



Written by [Raven Clabough](#) on October 24, 2012

## Mom Convicted of Disorderly Conduct for Arguing With TSA

According to a jury in Tennessee, a mother who berated TSA officers over her daughter's pat down is [guilty](#) of "disorderly conduct."

Fox News reports, "Jurors deliberated four hours before convicting Andrea Abbott. She had faced up to 30 days in jail and a \$50 fine for her conduct in the July 2011 confrontation at Nashville International Airport, but the judge placed her on probation for a year because she has no criminal record."



At the time of the incident, Abbott was not herself flying, but accompanying her daughter — then 14 — to the gate at Nashville International Airport.

Abbott refused to allow her daughter to go through a body scan machine, asserting she did not want "someone to see our bodies naked."

Security officer Sabrina Birge told police that "[Abbott] told me in a very stern voice with quite a bit of attitude that they were not going through that X-ray." Despite being told that the machine was "not an x-ray," Abbott insisted, "I still don't want someone to see our bodies naked."

Abbott and her daughter then went through a metal detector, to be followed by a pat down conducted by TSA Officer Karen King. According to King, just before she performed the pat down on Abbott's daughter, Abbott yelled in her face that she did not want anyone "touching her daughter's crotch."

Eventually, Abbott permitted her daughter to receive a pat down, but refused to undergo one herself. It was at that point that airport police officer Jeff Nolen was called.

According to Nolen's testimony, he asked Abbott to remain calm more than once, but she refused. "You're not putting your [expletive] hands on me, this is [expletive]," he recalled Abbott saying.

The *Daily Mail* reports that Abbott had tried to shoot video of the encounter on her cell phone, but police arrested her before she could record anything.

Nolen indicates that he arrested her once she started cursing at him. He explained she continued to use expletives and call police officers "pedophiles."

"She gave him no option," Assistant District Attorney Megan King said Tuesday. "She put him in that position with her behavior."

The prosecution argued that Abbot's behavior "prevented others from carrying out their lawful activities," and therefore falls under the state's definition of disorderly conduct.

Specifically, King said that Abbott's behavior resulted in two security lanes being brought to a stop and turned what should have been a one-minute security check into a 30-minute one.



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“The defendant should have been aware that her behavior would prevent others from carrying out their lawful activities,” King said.

But Abbott’s attorney Brent Horst believes that his client was well within her constitutional rights.

“Telling a police officer your opinion, even in strong language, to me that’s a First Amendment right,” Horst told reporters.

And according to Horst’s defense, it was not Abbott who was creating the dramatic scene but Nolen. Horst used a surveillance video of the encounter. Fox News writes, “The video, which didn’t have audio, did show Nolen speaking to Abbott close up and making some hand motions.”

The video also showed people in the airport simply walking around Abbott and the officers.

“It’s clear from the video ... she wasn’t preventing anything,” Horst said.

King disputes assertions of free speech in this case, saying the video “doesn’t tell the complete story of this case.” King states that officers repeatedly reminded Abbott that if she had a complaint, she could file one.

“You can speak your mind, but you can’t do it in an illegal manner,” she said. “What the defendant did was a crime.”

Horst disagrees. In his closing arguments, Horst told jurors, “Since 9/11, we’re losing a lot of freedom, and we have to draw the line somewhere.”

Americans across the country seem to agree, as floods of support and donations came in support of Abbott.

Horst said he was disappointed in the verdict, but is confident that they received a fair trial.

“She just wanted to stand on principle, because she felt that she had done nothing wrong,” said Horst, who handled the case pro bono. “And I admire her for that.”

This is not the first time a passenger has been arrested after refusing a TSA pat down.

Claire Hirschkind, a 56-year-old woman who was traveling from Austin-Bergstrom International Airport in Texas in December of 2010, had [refused](#) to receive a pat down from a TSA officer asserting she was a rape victim and felt uncomfortable with the process.

TSA officers had asked Hirschkind to go through what some have come to call “the naked body scanner,” but she refused and explained that she had a pacemaker device in her chest.

They then asked her to undergo a pat down.

“I told them, ‘No, I’m not going to have my breasts felt,’ and [the female TSA officer] said, ‘Yes, you are,’ ” Hirschkind told KVUE.

It was at that point that she was arrested.

“The police actually pushed me to the floor, and handcuffed me,” she said. “I was crying by then. They [dragged] me 25 yards across the floor in front of the whole security.”

AOL News [writes](#) that the TSA’s security procedures have provoked a number of dramatic incidents:

The TSA has been called out multiple times publicly in the past year. In December, Khloe Kardashian likened [patdowns to rape](#); in February, Alaska Representative Sharon Cissna [returned home by boat](#) to avoid a TSA patdown; in May, former beauty queen Susie Castillo issued a [teary](#)



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[video plea over the TSA](#) after a patdown at the Dallas-Fort Worth airport; and in June, an elderly cancer-stricken woman had [her adult diaper removed](#) by the TSA because they felt something “warm and firm.”

Earlier this year, Carol Price, a former TSA employee, had an ironic [encounter](#) with the TSA. After undergoing a pat down, she went to her former supervisor to complain about what she felt was “intrusive touching of her genitals and breasts.”

When the supervisor asked Price to explain what she meant by “intrusive,” Price demonstrated on her. Price was then arrested for battery and resisting an officer.

*Photo: Airline passengers have their identifications checked while passing through the Transportation Security Administration security checkpoint at Hartsfield-Jackson Atlanta International*

*Airport on August 3, 2011 in Atlanta: AP Images*



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