

COMPLAINT

NAME: [REDACTED] (husband)  
[REDACTED] (wife)  
[REDACTED] (daughter)  
San Diego, CA 92154

TEL: [REDACTED]  
PGR: [REDACTED]

DATE: March 12, 1997  
LOC: San Ysidro POE  
LEA: U.S. Customs

TIME: 12:30 p.m.

AGENTS: 1 woman USC, 1 Nat'l Guard,  
1 woman INS

COMPLAINT: Body search. See below for complaint written by family..

March 12, 1997

When it was our turn to cross the border, the customs officer asked to see my driver's license, and I got it out as she walked behind my car. I got it out because when I cross the border, most of the time I get asked for it. When she walked back to the driver's side, she asked me if it was my car and I said yes. She asked for my registration and I opened the glove compartment to get it. I got one out that had expired in 1996 and I forgot that I had never carried the 1997 one; I told her that I forgot to put it in the compartment because I had just gotten it yesterday in the mail. She told my mom, "let me see your passport," and my mom gave it to her. With my driver's license, the registration, and my mom's passport, she walked back behind my car to close the gate of primary inspection. Then she walked up to the driver's side and told me to follow her and to drive as fast as she walked, so I did. She then told me to stop, and then moved some cones out of the way, and signaled with her hand to park there. A man dressed in a marine suit directed me. He told me to give him my car keys and I did. I talked to my mom and did not notice where she had gone. Then a lady (Badge # [REDACTED]), came up to my window and asked me if it was my car and I told her that it was mine and my dad's. Then she asked me where I worked at and I told her that I was a tutor at Mar Vista Middle School and that I was a student at San Diego State. She then walked away. A couple of minutes passed, and she told me to open the hood and the trunk. I told her to turn off the alarm because the alarm would sound, and she just handed me the keys. I turned off the alarm and opened the hood, gave her the keys back and asked her if she wanted me to open the trunk too, and she said yes, so I asked for the keys again and I opened the trunk. We were told to wait on the counter beside the car. About three customs officers were searching my car. In a while, a customs officer (male) took my driver's license and put it so close to my face, about halfway between my eyes and told me to look straight ahead, so I did, then he did the same thing to my mom with her passport. He then talked to the lady (# [REDACTED]) and told her some things. I asked that same lady if she knew how long it was going to take them because I had to go to work, and she said that she did not know. All of a sudden she grabbed my mom's purse and my purse and told us to come with her to the office. I was surprised, and I asked her the reason as to why she was going to take us to the office, and she didn't give me an explanation. I told her that I had a right to know why they were taking us into the office. I asked her if she had a reasonable doubt to take us to the office and she told me that she was not going to say anything, that she would tell me when this was all done with, but by then I knew that it was becoming more of a personal problem to her because she told me that my mom was being rude, but she was just asking for an explanation.

By this time I was thinking that it was our right to know why my mom and me were taken into the office and so did my mom. The man in the marine suit told my mom to open the door to the office and my mom told him to open it, so I just went ahead and opened it because I knew that they always get their way because of their authority, even if they are rude and disrespectful. When we got there the lady (# [REDACTED]) told us to put our hands on the counter and we did, and my mom and me kept insisting for a reason as to why she had brought us there, but there was no answer. Then she told me to take three steps

back, put my hands on the counter, and to open my legs. By then I was really surprised and I asked her why? and she just told me to do it, so I told her that they were not the police, that why should I do that and then another lady behind the counter said in a harsh way that they had the right to do that because they were an institution that worked for the Federal Government. The other lady kept on insisting, so I did it and she searched me in front of my mom, and my mom got really upset, and so did I, because I had never in my lifetime been searched as if I was some kind of a criminal. My mom kept on asking them for a reason and by then the lady behind the counter came around the counter and told her to put her hands on the counter and spread open her legs, and my mom got furious, and asked her why, that it was an injustice to do what they were doing to us. Like me, my mom had never experienced that before and it looked like she had not spread her legs apart like they expected and the lady kicked open her legs. By then my mom and me felt very, very humiliated. The lady that searched me started going through my purse and the papers in my hand wallet. We were then told to sit down on the benches and to take off our shoes. Again I asked why, but she would not tell me. By then I kept on insisting for a reason, and another officer (male) was there also telling me that I had to take my shoes off, but without a reason. I took my shoes off and she inspected them, and then told me to put them back on. Then the lady that was searching my mom told her to take her shoes off and just like me she insisted on a reason. So my mom took her shoes off and left them on the floor, like me. The lady demanded her to give her the shoes in her hand, but my mom as irritated, frustrated, and confused as she was told her that she had already taken them off, and to pick them up herself, but she kept on being rude and demanding for her to pick them up. My mom did just that, and then put her shoes back on. We waited there from 15-20 minutes. During this time a young man was brought in and was told to put his hands on the counter, but it was clear that the officer was going to search him, had given him an explanation because he told him, "ok now I am going to search you, this is part of the same "routine" of the inspection." That officer was not being rude to him, unlike us. The lady behind the counter and the one that searched me were behind the counter looking in a computer. After this time passed we were just told that our purses were there and that my car was outside in a rude way. Then I told the lady that searched me if she could give me an explanation like she had told me she was going to, but she just started walking away and that is when I asked her for her name. She said that she was not going to give me her name that she could give me her badge number so I told her "o.k. give me your badge number", and when she gave it to me the supervisor came out and asked me what was the problem, and she said her badge number really fast, and between the supervisor talking and without a pen I did not write it down. The lady that searched my mom would not give me her badge number and I had to ask for it like three times, when finally her supervisor turned around facing her.

