

Lawsuit Claims Cook County Sheriff's Office Films Pretrial Detainees Using Toilet

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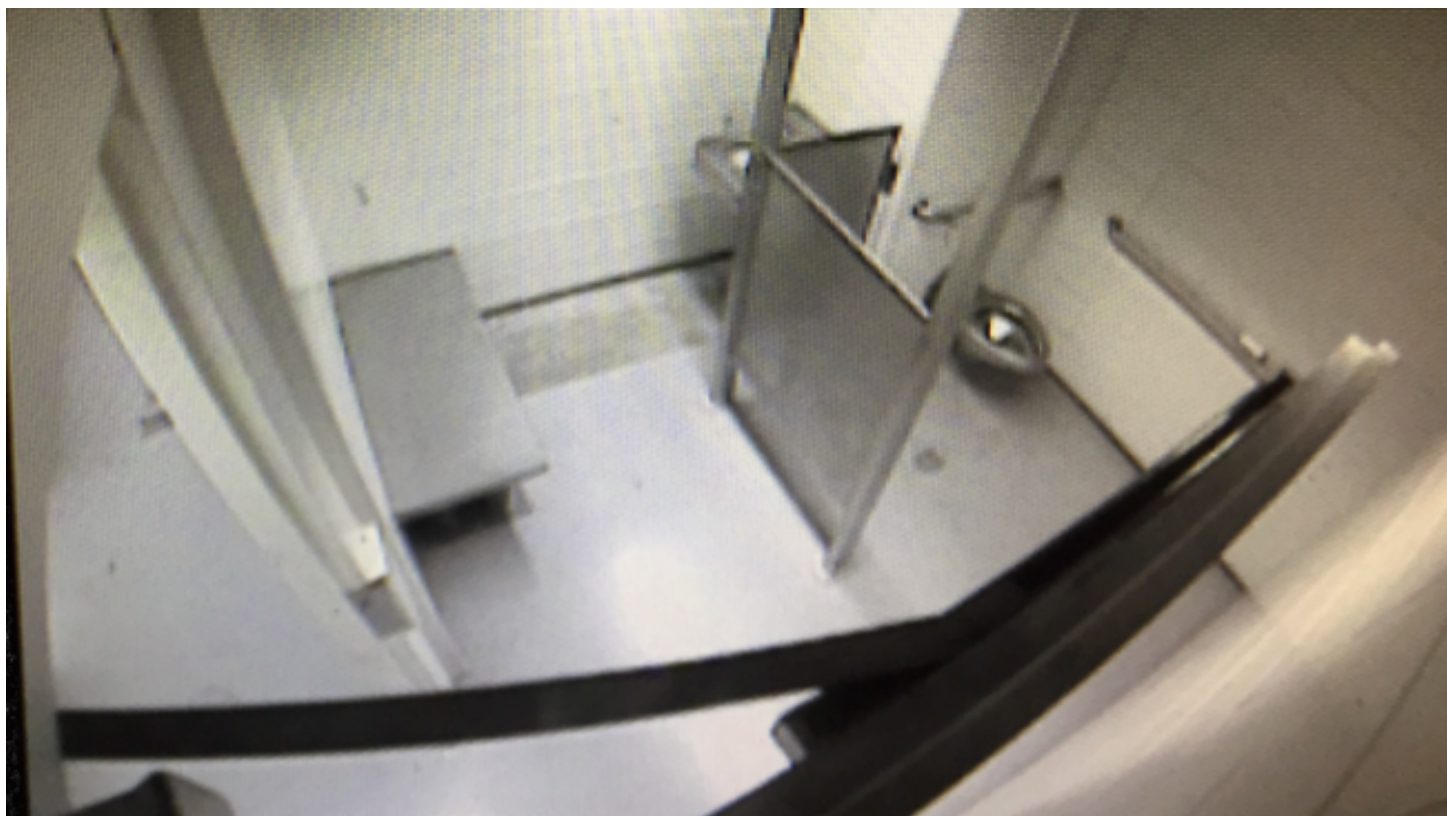


Photo included in complaint

The Cook County sheriff's office is accused of secretly filming pretrial detainees while they use the toilet, a new lawsuit alleges - a claim that the sheriff's office vehemently denied.

Filed Wednesday in the federal U.S. District Court for the Northern District of Illinois, the class action suit against both Cook County and Sheriff Tom Dart claims the alleged monitoring practice violates the U.S. Constitution and detainees' right to privacy.

The suit names four plaintiffs - Elizabeth Alicea, Michelle Urrutia, Katina Ramos and Jack Artinian - who were all temporarily in the sheriff's custody while waiting to appear in court and post bond for their release.

The plaintiffs, as with all pretrial detainees, were not convicted of their alleged crimes when they were placed in holding cells before and after hearings at one of the ten courthouses in Cook County, according to the lawsuit.

Many detainees are held on misdemeanor charges or for minor offenses including traffic violations, the lawsuit says, and are searched multiple times before being placed in a holding cell.

The lawsuit claims that each holding cell has a toilet, separated from the rest of the cell by a partition or dividing wall to prevent both others in the cell, as well as sheriff's deputies, from being able to see detainees using the toilet. That partition "creates an expectation of privacy when using the toilet," the suit says.

However, the lawsuit alleges that the sheriff's office installed cameras in the cells to monitor plaintiffs using the toilet, with an unobstructed view of a detainee's genitals.

Those cameras are in "boxes or dark domes" that prevent detainees from knowing if their genitals are within the frame, according to the suit, which says the detainees are not given any warning that they are being monitored while using the toilet.

Both male and female deputies continually monitor a video feed from the cameras in real time, regardless of a detainee's gender, according to the lawsuit, and can access the recordings for 30 days.

In a statement, the sheriff's office refuted the claims made in the lawsuit.

"We vehemently deny the allegations that there are hidden or secret cameras focused on detainees' private parts or the toilet areas of holding cells," sheriff's office spokeswoman Cara Smith said. "Fixed cameras are present in the holding cells in courthouses as a critical tool to ensure the safety of staff, the safety of detainees and transparency of our operations."

The lawsuit says the sheriff's own search policy generally prohibits deputies from watching detainees using the toilet, and claims that the alleged filming practice is an "unreasonable search" that violates the Fourth and Fourteenth Amendments of the U.S. Constitution.

The suit seeks to end the alleged policy of recording detainees using the toilet, as well as award the plaintiffs and those impacted by the class action suit unspecified damages in the form of financial compensation.

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