

PRESS RELEASE

VICTORIA SCHNEIDER'S SUIT AGAINST THE CITY OF SAN FRANCISCO FOR VIOLATION OF HER CIVIL RIGHTS

(UNLAWFUL STRIP SEARCH)

While professing to be highly sensitive to the rights of its gay, lesbian, and transgender community, the City and County of San Francisco's conduct proves otherwise. On the morning of June 14th, 1996, Victoria Schneider, a post operative transsexual, was unlawfully strip searched while being booked at the San Francisco County Jail on a solicitation of prostitution charge. Despite the fact that the booking officers had access to reliable information confirming Ms. Schneider's gender as female, they insisted on performing the unlawful strip search in order to harass and humiliate her, stating that they did not believe that she was female and that unless she allowed them to visually verify her gender, they would house her with males.

Visual strip searches of pre-arraignment detainees constitute a deprivation of their constitutional rights if performed without probable cause or a reasonable suspicion of concealed weapons, narcotics or contraband. Moreover, California state law makes it a misdemeanor for law enforcement personnel to conduct visual strip searches without such suspicion and without prior written authorization from a supervisor. See California Penal Code §4030 and San Francisco Police Department General Order 4.01. However, in Ms. Schneider's case, the deputies involved possessed neither the requisite suspicion nor prior approval, written or otherwise.

Nor did the City or its employees act innocently. The arresting and booking officers snickered and laughed at Ms. Schneider, establishing their intent to humiliate her and cause her pain. If these officers had really questioned Ms. Schneider's gender, a quick check of the computer database readily available to them at the station would have resolved such questions more simply and expeditiously than forcing Ms. Schneider to submit to a humiliating and unnecessary strip search.

Ms. Schneider has filed a federal civil rights complaint against the City and County of San Francisco in order to recover for the deprivation of her constitutional rights caused by this outrageous policy and practice and to insure that the City adopts a new policy to prevent similar incidents in the future. Rather than acknowledging what happened (the City has thus far responded that no officer "remembers" strip searching Ms. Schneider) and moving to correct the problem, the City's attorneys are insisting that Ms. Schneider undergo an invasive psychological exam, thereby further victimizing her. The City's actions are blatantly discriminatory and harassing.

The gay, lesbian, bisexual, and transgender community is understandably upset by the City's treatment of Ms. Schneider and has come out in force to support her. The following organizations and individuals have written letters of support of Ms. Schneider's case to date:

Organizations

CUAV (Community United Against Violence) (415) 777-5500
Harvey Milk Lesbian/Gay/Bisexual Democratic Club
San Francisco Human Rights Commission (415) 252-2500
Promise (415) 522-6659
ACT UP — SF (415) 522-2907
Horizons Unlimited of San Francisco (415) 487-6700
Center for Young Women's Development (415) 487-8862
Institute for Advanced Study of Human Sexuality (415) 928-1133

Individuals

Margo St. James, Community Activist, Founder of Coyote
Elizabeth Bernstein, Doctoral Candidate, University of California at Berkeley
Sandy O'Neill, Community Activist

**Ms. Schneider is represented by
Karen Snell and Kate Stoia of the law firm of Clarence & Snell: (415) 749-1800.**