

## **Federal lawsuit against Oakland over public strip searches**

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**Six men have filed a \$5 million federal civil rights lawsuit against the city of Oakland, saying police officers conducted invasive and illegal strip searches of them in public.**

**Police officers pulled down their pants and exposed their genitalia or buttocks on the street during incidents from 2005 to 2007, the plaintiffs said in the suit filed last week in U.S. District Court in San Francisco.**

**The searches occurred in public throughout the city, including in West and East Oakland and near Lake Merritt, said the suit.**

**"Plaintiffs suffered severe and extreme emotional distress, fear, terror, anxiety, humiliation and loss of their sense of security, dignity and pride as United States citizens," the suit says.**

**Alex Katz, spokesman for City Attorney John Russo, declined to comment Monday, saying city officials had not had a chance to review the complaint.**

**Named as plaintiffs are David Ward, James Tyson, Mark Engram, Michael Holmes, Richard Rix and Tony Armstrong. The officers named as defendants are Bradley Baker, Richard Vass and Todd Mork.**

**The suit was filed by Oakland civil rights attorneys John Burriss and Michael Haddad, who have filed six similar lawsuits on behalf of 15 other men.**

**"Every police officer knows that to go into your home, they have to have a warrant," Haddad said Monday. "What we're talking about is an officer going into your pants."**

**Careful "pat down" searches are allowable on the street, while more invasive searches can be done at the jail, Haddad said.**

The department formerly allowed officers to publicly strip-search people being arrested for drugs or weapons violations even if there was no suspicion they were concealing something, Haddad said.

In May 2004, the department amended the policy, allowing officers to strip-search suspects only if there was a reasonable suspicion that they were hiding something, Haddad said. He said he believed the new policy is still unconstitutional.

"Unfortunately, too often Oakland refuses to reform until the courts force them," Haddad said.

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<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2007/08/21/BAHNRM2IR.DTL>

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