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Description

With the public divided over whether racial profiling is a violation of civil rights, airports are looking into alternative methods of identifying potential terrorists. NBC's Kerry Sanders reports on behavior pattern recognition, a form of behavioral analysis which is gaining traction with law enforcement.

Keywords

Racial Profiling, 14th Amendment, Fourteenth Amendment, Racism, Discrimination, Civil Rights, Citizenship, Due Process, Equal Protection, Race, Equality, Muslims, Arabs, Security, Constitution, Airport, TSA, Transportation Security Administration, Department of Homeland Security, ACLU, American Civil Liberties Union

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Transcript
Does Profiling Violate the 14th Amendment?

NATALIE MORALES, co-host:
Well, from threats overseas to threats at home. Security is tighter than ever here at the nation's airports. But some say it is not enough just to check baggage. They want officials to focus on the people who are flying, using the controversial practice of profiling. NBC's Kerry Sanders is at Miami International Airport with more.

Kerry, good morning.

KERRY SANDERS reporting:

Well, good morning, Natalie. State and Federal courts have ruled that racial profiling is unconstitutional, but some in law enforcement say they feel handcuffed by those rules. The solution, say security experts? Look beyond the stereotypes.

Luggage checked, shoes checked and now at more than a dozen airports, screeners check the way travelers act.

Sergeant KEVIN DOUGHERTY: We perform the methodology called behavior pattern recognition.

SANDERS: Sergeant Kevin Dougherty is on a team in Miami trained to find the person who just doesn't fit.

So as we're walking through Miami International right now, your eyes are scanning, looking for what?

Sgt. DOUGHERTY: For behavior that is unusual to the usual behaviors that passengers show us.

SANDERS: That could be a sweaty forehead in the air-conditioned airport, or a passenger who's constantly looking down, where most passengers look up at monitors and signs.

Sgt. DOUGHERTY: (To man in airport) Vacation here in Miami?

Unidentified Man #1: Yeah, vacation.

Sgt. DOUGHERTY: Yeah.
Man #1: Yeah.

SANDERS: What they say they're not doing is looking for someone who looks like a 9/11 hijacker, someone who fits the profile--young, Arab, Muslim--even though there are increasing calls to do just that.

Unidentified Woman: No, we have to do whatever we have to do to protect ourselves.

Unidentified Man #2: Check me out, I've got nothing to hide.

SANDERS: But what about the idea of profiling? You would not fit the profile?

Man #2: Well, these times, you know, what are you going to do?

SANDERS: It's what they do in Israel. Profiling is accepted as an effective law enforcement tool.

Unidentified Man #3: (Foreign language spoken)

SANDERS: Even this Palestinian says he's OK with it. But in the US profiling is considered a violation of the Constitution.

Mr. DENNIS PARKER (ACLU): The 14th Amendment prohibits treating groups differently because of their race or ethnicity.

SANDERS: The TSA has trained its staff at a dozen airports to look at passenger behaviors, and it appears to be working. They've made 95 arrests. That's why the TSA says it's now going to expand this program at other airports. Natalie?

MORALES: Kerry Sanders in Miami. Thank you, Kerry.