
“Taxpayers funding defense of degrading strip searches”
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To the editor:

After reading that U.S. District Court Judge Michael A. Ponsor in August ruled in favor of Debra Baggett and the 178 women who comprise the class of plaintiffs suing Michael Ashe, Hampden County and Patricia Murphy, assistant superintendent of the Western Massachusetts Regional Women's Correctional Center (a.k.a. the Chicopee Jail for Women), I wondered how much the legal defense of this despicable practice was costing.

Under the direction of Ashe and Murphy, male guards standing just a few feet away videotaped 274 women during strip and body cavity searches. Some of the women were being placed in solitary for disciplinary infractions, while others were going to solitary because they were suicidal.

As part of the strip search, the subject was required to run her fingers through her hair, remove dentures if she wore them, raise both arms, lift her breasts, lift her stomach for visual inspection if she had a large mid-section and remove any tampon or pad if she was menstruating. She was then required to turn around, bend over, spread her buttocks and cough.

In a press release following Ponsor's decision, David Milton and Howard Friedman, the lawyers for Baggett and the other women, wrote: "The court found that forcing women to strip naked and manipulate her body in the presence of a male guard videotaping was 'clearly antithetical to human dignity' and 'deeply humiliating.'"

In his decision, Ponsor stated that the practice "is to ignore the inborn sense of privacy most human beings harbor from childhood through the end of life." Ponsor ruled that the practice is "plainly unconstitutional" under the Fourth Amendment prohibiting unreasonable searches.

Ponsor ruled that Baggett and the other plaintiffs are due monetary compensation. In September, lawyers for Ashe and Murphy appealed the ruling.

In November, I sent a public records request to the Sheriff's Office asking how much they had spent on lawyers' fees to defend Ashe and Murphy. Theresa S. Finnegan, staff attorney at the Hampden County Sheriff's Department, wrote that legal fees up until Oct. 30 were \$476,574.57. Of course, the fees are still accumulating since they are appealing.

I then filed another public records request asking who is paying what will be a more than half-million-dollar legal bill. The answer is the operating budget. That is you and me. Massachusetts taxpayers have paid for both this unconstitutional and degrading and humiliating practice and the legal fees to defend it.

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