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- Apartments
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- Pets
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 - Harford
 - Howard
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 - Traffic
 - Politics
 - Elections
 - Education
 - Bay & Environment
 - Ideas
- Nation
- World
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- Obituaries
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- Special Reports

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Travel

Shopping

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- Events
- Special Sections
- Fifty Plus
- Place an ad
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- FAQs
- Contact Us

Home > News > Anne Arundel County

Turban pat-down angers Sikhs in Md.

Religious group sees TSA policy and BWI security check as a violation of 'civil liberties'

By ANJU KAUR | Capital News Service
September 5, 2007

An incident involving a turban pat-down at BWI Marshall Airport has sparked a growing concern in Maryland's Sikh American community, among the largest in the country, about eroding its civil liberties in the name of security.

When a screener at BWI wanted to pat down Prabhjit Singh's turban a couple of months after the Sept. 11, 2001, attacks, he had a copy of the federal guidelines handy that said it was not necessary unless his turban set off the metal detector.

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The guidelines did not help Singh, 27, on Aug. 16 when screeners insisted on patting down his turban, even though he passed through security without beeping. He did not know the policy had changed.

"I told them this was breaking my civil liberties," Singh said. An argument broke out between him and two screeners, but he eventually submitted. "It was demoralizing and demeaning," said Singh, a Germantown resident.

The Transportation Security Administration changed its policy on head coverings on Aug. 4, without Sikh input or public notice, to give screeners the discretion to subject anyone wearing headgear to additional security screening. It may include a pat-down search or removal of the item, according to a religious and cultural advisory published on TSA's Web site.

"A Sikh's turban is a sacred thing," said Harvinder Singh, a priest at the Guru Nanak Foundation of America, one of five Sikh places of worship in Maryland with about 700 registered members. Singh is a common Sikh last name.

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None of the Singhs in this report are related.

Maryland has one of the largest concentrations of Sikhs in the country, said Sarbhpreet Singh, the Maryland area's representative of the Sikh Coalition, a New York-based advocacy group.

Sikh groups had been working with TSA since 2001, but they found out about the policy change only after receiving complaints from Sikh travelers. Prabhjit Singh was one of the first of 40 complaints registered with the coalition.

"We are not specifically against a pat-down; that policy was already in place," Sarbhpreet Singh said. "But the new policy is being administered without a logical and reasonable approach."

Singh said he has seen people go through security with baggy jeans without a problem.

"TSA is focusing its resources on something that does not make sense and will get little bang for its buck," he added.

The coalition and two other Sikh groups met last week with TSA, where they were told that the policy for screeners cites a turban, a cowboy hat and a beret as examples of head coverings that can contain a non-metallic threat item. It also gives screeners discretion to conduct additional searches, said Christopher White, a TSA spokesman.

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"We are very sensitive to their concerns and will work with the community to be respectful to their items of faith while having a responsible security solution," he said. "I would like to know how many times they have had to pat down a cowboy hat or beret," said Michael Greenberger, director of the Center for Health and Homeland Security at the University of Maryland and a law professor. "By including these items with the turban, they are trying to mask the fact that they are focused on people of Middle Eastern or Asian background, and are really going after religious gear."

The idea of universally submitting everyone to headgear screening is overly broad unless TSA can offer a rationale for the policy change and why this is the least intrusive way to do it, Greenberger said. The unnecessary handling of religious headwear is offensive. Jews feel the same way about their head coverings, he added.

"It raises constitutional issues of legitimate concern. "The TSA guidelines cite a tight-fitting skull cap worn by Jews as a head covering that does not need additional screening. The determination is made by how much space is between the head and the head covering, White said. "It's a matter of whether the cloth is on the body versus the head," said Neha Singh, the coalition's advocacy director, who was at the Sikh-TSA meeting.

A Sikh turban is a long cloth fitted around long unshorn hair that is tied into a top-knot. It is difficult to hide anything inside that can't be hidden in a pocket or sock, she said. The coalition said it will ask TSA when it meets this week to rescind its policy to its previous version.

"We will take it to Congress or the courts if necessary," she said.

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