

TSA Screenings & Your Rights

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Updated 24 Dec 10 <http://bit.ly/tsarights>

Rights

URL

1. You have the right to **not go through electronic strip search** (aka AIT, MMW, WBI) ... but if you are “selected” (e.g. “SSSS” mark) and choose not to go through, you will get an “enhanced pat down” ... and even if you do go through, you might get an “enhanced pat down” anyway is.gd/ihEwf
2. You have the right to a patdown by someone **the same gender** as you present yourself ... unless they’re short staffed—but you must be told so before going through the metal detector is.gd/ihEHd
3. You have the right to have patdowns **witnessed by someone of your choice** ... so long as they’re allowed to be there at all (e.g. they’re flying with you) is.gd/ihEHd
4. You have the right to have patdowns conducted **in private** is.gd/ihF11
5. You have the right to have your **belongings in view** at all times ... but not to access / touch them is.gd/ihFkn
6. You have the right to **take photos/videos** in public areas, and to **not delete** anything ... except of xray screens, or if it would interfere with / slow down screening ... except if the airport, state, county, or city has a rule/law against it is.gd/ihEfc#4
7. You have the right **not to be touched** by anyone without your consent ... except the minimum “necessary to detect weapons or explosives” ... but you must be **told before being touched** how you will be touched, and **consent** ... except when being detained or arrested by **police** (not TSA) is.gd/ihJ0Y
is.gd/ihFCu
is.gd/ihIgo#p63
is.gd/ihIws
is.gd/ihIJe
8. You have the right to carry **unlimited medical supplies** (e.g. juice, insulin, breast milk, etc.) ... but may be asked (**not** required) to prove it’s medical, and must declare it upfront is.gd/ihFU6
bit.ly/eNvwqQ
9. TSA employees **do not** have the right to **detain** you because they are **not police** ... but they can call the police, who **can** detain you, and in ½ of US states, can demand ID also is.gd/ihFNv
bit.ly/g3bP4t

Remember

1. **“I opt out** of going through electronic strip search.” dontscan.me
2. **“I consent** to search that is no more extensive nor intensive than necessary to detect the presence of weapons or explosives. Although **I will not physically resist**, any further contact is unlawful assault and battery.”
3. **“Please bring your STSO** (supervisor; 3 bar epaulet) / **TSM** (transportation screening manager) / **a police officer.**”
4. **Do not physically resist**; sue them later instead is.gd/ihLjz
5. **Do not argue** with poorly trained TSOs; get a higher ranking officer and **call the TSA Ombudsman.**
6. **Expect to be harassed** or to wait an extra hour. Exercising your rights may be difficult. is.gd/ihLyr
7. Write down the **name, job title, and badge number** of everyone you interact with.
8. **Post your experiences online** (especially audio, photos, & videos) ASAP. is.gd/ihLNq
9. **Call your senators and representatives**; tell them how you feel. is.gd/ihDfX is.gd/ihDim
10. **File formal complaints** and **tell the ACLU/EPIC** as appropriate. bit.ly/aclutsa bit.ly/epictsa
11. **Smile!** Address people politely by name, don’t take it personally, have compassion, and be confident asserting your rights.

Contacts

| | | |
|---|---------------------|---|
| TSA Ombudsman (to correct misinformed TSOs on policy) | 877 266 2837 | is.gd/ihDSR |
| TSA Public Affairs (for media and photo/video issues) | 571 227 2829 | is.gd/ihEfc#4 |
| US Congress Switchboard (to call your senators & representatives) | 202 224 3121 | is.gd/ihDfX is.gd/ihDim |
| TSA Office of Civil Rights (to file a complaint) | 877 336 4872 | is.gd/ihDtH |
| DHS Office of Civil Rights (to file a complaint) | 866 644 8360 | is.gd/ihD1w |
| FBI HQ (to file a complaint under 18USC242, “deprivation of rights under color of law”) | 202 324 3000 | is.gd/ihz6a |
| TSA Switchboard (to talk to “office of chief counsel” for legal/policy issues) | 866 289 9673 | is.gd/ihDHT |

Photography & video: local contacts

is.gd/ihJ0Y bit.ly/erNx1M

General rules: don't capture X-ray screens or cause congestion; commercial/pro, get permit first; otherwise **unrestricted**.

Only call these numbers for *photo/video issues*, when people on the ground are misinformed. Otherwise call TSA Ombudsman.

