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Victor: Victoria Schneider

Prostitute wins \$755K in strip search suit

by Cynthia Laird

A federal jury in San Francisco awarded \$750,000 in damages Friday, April 16 to a *prostitute* woman who sued the city, the San Francisco Sheriff's Department, and two deputies saying she was illegally strip searched following a prostitution arrest in

June 1996. The jury also found against sheriff's Deputy Fred Lew and awarded \$5,000 in punitive damages during the penalty phase of the trial Monday, April 19.

The jury did not find against the other deputy, Kirk Fowles.

The plaintiff, Victoria Schneider, "was completely vindicated," said her attorney Nanci Clarence, who filed the suit alleging Schneider's civil rights had been violated when she was strip searched on orders from Lew to confirm her gender.

"It's a great message," Clarence told the *Bay Area Reporter*. "It says to us the jury completely believed Victoria's account of that night."

Of the punitive damages against Lew, Clarence said, "It sends a message to him to deter him from reckless disregard of her rights."

The weeklong trial that started last Monday, April 12, was held in U.S. District Court before federal Judge Maxine M. Chesney. The jury of four women and three men deliberated approximately two hours following testimony, Clarence said.

Schneider was elated following the decision. "I'm grateful somebody believed me," she told the *B.A.R.*

Schneider and Clarence said they interviewed several jurors after the verdict and they were told the jurors immediately found Schneider was unlawfully strip searched. "Three women jurors wholeheartedly believed me," Schneider said.

"They [jurors] told us they found the deputies' conduct frightening," Clarence said, adding that jurors in federal cases are selected from throughout the northern part of the state and not just from San Francisco.

Clarence said she expects the city to appeal the decision. "I have no doubt they'll appeal. They just don't get it; the jury has spoken."

Pat Mahoney, chief trial deputy with the City Attorney's office, told the *B.A.R.* that the city plans to file post-trial motions "to address our concerns with the size of the verdict, which we believe was caused by errors in directions to the jurors." He also said under the government code, the city has the discretion to pay the \$5,000 judgment against Lew,