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[Teen sues over strip search at Juvenile Hall](#) [Class-action filing seeks end to such checks of minors](#)

- [Henry K. Lee, Chronicle Staff Writer](#)

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A 13-year-old girl has sued San Francisco's embattled Juvenile Probation Department, saying she was strip-searched, told to urinate in a cup and asked questions about her sexual history before being released without charges filed.

The class-action lawsuit, filed Thursday in U.S. District Court in San Francisco on behalf of a girl identified in court papers as Marie Doe, seeks to bar body-cavity searches and nonconsensual medical tests of minors.

The girl, then 12, was wrongfully arrested in October 2003, a week after a boy was kned in the stomach during some horseplay at Luther Burbank Middle School in San Francisco, the suit said.

After she was questioned by police, she was arrested on suspicion of assault with a deadly weapon -- her feet -- even though it was later determined that she hadn't kicked anyone and despite a state Supreme Court ruling in 1997 that said feet couldn't be considered a deadly weapon, her attorney said.

The girl was taken to the Youth Guidance Center, where she was interrogated about her sexual and menstrual history and told to give blood and urine samples, the suit said.

After the girl's mother arrived, a female employee ordered the girl to "pull her pants and underpants down to reveal her naked genital area and to squat and cough," the suit said.

"She had to pee in a cup. They had her squat. They checked her brassiere, " the girl's mother, identified in court papers as Melba Doe, said Friday. "My daughter, she's totally messed up. She's never had to show her body to nobody. "

The suit names as defendants the city and county of San Francisco, the Juvenile Probation Department, Tim Diestel, assistant director of Juvenile Hall, and four San Francisco police officers.

Matt Dorsey, spokesman for the city attorney's office, and Sgt. Neville Gittens, a police spokesman, declined comment Friday, saying they had not seen the suit.

Bill Johnston, interim chief juvenile probation officer, said Friday that he was unfamiliar with the circumstances in the complaint.

Johnston said the policies now in place were designed to ensure the safety of both employees and juveniles being detained. In the past, drugs and weapons have been smuggled into Juvenile Hall, he said.

"We are definitely jeopardizing security issues in order to comply with the privacy needs of individuals in our institution," Johnston said.



Johnston became interim chief earlier this month, replacing Gwendolyn Tucker, who resigned her post Oct. 1 after clashing with her staff over her leadership style and priorities.

Michael Haddad, an Oakland attorney representing Marie Doe, said Friday that blanket strip searches of minors shouldn't be done without any legal basis.

"The need for protection from 12-year-old girls is just absurd," Haddad said. "There needs to be some reasonable belief that the child has a weapon or contraband hidden in an orifice before you can justify a strip search of a child who hasn't been arraigned."

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