

March 27, 2008

Via E-mail and U.S. Mail

Director, Office of Civil Rights and Liberties
Transportation Security Administration
601 South 12th Street, TSA06
Arlington, Virginia, 22202
Attn: External Compliance Division

Re: Mandi Hamlin

Dear Director:

I write to you to express my outrage and to demand a thorough investigation into the manner in which airline passenger Mandi Hamlin was treated by TSA as she attempted to fly from Lubbock to Dallas, Texas on February 24, 2008.

Ms. Hamlin, a graphic artist from the Dallas/Forth Worth, Texas area, was returning home after a short trip to visit her elderly great uncle. She was scheduled on Southwest Flight 35, with a departure time of 1:35 p.m, and she arrived to the security checkpoint about an hour before her flight. While her previous encounters with the Transportation Security Administration had all been uneventful, including during the security screening before her flight on the previous day, this encounter was one she will never forget.

As all airline passengers are expected to do, Ms. Hamlin went to the security checkpoint and waited her turn in line. When she reached the front, she took her shoes off and put her items on the x-ray machine conveyer belt. She walked through the metal detector. It was not set off. Ms. Hamlin then was asked to step aside for additional screening by a female TSA officer.

Ms. Hamlin has several body piercings, including in her ears, belly, and nipples. During the secondary screening, when the TSA officer waved the hand-wand over Ms. Hamlin's left breast and it beeped, Ms. Hamlin immediately volunteered to the officer that her nipple ring piercing was setting off the alarm. The officer left to call over other TSA officers. One TSA

officer told Ms. Hamlin that she would need to take her piercings out. She told him that she could not remove them, but that she would show them to a TSA officer. In response, he called over yet another male TSA officer, who also insisted that Ms. Hamlin remove her piercings. By this time, a small group had congregated around Ms. Hamlin. A fifth officer was called over, and he, too insisted that Ms. Hamlin remove her piercings.

There was no justification for the TSA officers to demand that Ms. Hamlin take out her piercings. TSA's policies, which are posted up on the TSA website, make clear that a pat-down is the appropriate action to take when dealing with such piercings. The TSA policy states that:

Hidden items such as body piercings may result in your being directed to additional screening for a pat-down inspection. If selected for additional screening, you may ask to remove your body piercing in private as an alternative to the pat-down search.

Ms. Hamlin *did not* want to remove her nipple piercings. After nipple rings are inserted, the skin can often heal around the piercing, and the rings can be extremely difficult and painful to remove. In addition, once removed, the pierced skin may close up almost immediately, making it difficult and painful to reinsert the piercing.

Ms. Hamlin realized that the removal and the later reinsertion of the piercings would be both difficult and painful, and she felt humiliated by the scene that the TSA officers were making. With tears streaming down her face, she again asked to show the piercings to a TSA officer instead of having to remove them. She was told, however, that she would not be allowed to fly unless she removed them. Had she been told that she had a right to a pat-down, she would have chosen that option.

It is clear that TSA did not comply with its own policies. TSA's policy is that individuals selected for additional screening because of body piercings undergo a pat-down inspection. Passengers have the *option* of removing their body piercings as an alternative to having a pat-down search, but are not required to do so.

Ms. Hamlin was never advised that, in accordance with TSA policy, she could choose a pat-down search in lieu of removing her nipple piercings. She was never told that, if she submitted to a pat-down, she would not need to remove the piercings. Even as she was crying that she did not want to remove the piercings, TSA indicated that if she wished to continued through security, she would be required to do so. TSA officers took away Ms. Hamlin's choice by forcing Ms. Hamlin to remove her piercings if she wanted to fly.

Ms. Hamlin was taken to a private area behind a dark curtain. She took out the first piercing with relative ease, but the second would not budge. She tried to remove it, and it

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caused her pain. Still crying, she informed the TSA officer that she could not remove it without the help of pliers, and the officer gave a pair to her. As Ms. Hamlin struggled to remove the piercing behind the curtain, she could hear a growing number of predominantly-male TSA officers snickering in the background.

After she managed to remove her nipple piercings, a TSA officer again scanned her body. Ms. Hamlin then realized that she had forgotten to remove her belly ring, and she offered to remove it. The TSA officer, however, told her that it was not necessary, *because the officer could see it*. Ms. Hamlin wondered why, if TSA allowed a visual inspection of her belly ring in lieu of its removal, could the same procedure not have been followed for her nipple rings?

Mandi Hamlin was publically humiliated. She was made to suffer the physical pain of removing a nipple ring with pliers—a ring that could not be reinserted by her once it was removed— while TSA’s officers stood around *snickering* at her. Clearly, this is not how passengers should be treated. Yet, in response to Ms. Hamlin’s complaint, TSA’s Customer Service Manager for Lubbock Airport has concluded that her screening was handled properly. How could the screening have been handled properly when it appears to have been in violation of TSA policy?

This should never have happened. TSA did not follow its own policies. The TSA officers could easily have conducted a visual inspection or a pat down of Ms. Hamlin. They had no justification for forcing Ms. Hamlin to remove her piercings if she wanted to fly. As a result, Ms. Hamlin has undergone an enormous amount of physical pain to have the nipple rings reinserted because of the scar tissue under her nipples. The conduct of TSA was cruel and unnecessary. The last time that I checked a nipple was not a dangerous weapon.

We wonder what TSA would do or have done if a passenger had a ring or stud in their vagina or penis. Would pliers be handed to such passengers or would there be a pat down? Would women have to undergo a gynecological exam in order to board a plane?

We demand an investigation of this matter by the Office of Civil Rights and Liberties, and a public apology to Mandi Hamlin. In the future, passengers with piercings should be advised that they have the *choice* to either remove their piercings *or* be subject to a pat-down screening. TSA must make a commitment that its own policies will be carried out consistently and fairly, and that members of the public who are pierced be treated with dignity and respect.

Very truly yours,

ALLRED, MAROKO & GOLDBERG

GLORIA ALLRED