| Policy (if different) | TSA | Airport | Verified |
|-----------------------|-----------------|--------------------|--|
| ABQ | | Dan Jiron | 505 446 7706 21 Dec 10 is.gd/ijyLe |
| BOS | Phil Orlandella | 617 561 1819 | Ann Davis 617 733 8437 1 Apr 09 is.gd/ijyOo |
| CMH | | Robert Mauldin | 28 Jun 10 is.gd/ijyQW |
| DCA | bit.ly/gzCp25 | Kawika Riley | 571 227 1966 Courtney Mickalonis 703 417 8370 21 Dec 10 is.gd/ijyUP |
| DEN | | Bob Kapp | 303 346 6512 1 Apr 09 is.gd/ijyXc |
| DFW | | Chuck Sloan | 469 948 1828 Leslie Young 972 973 5489 2 Apr 09 is.gd/ijyZd |
| IAD | bit.ly/gzCp25 | Kawika Riley | 571 227 1966 Courtney Mickalonis 703 417 8370 21 Dec 10 is.gd/ijz2N |
| IND | | Rene Harris | 317 390 6917 1 Apr 09 is.gd/ijz4J |
| LGA | | Guy Lanis | 718 533 3400 Ralph Tragale 212 435 3730 1 Apr 09 is.gd/ijz7j |
| MCO | | William Kretchnick | 8 Apr 09 is.gd/ijz9n |
| MDW | | Jim Kilmer | 773 498 1308 Maureen Joyce 773 838 0647 21 Dec 10 is.gd/ijzb8 |
| ONT | | April Ellis | 909 472 0113 909 544 5360 21 Dec 10 is.gd/ijzeE |
| ORD | bit.ly/gLYKe9 | Owen Winder | 773 377 1215 Karen Pride 773 686 3706 21 Dec 10 is.gd/ijzGJ |
| PHX | | Brian Toll | 480 375 2523 Mike Sotomayor 602 273 3300 21 Dec 10 is.gd/ijzJ |
| PIT | | Laura Snell | 412 375 4063 Jeff Martinelli 417 472 3581 21 Dec 10 is.gd/ijznr |
| SAN | | Leslie Adlam | 1 Apr 09 is.gd/ijzqZ |
| SMF | | J Robert Smith | 916 205 5935 Gina Swankie 916 874 0791 21 Dec 10 is.gd/ijzr9 |
| TPA | | Kelly Figley | 813 801 6025 3 Apr 09 is.gd/ijzw0 |

TSO Screening Management Standard Operating Procedures (SOP) May '08, selected bits

is.gd/ihMYj

"2.2.3. HHMD OR PAT-DOWN SCREENING OF INDIVIDUALS

... All HHMD and pat-down searches must be conducted by TSOs of the same gender as the individual presents him or herself to be."

"4.3.14.OPPOSITE GENDER SCREENING

Extraordinary circumstances may occur where a TSO of the same gender as the individual being screened (the gender of an individual is determined by who he or she presents themselves to be) is not available to complete HHMD and/or pat-down screening procedures (for example, staffing shortage emergencies at any airport or limited staffing at Category II, III, and IV airports). ...

A. The STSO must ensure that the following notice is provided to an individual of the opposite gender before the individual enters the WTMD:

1. A TSO of the same gender as the individual presents him or herself to be is not available.
2. A TSO of the opposite gender will be required to complete the screening process, which may include physical contact between the TSO and the individual.
3. An LTSO or STSO, if possible, will be present.
4. Once the individual enters the WTMD, the individual must complete the screening process."

"2.7. PHOTOGRAPHING, VIDEOTAPING, AND FILMING SCREENING LOCATIONS

- A. TSA does not prohibit the public, passengers, or press from photographing, videotaping, or filming screening locations unless the activity interferes with a TSO's ability to perform his or her duties or prevents the orderly flow of individuals through the screening location. Requests by commercial entities to photograph an airport screening location must be forwarded to TSA's Office of Strategic Communications and Public Affairs. Photographing EDS or ETD monitor screens or emitted images is not permitted.
- B. TSA must not confiscate or destroy the photographic equipment or film of any person photographing the screening location.
- C. Whenever possible, x-ray machine images must not be visible to the public or press. When physical constraints prevent x-ray images from being fully protected from public viewing, TSOs must ensure no member of the public or press is in a position to observe an x-ray monitor for an extended period of time. Passengers and other unauthorized individuals must not be allowed to view EDS or ETD monitors and screens."

TSA Photography FAQ

is.gd/ihEfc#4

"Q. Is it okay to take pictures or videos inside the airport and at a checkpoint?

A. TSA does not prohibit photographs at screening locations; however, local laws, state statutes, or local ordinances may. We recommend contacting your local airport authority in advance to ensure you are familiar with their local procedures. While TSA does not prohibit the public, passengers or press from photographing, videotaping, or filming at screening locations, TSA may ask a photographer to stop if they are interfering with the screening process or taking photos of X-ray monitor screens in a checkpoint. The same guidelines apply to media. Members of the press should contact TSA's Office of Public Affairs, at 571-227-2829, prior to filming or taking photographs at a security checkpoint.

While there is a difference between taking a casual photo and someone conducting surveillance, travelers should not be surprised if TSA or local law enforcement inquires about their actions. This is important to ensure the safety of the traveling public and something our officers may do as part of their security mission."

I, Sai, am not a lawyer and definitely not **your** lawyer. Get one if you're in trouble or want to sue. This isn't legal advice and may not apply exactly to your situation. Don't be an idiot. Standing up for your rights requires standing up to intimidation, but do so politely.

Email me at tsa@saizai.com w/ suggestions for improvement. **Please distribute this as widely as you can.**

TSA employees: please email me the latest SOP documents.

Stay anonymous, use a throwaway email account from a random computer, use my PGP key if you can. I will ensure it gets distributed. The public should know the rules they're expected to comply with. Checkpoints can only be ethical if done with informed consent.