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USA: Degrading treatment for women at Valley State Prison

Amnesty International is calling on the California prison authorities to rescind a policy which allows male guards to conduct intrusive "pat down searches" (clothed body) of female prisoners.

"Cross-gender pat searches -- which according to a state training video, involve guards touching intimate parts of the inmate's body -- are inherently degrading and inconsistent with international standards and constitute a form of violence against women" Amnesty International said.

Amnesty International's action was prompted by news that Valley State Prison for Women (VSPW), the state's largest women's prison, has recently reinstated the practice after banning it for several years. The new policy introduced this year allows male guards to conduct unsupervised searches of female prisoners which involve touching the breast and crotch areas -- a procedure that was banned in VSPW in 1998 after years of complaints by prisoners of groping and other sexual abuse by male guards.

Research has shown that pat down searches and other intimate contact involving male guards can be particularly traumatizing for women prisoners, many of whom have histories of being physically or sexually abused before their incarceration.

In California, as in many other US states, female prisoners are routinely supervised by male guards, a practice which is contrary to international standards and which the organization has long campaigned to change. US authorities have justified the practice on the ground that the USA's equal opportunities laws provide that men and women should have the same employment rights. However, some US jurisdictions have placed restrictions on the role of male guards in women's custody facilities, without contravening these laws.

"Male guards should be barred from carrying out pat or strip searches of women prisoners and from routine access to women's living areas. Such practices are open to abuse and violate fundamental rights to privacy and the prohibition of cruel, inhuman or degrading treatment set out under international treaties. These include the International Covenant on Civil and Political Rights (ICCPR), which the USA has ratified." Amnesty International said.

US practice has been criticized by international treaty bodies, including the Human Rights Committee, which monitors states' compliance with the ICCPR. The Committee expressed concern in 1995 that allowing male officers access to women prisoners in US detention facilities had "led to serious allegations of sexual abuse of women and the invasion of their privacy". The Committee has also stated in a General Comment on Article 17 of the ICCPR on right to privacy that persons subjected to body searches "should only be examined by persons of the same sex."

For more information, please see:

USA: The findings of a visit to Valley State Prison in California:
<http://web.amnesty.org/library/index/engamr510531999>

USA: A visit to Valley State Prison in California (Dr. Silvia Casale)
<http://web.amnesty.org/library/index/engamr510551999>

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566
Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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