

SENATE RESOLUTION NO. 91

STATE OF NEW JERSEY

214th LEGISLATURE

INTRODUCED NOVEMBER 22, 2010

Sponsored by:

Senator MICHAEL J. DOHERTY
District 23 (Warren and Hunterdon)

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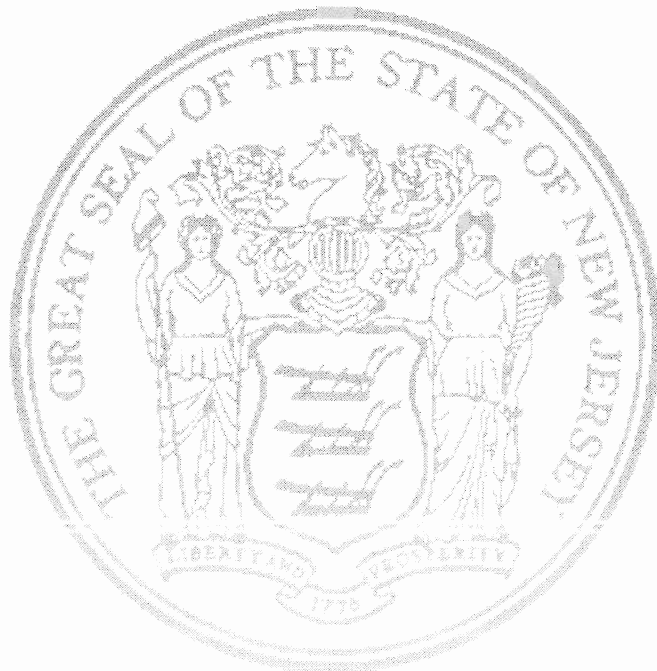
Senator Allen

SYNOPSIS

Urges Transportation Security Administration to terminate recent changes to its procedure for conducting pat down searches at airport checkpoints.

CURRENT VERSION OF TEXT

As introduced.



1 **A SENATE RESOLUTION** urging the Transportation Security
2 Administration to terminate recent changes to its procedure for
3 conducting pat down searches at airport checkpoints.
4

5 **WHEREAS**, The Transportation Security Administration (TSA) is an
6 agency of the federal government charged with protecting the
7 nation's transportation systems to ensure freedom of movement for
8 people and commerce; and

9 **WHEREAS**, The TSA is responsible for screening airline passengers
10 and personnel for weapons, explosives, and other contraband that
11 pose a threat to airport security and the safety of the general public;
12 and

13 **WHEREAS**, Current TSA screening policy requires that airline
14 passengers and personnel either pass through advanced-image
15 technology scanners, or otherwise elect to undergo a pat down
16 search administered by TSA employees; and

17 **WHEREAS**, The advanced-image technology scanners used by TSA
18 capture images that depict the shape and outline of a subject's full
19 body as it appears underneath the subject's clothing; and

20 **WHEREAS**, Many airline passengers and personnel find advanced-
21 image technology scanners overly invasive and, therefore, prefer
22 the alternative option of undergoing a pat down search; and

23 **WHEREAS**, As a matter of nationwide policy, the TSA on October 28,
24 2010 began implementing new pat down procedures that involve a
25 more intrusive, full-body search, during which TSA personnel
26 make physical contact with sensitive areas of the body; and

27 **WHEREAS**, These new procedures are potentially offensive and
28 humiliating to every individual upon whom they are imposed and,
29 indeed, particularly egregious in their application to women,
30 children, and disabled members of our society; and

31 **WHEREAS**, Reports have indicated that in some instances overzealous
32 TSA employees have carried out these new procedures in a manner
33 sufficiently aggressive to rise to the level of an inappropriate
34 invasion of personal privacy, from which an individual would
35 ordinarily be protected under the laws of this State; and

36 **WHEREAS**, Encouraging travel by ensuring the right of individuals to
37 move about without fear of undue invasions of privacy is essential
38 to preserving a free society, safeguarding the flow of commerce,
39 and sustaining good will among nations; and

40 **WHEREAS**, The new pat down procedures implemented by the TSA
41 have, to the contrary, discouraged travel by creating fear of physical
42 intrusions of the person; now, therefore,
43

44 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*
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46 1. This House urges the Transportation Security Administration
47 to immediately terminate its use of the new pat down search

1 conducting pat down searches in accordance with the procedures
2 that were in place prior thereto.

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4 2. Duly authenticated copies of this Senate resolution, signed
5 by the President of the Senate and attested by the Secretary thereof,
6 shall be transmitted to the Administrator of the Transportation
7 Security Administration and every member of Congress from this
8 State.

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STATEMENT

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13 This Senate resolution urges the Transportation Security
14 Administration (TSA) to end the use of its recently adopted
15 procedures for conducting pat down searches and to return to its
16 former procedures.

17 Under current TSA policies, airline passengers and personnel
18 must either pass through advanced-imaging technology scanners or
19 otherwise elect to undergo a pat down search administered by a
20 TSA employee. Because the scanners produce images that depict
21 the shape and outline of an individual's body as it appears under the
22 individual's clothing, many passengers have instead chosen a pat
23 down search as the less intrusive option for meeting security
24 requirements.

25 However, as of October 28, 2010, TSA has begun implementing
26 new pat down procedures that are more invasive. These procedures
27 require TSA employees to make physical contact with sensitive
28 areas of a person's body. Furthermore, there have been reports that
29 some searches have been conducted in an overly aggressive manner,
30 resulting in severe and humiliating invasions of privacy. This
31 resolution urges TSA to end these new pat down procedures and to
32 return to conducting pat down searches in accordance with its
33 former, less-invasive procedures.