

Christmas Goose

By Reg P. Wydeven
December 18, 2010

In previous articles I have written about what I've described as a current epidemic of excess sexiness. First, there was the woman who sued her former employer, claiming she was fired for being too sexy. Then singer Katy Perry was kicked off Sesame Street for wearing clothing that revealed too much cleavage. Finally, the NFL implemented sensitivity training for players in response to Mexican TV Azteca reporter Ines Sainz feeling "very uncomfortable" in the New York Jets' locker room after receiving catcalls while trying to interview quarterback Mark Sanchez, who is of Mexican descent.

The latest incident to confirm my theory has occurred at an airport. Donna D'Errico was subjected to an Advanced Imaging Technology, or AIT, screening by Transportation Security Administration agents. D'Errico claims, "It is my personal belief that they pulled me aside because they thought I was attractive."

According to D'Errico, a TSA agent sarcastically told her that she was being singled out for what she calls a "naked scan", "'Because you caught my eye, and they' – pointing to the other passengers – 'didn't.'" D'Errico then alleges that the agent was "smiling and whispering with two other TSA agents and glancing" at her after the scan.

D'Errico was outraged after the incident and feels she was discriminated against because of her physical appearance. She believes the TSA "decides for you that you will consent to being scanned or felt up, or you simply won't be allowed your constitutional right to travel from one place to another freely."

The TSA has almost 400 AIT machines in almost 70 airports across the country. AITs bounce harmless electromagnetic waves off of the human body to create a black and white image, however, it has a privacy filter that blurs out facial features.

Despite D'Errico's protests, the TSA insists it has strict measures designed to protect passenger privacy and that all images are anonymous. While one TSA officer guides a passenger through the AIT machine, another remotely located officer views the image and does not see the passenger. Additionally, images cannot be stored, transmitted or printed, and they are deleted immediately after being viewed.

AIT screenings are completely optional. Passengers who refuse AIT scanning will receive alternative screening, such as a physical pat-down. Pat-downs are also used to detect potentially dangerous and prohibited items if a passenger sets off the metal detector or if an AIT scan reveals a potential problem.

The TSA wants all passengers to know their rights during a pat-down, including having it conducted in a private room and witnessed by a person of the passenger's choice. All pat-downs are conducted by officers of the same gender as the passenger. Officers are required to explain the pat-down process before and during the pat-down. Parents should be prepared that even children can be subjected to pat-downs if they set off a security trigger.

To make the screening process go as smoothly as possible, the TSA recommends taking everything out of your pockets before going through screening. Also avoid wearing clothes with a high metal content or heavy jewelry.

The holiday season is one of the busiest times of the year for travel. While security screenings can be inconvenient and sometimes even invasive, remember, they're being done for all of our safety. Besides, if you get selected for a heightened screening, just tell yourself it's probably because you're too damn sexy.

This article originally appeared in the Appleton Post-Crescent newspaper and is reprinted with the permission of Gannett Co., Inc. © 2010 McCarty Law LLP. All rights reserved.