By that time my mom was crying and so was I because of the irritation that we felt from their abuse of authority and because our human right to know was taken. I told her that they never gave us a reason as to why they had brought us to the office and that I had never been searched like that before. She told me that they had searched us because it was for our own protection and for the other people's protection. I insisted that we had right to know why were being taken to the office and she agreed with me that they lady that searched me should have given me a reason why we were taken inside the office, and that she would talk to her. When we walked out of there, another customs officer was very polite with us and even opened the door for us. He walked us to my car and I looked for the other lady to get her badge number, and when I asked for it she told me that she had already given it to me and that she was not going to give it to me again, so I had to tell her that her supervisor told me that she had to give it to me and so she did. When I got to my car, I did not have my keys and they were not placed on the starter, so I went back to ask for my keys where the man with the marine suit was at and he told me "did you look in the car?" in a sarcastic way. I told him "yes" and somebody else said that they were on the windshield. These people are so rude that they left the trunk, the hood, my side of the door, and my mom's door open. As I closed everything, the man that walked us outside helped me close everything. They could not even put a (cenicero) back in its place.

The lady who searched me, Badge # [REDACTED]

The lady who searched my mom, Badge # [REDACTED]

This was at about 12:20 p.m.

MARCH 12, 1997

WHEN IT WAS OUR TURN TO CROSS THE BORDER, THE CUSTOMS OFFICER ASKED TO SEE MY DRIVER'S LICENSE, AND I GOT IT OUT AS SHE WALKED BEHIND MY CAR. I GOT IT OUT BECAUSE WHEN I CROSS THE BORDER, MOST OF THE TIME I GET ASKED FOR IT. WHEN SHE WALKED BACK TO THE DRIVER'S SIDE, SHE ASKED ME IF IT WAS MY CAR AND I SAID YES. SHE ASKED FOR MY REGISTRATION AND I OPENED THE GLOVE COMPARTMENT TO GET IT. I GOT ONE OUT THAT HAD EXPIRED IN 1996 AND I FORGOT THAT I HAD NEVER CARRIED THE 1997 ONE; I TOLD HER THAT I FORGOT TO PUT IT IN THE COMPARTMENT BECAUSE I HAD JUST GOTTEN IT YESTERDAY IN THE MAIL. SHE TOLD MY MOM, "LET ME SEE YOUR PASSPORT," AND MY MOM GAVE IT TO HER. WITH MY DRIVER'S LICENSE, THE REGISTRATION, AND MY MOM'S PASSPORT, SHE WALKED BACK BEHIND MY CAR TO CLOSE THE GATE OF PRIMARY INSPECTION. THEN SHE WALKED UP TO THE DRIVER'S SIDE AND TOLD ME TO FOLLOW HER AND TO DRIVE AS FAST AS SHE WALKED, SO I DID. SHE THEN TOLD ME TO STOP, AND THEN MOVED SOME CONES OUT OF THE WAY, AND SIGNALLED WITH HER HAND TO PARK THERE. A MAN DRESSED IN A MARINE SUIT DIRECTED ME. HE TOLD ME TO GIVE HIM MY CAR KEYS AND I DID. I TALKED TO MY MOM AND DID NOT NOTICE WHERE SHE HAD GONE. THEN A LADY (BADGE # [REDACTED]), CAME UP TO MY WINDOW AND ASKED ME IF IT WAS MY CAR AND I TOLD HER THAT IT WAS MINE AND MY DADS'. THEN SHE ASKED ME WERE I WORKED AT AND I TOLD HER THAT I WAS A TUTOR AT MAR VISTA MIDDLE SCHOOL AND THAT I WAS A STUDENT AT SAN DIEGO STATE. SHE THEN WALKED AWAY. A COUPLE OF MINUTES PASSED, AND SHE TOLD ME TO OPEN THE HOOD AND THE TRUNK. I TOLD HER TO TURN OFF THE ALARM BECAUSE THE ALARM WOULD SOUND, AND SHE JUST HANDED ME THE KEYS. I TURNED OFF THE ALARM AND OPENED THE HOOD, GAVE HER THE KEYS BACK AND ASKED HER IF SHE WANTED ME TO OPEN THE TRUNK TOO, AND SHE SAID YES, SO I ASKED FOR THE KEYS AGAIN AND I OPENED THE TRUNK. WE WERE TOLD TO WAIT ON THE COUNTER BESIDE THE CAR. ABOUT THREE CUSTOMS OFFICERS WERE SEARCHING MY CAR. IN A WHILE, A CUSTOMS OFFICER (MALE) TOOK MY DRIVER'S LICENSE AND PUT IT SO CLOSE TO MY FACE, ABOUT HALF WAYS BETWEEN MY EYES AND TOLD ME TO LOOK STRAIGHT AHEAD, SO I DID, THEN HE DID THE SAME THING TO MY MOM WITH HER PASSPORT. HE THEN TALKED TO THE LADY (# [REDACTED]) AND TOLD HER SOME THINGS. I ASKED THAT SAME LADY IF SHE KNEW HOW LONG IT WAS GOING TO TAKE THEM BECAUSE I HAD TO GO TO WORK, AND SHE SAID THAT SHE DID NOT KNOW. ALL OF A SUDDEN SHE GRABBED MY MOM'S PURSE AND MY PURSE AND TOLD US TO COME WITH HER TO THE OFFICE. I WAS SURPRISED, AND I ASKED HER THE REASON AS TO WHY SHE WAS GOING TO TAKE US TO THE OFFICE, AND SHE DIDN'T GIVE ME AN EXPLANATION. I TOLD HER THAT I HAD A RIGHT TO KNOW WHY THEY WERE TAKING US INTO THE OFFICE. I ASKED HER IF SHE HAD A REASONABLE DOUBT TO TAKE US TO THE OFFICE AND SHE TOLD ME THAT SHE WAS NOT GOING TO SAY ANYTHING THAT SHE WOULD TELL ME WHEN THIS WAS ALL DONE WITH, BUT BY THEN I KNEW THAT IT WAS BECOMING MORE OF A PERSONAL PROBLEM TO HER BECAUSE SHE TOLD ME THAT MY MOM WAS BEING RUDE, BUT SHE WAS JUST ASKING FOR AN EXPLANATION.

BY THIS TIME I WAS THINKING THAT IT WAS OUR RIGHT TO KNOW WHY MY MOM AND ME WERE TAKEN INTO THE OFFICE AND SO DID MY MOM. THE MAN IN THE MARINE SUIT TOLD MY MOM TO OPEN THE DOOR TO THE OFFICE AND MY MOM TOLD HIM TO OPEN IT, SO I JUST WENT AHEAD AND OPENED IT BECAUSE I KNEW THAT THEY ALWAYS GET THEIR WAY BECAUSE OF THEIR AUTHORITY, EVEN IF THEY ARE RUED AND DISRESPECTFUL. WHEN WE GOT THERE THE LADY (# [REDACTED]) TOLD US TO PUT OUR HANDS ON THE COUNTER AND WE DID, AND MY MOM AND ME KEPT INSISTING FOR A REASON AS TO WHY SHE HAD BROUGHT US THERE, BUT THERE WAS NO ANSWER. THEN SHE TOLD ME TO TAKE THREE STEPS BACK, PUT MY HANDS ON THE COUNTER, AND TO OPEN MY LEGS. BY THEN I WAS REALLY SURPRISED AND I ASKED HER WHY? AND SHE JUST TOLD ME TO DO IT, SO I TOLD HER THAT THEY WERE NOT THE POLICE, THAT WHY SHOULD I DO THAT AND THEN ANOTHER LADY BEHIND THE COUNTER SAID IN A HARSH WAY THAT THEY HAD THE RIGHT TO DO THAT BECAUSE THEY WERE AN INSTITUTION THAT WORKED FOR THE FEDERAL GOVERNMENT. THE OTHER LADY KEPT ON INSISTING, SO I DID IT AND SHE SEARCHED ME IN FRONT OF MY MOM, AND MY MOM

