

Rape Victim Arrested after Refusing TSA Intrusive 'pat down'

by Jim Bergamo via stan - KVUE News *Friday, Dec 24 2010, 10:03pm*

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Early Wednesday morning, a computer glitch shut down a security checkpoint for a couple of hours at Austin-Bergstrom International Airport. The line snaked out the door as many travelers waited for more than an hour and some missed their flights. One of the first people in line after that shutdown never made it through. She was arrested and banned from the airport.

Claire Hirschkind, 56, who says she is a rape victim and who has a pacemaker-type device implanted in her chest, says her constitutional rights were violated. She says she never broke any laws. But the Transportation Security Administration disagrees.

Hirschkind was hoping to spend Christmas with friends in California, but she never made it past the security checkpoint.

"I can't go through because I have the equivalent of a pacemaker in me," she said.

Hirschkind said because of the device in her body, she was led to a female TSA employee and three Austin police officers. She says she was told she was going to be patted down.

"I turned to the police officer and said, 'I have given no due cause to give up my constitutional rights. You can wand me,'" and they said, 'No, you have to do this,'" she said.

Hirschkind agreed to the pat down, but on one condition.

"I told them, 'No, I'm not going to have my breasts felt,' and she said, 'Yes, you are,'" said Hirschkind.

When Hirschkind refused, she says that "the police actually pushed me to the floor, (and) handcuffed me. I was crying by then. They drug [dragged] me 25 yards across the floor in front of the whole security."

An ABIA spokesman says it is TSA policy that anyone activating a security alarm has two options. One is to opt out and not fly, and the other option is to subject themselves to an enhanced pat down. Hirschkind refused both and was arrested.

Other travelers KVUE talked to say they empathize with Hirschkind, but the law is the law.

"I understand her side of it, and their side as well, but it is for our protection so I have no problems with it," said Gwen Washington, who lives in Killeen.

"It's unfortunate that that happened and she didn't get to fly home, but it makes me feel a little safer," said Emily Protine.

The TSA did release a statement Wednesday that said in part, "Our officers are trained to treat all

passengers with dignity and respect. Security is not optional."

The TSA says less than three percent of travelers get a pat-down.

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<http://www.kvue.com/home/Woman-arrested-at-ABIA-after-refusing-enhanced-pat-down-112354199.html>

Cleaves Alternative News. <http://cleaves.lingama.net/news/story-2260.html>