



Written by [Raven Clabough](#) on February 17, 2012

Alaska Bill Would Criminalize TSA Screening Procedures

Alaska State Representative Sharon Cissna (left) has introduced a bill to criminalize TSA pat-downs and naked-body scans, adding The Last Frontier to a growing list of states battling the intrusive screening procedures of the Transportation Security Administration. Cissna has suffered her own negative experience with the federal agency. Last year at the Seattle-area Sea-Tac International Airport, after a naked-body scan revealed her breast-cancer surgery scars, the TSA insisted on putting her through an intrusive pat-down. She refused.



“Facing the agent, I began to remember what my husband and I’d decided after the previous intensive physical search,” she related. “That I never had to submit to that horror again! It would be difficult, we agreed, but I had the choice to say no; this twisted policy did not have to be the price of flying to Juneau.”

The TSA responded by barring her from her flight.

Cissna’s bill, HB 262, states:

A person commits the offense of interference with access to public buildings or transportation facilities if the person, as a condition for access to a public building or transportation facility, requires another person to consent or otherwise submit to

- (1) physical contact by any person touching directly or through clothing the genitals, buttocks, or female breast of the person seeking access; or
- (2) any electronic process that produces an electronic image of the genitals, anus, or female breast or otherwise creates an electronic image of the person seeking access that exposes or reveals a physical characteristic that is normally hidden by clothing and is not normally visible to the public.

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Texas state lawmakers [attempted](#) last year to pass similar legislation called the Traveler Dignity Act, but federal government officials threatened to ground all flights into and out of the state — essentially creating a “no-fly zone” over The Lone Star State — if the bill was passed. Eventually the measure was defeated by a procedural move after a protracted battle in the state legislature.

But Cissna’s bill goes further than the Texas measure in that it outright bans the naked-body scanners. The X-ray machines drew negative attention once again this week after a Dallas woman was [forced](#) by TSA agents at DFW International Airport to go through the body scanner three times so, she alleges, the screeners could get a “good look” at her naked image.

According to the *Associated Press*, Cissna “told the [Alaska] House Judiciary Committee on Wednesday that rights guaranteed in the constitutions of Alaska and the United States are violated by security



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measures that require unwanted physical contact or exposure of physical traits usually not visible in public.”

Utah is also among the states fighting back against the TSA. Lawmakers there have introduced a resolution that would eliminate pat-downs and launch a congressional investigation into the various reported abuses of the TSA.

“If they can do that [intrusive pat-downs], what can’t they do?” demanded Rep. Ken Ivory, [the sponsor of the resolution](#). “Can you imagine George Washington or Thomas Jefferson going to the airport and saying, ‘Go ahead and stick your hand down my pants. I need to get where I’m going’?” Ivory contends that Americans are slowly being conditioned to “just submit” to the feds. “Our liberties are being conditioned away,” he told the *Deseret News*.

Meanwhile, Texas State Rep. David Simpson, who plans to run for reelection to the 2013 biennial session, is preparing to reintroduce his Traveler Dignity Act to criminalize the TSA pat-downs statewide. Likewise, lawmakers there are gearing up to consider a new measure that would allow airports to ban the TSA from the screening process altogether.

TSA controversies have been a constant source of news over the past few years.

Over the 2011 [Christmas break](#), for example, TSA agents confiscated several holiday desserts but allowed a sword to go through security undetected.

Last April, former Miss USA Susie Castillo accused a TSA agent of molestation during her security screening at the Dallas-area DFW International Airport. Donna D’Errico, a former *Baywatch* actress who has posed for *Playboy*, made similar accusations against the TSA, contending that she was deliberately targeted for the naked-body scanner: “It is my personal belief that they pulled me aside because they thought I was attractive. After the search, I noticed that the male TSA agent who had pulled me out of line was smiling and whispering with two other TSA agents and glancing at me. I was outraged.”

The concerns voiced against the TSA’s intrusive screening procedures with one group — children — have been [confirmed](#) by experts at Child Lures Prevention (CLP). According to the organization, in an effort to make youngsters cooperate with the TSA screenings, agents call the pat-downs a “game.” As a result, those who undergo the enhanced pat-downs may become desensitized to sexual molestation.

CLP’s Ken Wooden explains that telling children they are participating in a game “is one of the most common ways” for sexual predators to engage them in inappropriate contact. Likewise, because children “don’t have the sophistication” to differentiate between the pat-down at the airports and sexual assault, the TSA procedures are setting a dangerous precedent for those who experience the procedures.

Perhaps the most significant criticism of the TSA’s screening procedures, in addition to the privacy intrusions, is the potential danger of [radiation](#) exposure.

A report filed by ProPublica on airport X-ray scanners reveals that despite evidence that the scanners could cause “anywhere from six to 100 U.S. airline passengers each year [to] get cancer,” a variety of expert testimonies on the dangers of the technology, and European policies that have actually banned the use of the scanners, the TSA has elected to continue the use of the TSA scanners nationwide. As noted by *The New American’s* Michael Tennant, “What’s worse, the TSA has other, safer types of scanners, known as millimeter-wave scanners, that the agency says are as effective as the backscatter



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scanners; but it has chosen to continue deploying the backscatter scanners even though they could adversely affect the health of the flying public.”

Last year, the Transportation Security Administration reneged on a promise to conduct further studies into the safety of radiation-firing body scanners used at airports nationwide. However, following reports of cancer clusters among TSA screeners at Boston-Logan Airport, the TSA is now obligated to test the operators of the naked-body scanners for radiation exposure. But the TSA still refuses to test the actual machines.

Texas Congressman and GOP presidential contender Ron Paul has adamantly opposed the TSA procedures from the start, having introduced the American Traveler Dignity Act to “protect Americans from physical and emotional abuse.” Dr. Paul and other constitutionalists across the country contend that the TSA’s procedures are a violation of 4th Amendment rights.

Paul [explains](#) his solution:

What we need is real privatization of security, but not phony privatization with the same TSA screeners in private security firm uniforms still operating under the “guidance” of the federal government.

Real security will be achieved when the airlines are once again in charge of protecting their property and their passengers.



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