

ORANGE COUNTY REGISTER

Investigate abuse of women detainees in Santa Ana Jail

By [SAL RODRIGUEZ](#)

2016-01-29 14:00:13

Thirty-one women detained at the Santa Ana City Jail under the custody of U.S. Immigration and Customs Enforcement have filed a complaint over traumatizing and degrading strip searches at the jail. The complaint, filed by Community Initiatives for Visiting Immigrants in Confinement, a national organization that monitors detention facilities, received organizational support from groups like the American Civil Liberties Union of Southern California and the LGBT Center Orange County.

“Strip searches at the Santa Ana City Jail amount to state-sanctioned sexual assaults on women,” said Christina Fialho, an Orange County-based attorney and the co-executive director of CIVIC. “Santa Ana City Jail has been operating outside the limits of the Constitution and state law, while flagrantly violating federal standards for strip searches.”

While strip searches are routine practice in jails and prisons, the practice varies widely and at the Santa Ana City Jail appears to have been used arbitrarily. The complaint presents the harrowing accounts of dozens of women, detained for civil, not criminal, violations, who were subjected to the searches upon arrival, after in-person visits with their attorneys and after returning from immigration court.

ICE’s Performance-Based National Detention Standards require that strip searches only occur “in the event that there is reasonable suspicion that contraband may be concealed on the person, or when an officer has reasonable suspicion that a good opportunity for concealment has occurred.”

According to the complaint, the jail’s strip-search policy is too broad in defining “reasonable suspicion” and the jail overly utilizes the practice.

Nicole Albrecht, a German asylum-seeker, told me she was never subjected to strip searches at the James A. Musick Facility near Irvine, nor for most of her roughly year-long detainment at the Santa Ana City Jail. In that time, she made multiple trips to and from immigration court, and was only ever given pat downs. But in December 2015, after being transported alone to and from court, she was told she was being given a strip search.

When she refused, citing the lack of reasonable suspicion, she claims she was taken to an empty cell and told she was going to be transferred to another facility because she wasn’t complying. She relented and subjected to what she felt was “humiliating ... emotionally and mentally torture. ... Had I known I never would have gone to court.”

“Women are afraid to go to court because of this,” she said. “They are fighting for their release, and [the guards] are taking advantage.”

According to the complaint, Gloria Hernandez, a Honduran sexual assault survivor, has been subjected to as many as eight strip searches, which have “re-traumatized her and resulted in suicide attempts.”

Jail administrator Christina Holland told me the jail’s strip-search policies have already been vetted by ICE and are in compliance with the law.

When I asked Holland whether detainees are informed of the possibility of being strip searched after visits with their attorneys or going to court, she later emailed me that, after talking to staff, informing the detainees “does not appear to be consistent.” She has since directed classification staff to include such information in detainees’ classification interviews upon their arrival.

While this is a positive development, much remains to be concerned about. Groups like the Transgender Law

Center, National Immigrant Justice Center and the ACLU have variously reported on abusive strip searches of women, including transgender women, by men. CIVIC is asking for an investigation by the Office of Civil Rights and Civil Liberties at the Department of Homeland Security and another look at the strip search policy. In the interest of individual liberty and basic decency, this is the least that should happen.

Members of the public have an opportunity to voice their concerns on Tuesday, Feb. 2, at the Santa Ana City Council meeting. The council is considering a proposal to increase the maximum number of detainees held at the jail from 200 to 300.

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