

PRESS RELEASE

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FOR IMMEDIATE RELEASE

First Circuit Court of Appeals to Hear Challenge to TSA's Passenger Pat-downs

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The United States Court of Appeals for the First Circuit will hear oral argument on January 7, 2014 in a lawsuit challenging the Transportation Security Administration's (TSA) policy of requiring passengers whose metal implants set off or alarm walk-through metal detectors at airports to undergo an invasive pat-down before being allowed to board their planes.

The suit was brought by Mary Beth Ruskai, a sixty-nine year old scientist and research professor who travels frequently by air for work, often through airports and security checkpoints that are equipped with only metal detectors, rather than advanced imaging technology scanners. Professor Ruskai's metal knee and hip implants alarm the metal detectors, and the TSA requires that an agent conduct an invasive, manual search of her body – including the groin and breast areas – before allowing her to continue to her flight.

Professor Ruskai, who is represented by Zalkind Duncan & Bernstein LLP of Boston, challenges this pat-down policy as a violation of her rights under the Fourth Amendment to the U.S. Constitution, which guarantees individuals freedom from unreasonable searches, and her rights under the Rehabilitation Act, which prohibits federal programs from discriminating against people with disabilities.

Information about the suit, including the briefs filed by Professor Ruskai and the TSA, can be found at <http://zalkindlaw.com/inga-bernstein-monica-shah-and-naomi-shatz-challenge-tsas-pat-down-procedures-in-first-circuit/>.