

TSA Screenings & Your Rights



Sai / saizai.com

Updated 9 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/ihJOY
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 bars on epaulet) / **FSD** (federal security director) / 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 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

Airport policies & local law re. photography

is.gd/ihJ0Y

ABQ	OK	Susanne Spencer	505 246 4131	14 Apr 09	is.gd/ijyLe
BOS	OK	Ann Davis	617 733 8437	1 Apr 09	is.gd/ijyOo
CMH	OK	Robert Mauldin		28 Jun 10	is.gd/ijyQW
DCA	All: permit?	Daryush Mazhari		15 Apr 09	is.gd/ijyUP
DEN	OK	Bob Kapp	303 346 6512	1 Apr 09	is.gd/ijyXc
DFW	Private OK; commercial: permit	Leslie Young	972 973 5489	2 Apr 09	is.gd/ijyZd
IAD	OK	Susan Rhode	703 662 2330	1 Apr 09	is.gd/ijz2N
IND	OK?	Rene Harris	317 390 6917	1 Apr 09	is.gd/ijz4J
LGA	OK?	Guy Lanis	718 533 3400	1 Apr 09	is.gd/ijz7j
MCO	OK	William Kretchnik	407 563 4074	8 Apr 09	is.gd/ijz9n
MDW	OK?	John Devona	773 498 1308	1 Apr 09	is.gd/ijzb8
ONT	OK	April Ellis	909 472 0113	1 Apr 09	is.gd/ijzeE
ORD	OK	Barbara Hornbach	773 377 1217	1 Apr 09	is.gd/ijzGJ
PHX	Private OK; commercial: permit	Alisa Nakashima-Smith	602 273 8874	3 Apr 09	is.gd/ijzjJ
PIT	OK	Jeff Martinelli	417 472 3581	14 Apr 09	is.gd/ijznr
SAN	OK	Leslie Adlam		1 Apr 09	is.gd/ijzqZ
SMF	OK	J Robert Smith	916 205 5935	1 Apr 09	is.gd/ijzt9
TPA	All: permit	Kelly Figley	813 801 6025	3 Apr 09	is.gd/ijzw0

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

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 TSO 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 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 Screening Management SOP.

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 they done with informed consent.