women's Detention Center.

Loughner, who was charged with failure to obey a lawful order and resisting arrest without violence, said she was strip-searched after being transferred from another center.

Berg said that while strip-searches may be allowed for security reasons in state prisons, pretrial detainees should not be subjected to the same kinds of searches. He said most people would not know they have a right that protects them from illegal searches even in a county jail.

"These people knew what their rights were and knew it was illegal," he said.

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