GOT REALLY UPSET, AND SO DID I, BECAUSE I HAD NEVER IN MY LIFETIME BEEN SEARCHED AS IF I WAS SOME KIND OF A CRIMINAL. MY MOM KEPT ON ASKING THEM FOR A REASON AND BY THEN THE LADY BEHIND THE COUNTER CAME AROUND THE COUNTER AND TOLD HER TO PUT HER HANDS ON THE COUNTER AND SPREAD OPEN HER LEGS, AND MY MOM GOT FURIOUS, AND ASKED HER WHY, THAT IT WAS AN INJUSTICE TO DO WHAT THEY WERE DOING TO US. LIKE ME, MY MOM HAD NEVER EXPERIENCED THAT BEFORE AND IT LOOKED LIKE SHE HAD NOT SPREAD HER LEGS APART LIKE THEY EXPECTED AND THE LADY KICKED OPEN HER LEGS. BY THEN MY MOM AND ME FELT VERY, VERY HUMILIATED. THE LADY THAT SEARCHED ME STARTED GOING THROUGH MY PURSE AND THE PAPERS IN MY HAND WALLET. WE WERE THEN TOLD TO SIT DOWN ON THE BENCHES AND TO TAKE OFF OUR SHOES. AGAIN I ASKED WHY, BUT SHE WOULD NOT TELL ME. BY THEN I KEPT ON INSISTING FOR A REASON, AND ANOTHER OFFICER (MALE) WAS THERE ALSO TELLING ME THAT I HAD TO TAKE MY SHOES OFF, BUT WITHOUT A REASON. I TOOK MY SHOES OFF AND SHE INSPECTED THEM, AND THEN TOLD ME TO PUT THEM BACK ON. THEN THE LADY THAT WAS SEARCHING MY MOM TOLD HER TO TAKE HER SHOES OFF AND JUST LIKE ME SHE INSISTED ON A REASON. SO MY MOM TOOK HER SHOES OFF AND LEFT THEM ON THE FLOOR, LIKE ME. THE LADY DEMANDED HER TO GIVE HER THE SHOES IN HER HAND, BUT MY MOM AS IRRITATED, FRUSTRATED, AND CONFUSED AS SHE WAS TOLD HER THAT SHE HAD ALREADY TAKEN THEM OFF, AND TO PICK THEM UP HERSELF, BUT SHE KEPT ON BEING RUDE AND DEMANDING FOR HER TO PICK THEM UP. MY MOM DID JUST THAT, AND THEN PUT HER SHOES BACK ON. WE WAITED THERE FROM 15-20 MINUTES. DURING THIS TIME A YOUNG MAN WAS BROUGHT IN AND WAS TOLD TO PUT HIS HANDS ON THE COUNTER, BUT IT WAS CLEAR THAT THE OFFICER WHO WAS GOING TO SEARCH HIM, HAD GIVEN HIM AN EXPLANATION BECAUSE HE TOLD HIM, "OK NOW I AM GOING TO SEARCH YOU, THIS IS PART OF THE SAME "ROUTINE" OF THE INSPECTION. THAT OFFICER WAS NOT BEING RUDE TO HIM, UNLIKE US. THE LADY BEHIND THE COUNTER AND THE ONE THAT SEARCHED ME WERE BEHIND THE COUNTER LOOKING IN A COMPUTER. AFTER THIS TIME PASSED WE WERE JUST TOLD THAT OUR PURSES WERE THERE AND THAT MY CAR WAS OUTSIDE IN A RUDE WAY. THEN I TOLD THE LADY THAT SEARCHED ME IF SHE COULD GIVE ME AN EXPLANATION LIKE SHE HAD TOLD ME SHE WAS GOING TO, BUT SHE JUST STARTED WALKING AWAY AND THAT IS WHEN I ASKED HER FOR HER NAME. SHE SAID THAT SHE WAS NOT GOING TO GIVE ME HER NAME THAT SHE COULD GIVE ME HER BADGE NUMBER SO I TOLD HER "O.K., GIVE ME YOUR BADGE NUMBER, AND WHEN SHE GAVE IT TO ME THE SUPERVISOR CAME OUT AND ASKED ME WHAT WAS THE PROBLEM, AND SHE SAID HER BADGE NUMBER REALLY FAST, AND BETWEEN THE SUPERVISOR TALKING AND WITHOUT A PEN I DID NOT WRITE IT DOWN. THE LADY THAT SEARCHED MY MOM WOULD NOT GIVE ME HER BADGE NUMBER AND I HAD TO ASK FOR IT LIKE THREE TIMES, WHEN FINALLY HER SUPERVISOR TURNED AROUND FACING HER.

