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Sheriff accused of 'secretly' recording jail detainees in holding cell bathrooms



Mitchell Armentrout



Michelle Urrutia (center) shows a photo of a Cook County holding cell at a Wednesday press conference alongside attorney Thomas Zimmerman and Elizabeth Alicea (right). | Mitchell Armentrout/Sun-Times

Peeping Tom Dart?





A federal class-action lawsuit filed Wednesday accuses the Cook County sheriff and his office of violating tens of thousands of pre-trial detainees' privacy with surveillance cameras that allow deputies to watch them using toilets inside holding cells.

"I didn't know they could see everything," Michelle Urrutia, one of the lead plaintiffs, said at a press conference announcing the suit.

Attorney Thomas Zimmerman says the cameras are "hidden" in holding cells at 10 courthouse locations across the county so deputies can "secretly monitor in real time" detainees, including when they use the bathroom.



"We vehemently deny the allegations that there are hidden or secret cameras focused on detainees' private parts or the toilet areas of holding



the holding cells in courthouses as a critical tool to ensure the safety of staff, the safety of detainees and transparency of our operations.”

After an arrest, pre-trial detainees typically are held in the cells for 12 hours or more until a judge sets bail and they're able to post for release. Zimmerman said by the time detainees make it to the holding cell, they've already been searched twice: by officers from the arresting police department and again by Cook County Jail intake officers.



Attorneys says this security camera view shows the inside of an unspecified Cook County pre-trial detainee holding cell. | Provided by Zimmerman Law Offices

“There is no security interest in the sheriff monitoring them for weapons or other contraband, and certainly there's no security interest in monitoring them while they use the toilet,” Zimmerman said. “The law is very clear across the country that a person retains a right of privacy to their body even when they're in the custody of the sheriff.”

After she was arrested for driving on a suspended license last year, Urrutia said she noticed an unmarked camera behind tinted brown glass inside a Rolling Meadows courthouse cell. She said she thought a steel partition blocking the toilet off from other detainees in the cell would block the camera view as well.





“You can’t see what the camera is actually pointed to,” she said.

It wasn’t until the 46-year-old talked to a sheriff’s office employee at a barbecue weeks later that she found out what was visible.

“He’s like, ‘You know we can see everything in the holding cell . . . including you guys using the washroom?’ ” Urrutia said. “When I found out, I was very embarrassed. I felt ashamed, humiliated. I felt violated.”

Deputies “continually” monitor the video feed, with recordings deleted every 30 days, Zimmerman said.

*Cook County Sheriff Tom Dart meets with the media in 2015. File Photo.
(Brian Jackson/For the Sun Times)*





“They have to be there for hours until they’re released,” he said. “They have to use that toilet. They don’t have a choice.”

Zimmerman also claimed that male deputies have been assigned to monitor female detainees. Smith called it a “salacious allegation” and said the sheriff’s office has “no evidence” that is the case.

The attorney said the sheriff’s office should have signs notifying detainees that they’re being recorded, and that a box should be placed over the toilet to block cameras.

Their two-count suit claims the sheriff is violating detainees’ Fourth Amendment rights against unreasonable searches. They are seeking an unspecified amount in damages.

