

**ROTHSTEIN DONATELLI HUGHES DAHLSTROM SCHOENBURG & BIENVENU LLP***ATTORNEYS AT LAW***In the News****RECENT SETTLEMENTS**

For information on the settlement reached in the Santa Fe Jail Strip Search Class Action and how to make a claim, click here: SantaFeStripSearch.com

For information on the settlement reached in the Los Alamos National Laboratory Employment Discrimination Class Action and how to make a claim, click here: LANLClassActionSettlement.com

SETTLEMENT REACHED IN SANTA FE COUNTY STRIP SEARCH CLASS ACTIONS

July 6, 2006

An 8.5 million dollar settlement has been reached with Santa Fe County and Management and Training, Inc. ("MTC") in a class action lawsuit alleging that detainees being booked at the Santa Fe County Jail were routinely subjected to unlawful strip searches in violation of the United States Constitution. MTC, a for-profit private corporation which formerly operated the Santa Fe County Jail under a contract with Santa Fe County, has agreed to pay \$8 million to those who were unlawfully strip searched. In addition, Santa Fe County has agreed to contribute \$500,000 to pay for all expenses incurred in the administration of the class action settlement. If the settlement is approved by the court, the settlement funds will be shared by those persons who were booked into the Santa Fe County Jail between January 12, 2002 and the present.

The lawsuit was brought by Plaintiffs Elizabeth Leyba, Natasha Apodaca, Nancy Ellin, Monica Garcia, Lucy M. Marquez, Mark Miller, Copper Perry, David Sandoval, Kristi Seibold, Russella Serna, and Kimberly Wright, on behalf of themselves and all persons who were unlawfully strip searched at the Santa Fe County Jail. The Plaintiffs allege that they were unlawfully subjected to strip searches performed pursuant to the policies, practices and customs of Defendants of conducting strip searches of all incoming pre-arraignment arrestees without individualized reasonable suspicion. Plaintiffs' claims were brought under the federal civil rights act, the New Mexico Tort Claims Act and New Mexico common law.

The Defendants discontinued the policy of strip-searching all detainees shortly after and in response to the Plaintiffs' written complaints. The Plaintiffs are represented by Mark H. Donatelli, Robert R. Rothstein and John C. Bienvenu of the New Mexico law firm Rothstein, Donatelli, Hughes, Dahlstrom, Schoenburg & Bienvenu, LLP.

Elizabeth Leyba, one of the lead Plaintiffs, stated: "I am glad that this is settled and it ended this way. At the beginning, it was extremely difficult to be one of the point-persons in this dispute. But I finally decided that if it would protect other women from going through what happened to me, it would be worth it. Now, knowing that we got the jail to stop what they were doing, it was worth all the stress and embarrassment I went through." Mark H. Donatelli, one of the attorneys for the Plaintiffs, said: "This is a community detention facility, not a prison for convicted felons. Surely, Santa Fe County can join the rest of the country in providing a safe environment for citizens and staff and obeying the law on strip searches at the same time."

Attorney Robert R. Rothstein said: "The amount to be paid represents one of the largest settlements nation-wide in cases of this type. It reflects the duration of the unconstitutional practice and the large number of persons wrongfully subjected to the practice. Hopefully, it will send a positive message that our system requires an individualized determination that a reasonable basis must exist to justify this intrusion on the rights of persons who have simply

been accused but not convicted of any crime."

Plaintiffs' attorney John C. Bienvenu emphasized that "the law has been settled for more that two decades that a blanket policy of strip searching pre-trial detainees without reasonable suspicion is unconstitutional. Our courts have aptly described such strip searches as demeaning, dehumanizing, undignified, humiliating, terrifying, unpleasant, embarrassing, repulsive, and signifying degradation and submission. We're proud of the efforts of the class representatives who succeeded in changing this blatantly unconstitutional policy, and reminding those who are charged with the responsibility of enforcing the law that they must abide by the law as well."

Individuals who believe they may be members of the class may obtain information regarding the lawsuit and the proposed settlement by contacting the attorneys for the Plaintiffs.

For further information, contact:

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