BY THAT TIME MY MOM WAS CRYING AND SO WAS I BECAUSE OF THE IRRITATION THAT WE FELT FROM THEIR ABUSE OF AUTHORITY AND BECAUSE OUR HUMAN RIGHT TO KNOW WAS TAKEN. I TOLD HER THAT THEY NEVER GAVE US A REASON AS TO WHY THEY HAD BROUGHT US TO THE OFFICE AND THAT I HAD NEVER BEEN SEARCHED LIKE THAT BEFORE. SHE TOLD ME THAT THEY HAD SEARCHED US BECAUSE IT WAS FOR OUR OWN PROTECTION AND FOR THE OTHER PEOPLE'S PROTECTION. I INSISTED THAT WE HAD A RIGHT TO KNOW WHY WE WERE BEING TAKEN TO THE OFFICE AND SHE AGREED WITH ME THAT THE LADY THAT SEARCHED ME SHOULD HAVE GIVEN ME A REASON WHY WE WERE TAKEN INSIDE THE OFFICE, AND THAT SHE WOULD TALK TO HER. WHEN WE WALKED OUT OF THERE, ANOTHER CUSTOMS OFFICER WAS VERY POLITE WITH US AND EVEN OPENED THE DOOR FOR US. HE WALKED US TO MY CAR AND I LOOKED FOR THE OTHER LADY TO GET HER BADGE NUMBER, AND WHEN I ASKED FOR IT SHE TOLD ME THAT SHE HAD ALREADY GIVEN IT TO ME AND THAT SHE WAS NOT GOING TO GIVE IT TO ME AGAIN, SO I HAD TO TELL HER THAT HER SUPERVISOR TOLD ME THAT SHE HAD TO GIVE IT TO ME AND SO SHE DID. WHEN I GOT TO MY CAR, I DID NOT HAVE MY KEYS AND THEY WERE NOT PLACED ON THE STARTER. SO I WENT BACK TO ASK FOR MY KEYS WERE THE MAN WITH THE MARINE SUIT WAS AT AND HE TOLD ME, "DID YOU LOOK IN THE CAR?" IN A SARCASTIC WAY. I TOLD HIM "YES" AND SOMEBODY ELSE SAID

THAT THEY WERE ON THE WINDSHIELD. THESE PEOPLE ARE SO RUDE THAT THEY LEFT THE TRUNK, THE HOOD, MY SIDE OF THE DOOR, AND MY MOM'S DOOR OPEN. AS I CLOSED EVERYTHING, THE MAN THAT WALKED US OUTSIDE HELPED ME CLOSE EVERYTHING. THEY COULD NOT EVEN PUT A (CENICERO) BACK IN ITS PLACE.

THE LADY WHO SEARCHED ME, BADGE # [REDACTED]  
THE LADY WHO SEARCHED MY MOM, BADGE # [REDACTED]

*This was at about 12:20 p.m*



**ABUSE DOCUMENTATION FORM**

*Ulang*  
*usc-1WS*

**I. ORGANIZATION INFORMATION**

Staff name: AFSC  
Interview date: March 1997 Source (see A codes): INV, VAF  
Computer case number: \_\_\_\_\_

**II. VICTIM INFORMATION**

Sex: F (2) Age: \_\_\_\_\_

National origin and ethnicity: \_\_\_\_\_

Place of departure (specific): \_\_\_\_\_

Intended destination (specific): \_\_\_\_\_

Citizenship/Immigration status (see B codes): \_\_\_\_\_

Traveling  alone  
 with a group

**III. INCIDENT INFORMATION**

Date: March 12, 1997

Location (give details): San Ysidro POE

Reason given for stopping victim: None given

Describe the incident (if more space is needed, write on back and/or attach affidavit):

Mother & daughter were crossing by car at the San Ysidro POE. They were asked for their documents (passport, drivers license registration) taken to secondary inspection & their car was searched. They were taken inside the office & were refused any explanation for this. Once inside, they were both subjected to a body search (by two female officers) in front of each other without explanation - both feeling very humiliated.

The officers refused to give their names & hesitated to give their badge numbers. A supervisor (female) finally appeared & was more polite - told them that they had been searched for their own protection & for the other people's protection. The officers who searched the car were rude & sarcastic.