

Traveling With Toys

Overview

While security has always been a concern for travelers, terrorism in the US has unfortunately made it a constant concern. Security measures have been heightened as never before – to the point of creating a legal risk to members of our community for traveling with items that are commonplace for us. This presentation will address these issues and provide tips for traveling with toys.

Air Travel

Much of the following is excerpted from the Federal Aviation Administration (FAA) website. See the FAA website for the latest information at www.faa.gov, <http://cas.faa.gov/faq.html>, or call Mon – Fri, 8:30am – 5:00pm EST at **(866) 289-9673**.

The FAA prohibits airlines from allowing dangerous or deadly items through the passenger screening checkpoint. Because of the subjective description of dangerous or deadly items, it is the airline's responsibility to determine what they will allow. Most airlines will prohibit items such as scissors, trade tools, and items resembling firearms.

Reminders of Airport Security procedures

- Only passengers with ID and a valid boarding pass are allowed past the security gates
- A cursory search is conducted at the security gates – includes an X-ray of carry-on items and a walk-through metal detector – passengers will be gone over in detail if they “beep” and carry-ons will be searched if they look suspicious or cannot determine what the object is
- Random passengers on each flight are subjected to a detailed search at the gate – includes a hand search of all the carry-on items and personal effects
- Items confiscated may not be returned
- It is possible that you could be charged with trying to c

The following are prohibited from being carried beyond the checkpoint (FAA regulation)

- Knives of any length, composition or description
- Any device with a folding or retractable blade
- Ice picks
- Straight razors
- Corkscrews
- Self-defense sprays
- Police handcuffs or police truncheons

Items which may be transported (FAA regulation)

- Nail clippers
- Safety razors
- Syringes/needles (with documentation of medical need)

Items NCSF recommends to be transported in checked baggage

- Cutting instruments and tools including all knives, razors, “Leatherman tools”, scissors, scalpels, scrapers, Whartenburg wheels, ETC. regardless of size, type, composition, or sharpness
- Restraints including handcuffs, leather cuffs, web cuffs, rope, duct tape, ETC. – airlines don’t want restraints on board
- Needles – unless you can prove that they are medically necessary

Disclaimer: The material presented is not offered as legal advice. Many options are suggested for dealing with law enforcement and other authorities. The best course of action for you to take in a given situation is dependent on that situation and is entirely up to the parties involved. No single option is always going to work. Remember that situations, laws, and attitudes will vary from place to place and from time to time.

- Impact toys including whips, paddles, canes, floggers, ETC. – will be seen as potential weapons
- Electrical toys including TENS units and violet wands

Suggestions on getting your toys to the party

- Ship them ahead of time (UPS or FedEx)
- Place them in your checked luggage (could be lost! - decide which are worth risking and leave the rest at home)

Traveling by Motor Carrier (Bus)

While the motor carrier industry is not thought of as often as airlines when it comes to security, they have also heightened their security procedures. Be aware that like airlines, they also have security measures in place and are looking to reduce the potential terrorist opportunity. Here are some of the highlights of Greyhounds' safety enhancements that may directly affect passengers:

- Additional security guards and cameras
- Use of electronic sensing wands
- Using the ticketing system to ensure passengers properly check baggage and remain with their bags until they are loaded on the bus
- Temporary closure of some lockers and parcel checks
- Requiring positive identification from all passengers in certain locations

Items prohibited in Checked Baggage by Greyhound Bus Lines (not exhaustive list):

- Acids, ammunition, combustible or flammable liquids, gasses or explosives
- Firearms of all types
- Fireworks
- Hazardous materials (poisons, radioactive materials, etc.)

The following may be shipped via Greyhound Package Express with appropriate packing:

- Electronic equipment (television, stereos, etc.)
- Film (flammable)
- Perishable items (food)

See www.greyhound.com for additional and current information.

Additional NCSF recommendations for Public Transportation

- Do not joke about having a bomb or weapon – you will most likely be arrested for it
- In the event that you do get searched and/or questioned by security, be as cooperative, calm, and polite as possible. By remaining calm and cooperative, you'll get through the process much faster and easier, and be on your way to your destination with fewer hassles.
- Consider bringing a self-addressed padded mailer envelope with you to the airport, in the event that you discover something at the last minute that should not be in your carry on luggage and cannot be checked. This way you can mail it home from the airport, and not have to chance it getting through security.
- If you feel discriminated against by the airline notify, in writing, the Department of Transportation at the following address: Assistant Director for Aviation Consumer Protection, Office of the Secretary, Department of Transportation, Seventh Street, SW, Washington, DC 20590
- If your baggage is lost or items were stolen make contact directly with the airline. Complaints may be reported to the Department of Transportation's Office of Consumer Affairs, at 400 Seventh Street, SW, Washington, DC 20590

Disclaimer: The material presented is not offered as legal advice. Many options are suggested for dealing with law enforcement and other authorities. The best course of action for you to take in a given situation is dependent on that situation and is entirely up to the parties involved. No single option is always going to work. Remember that situations, laws, and attitudes will vary from place to place and from time to time.

Traveling by Automobile (from the ACLU)

- What you say to the police is always important. What you say can be used against you, and it can give the police an excuse to arrest you, especially if you bad-mouth a police officer.
- You don't have to answer a police officer's questions, but you must show your driver's license and registration when stopped in a car. In other situations, you can't legally be arrested for refusing to identify yourself to a police officer.
- You don't have to consent to any search of yourself, your car or your house. If you DO consent to a search, it can affect your rights later in court. If the police say they have a search warrant, ASK TO SEE IT.
- Upon request, show them your driver's license, registration, and proof of insurance. In certain cases, your car can be searched without a warrant as long as the police have probable cause. To protect yourself later, you should make it clear that you do not consent to a search. It is not lawful for police to arrest you simply for refusing to consent to a search.
- Do not interfere with, or obstruct the police -- you can be arrested for it.

Traveling on Foot (from the ACLU)

- It's not a crime to refuse to answer questions, but refusing to answer can make the police suspicious about you. You can't be arrested merely for refusing to identify yourself on the street.
- Police may "pat-down" your clothing if they suspect a concealed weapon. Don't physically resist, but make it clear that you don't consent to any further search.
- Ask if you are under arrest. If you are, you have a right to know why.
- Don't bad-mouth the police officer or run away, even if you believe what is happening is unreasonable. That could lead to your arrest.

Policy Emphasis

1. NCSF recommends dealing with law enforcement, security and government officials in a courteous, respectful manner.
2. NCSF recommends being honest with law enforcement and government officials. This does not mean you need to volunteer all the information at your disposal.
3. Each situation is unique - there are no blanket rules or tactics that will work in every situation. Decisions concerning law enforcement / security related issues must be decided based on all available information at the time.

Disclaimer: The material presented is not offered as legal advice. Many options are suggested for dealing with law enforcement and other authorities. The best course of action for you to take in a given situation is dependent on that situation and is entirely up to the parties involved. No single option is always going to work. Remember that situations, laws, and attitudes will vary from place to place and from time to time.