DEFENSE EXHIBIT 1
Statement for record

On 16 November 2009 at approximately 1430 ticketed Southwest Airlines passenger Phillip Macek entered the A/B Security Checkpoint at the Albuquerque International Sunport Airport. Passenger Macek presented his travel document, a boarding pass, to Lead Transportation Security Officer (LTSO) Greg Martinez. LTSO Martinez asked passenger Macek for identification and Macek responded that he did not have any form of identification. LTSO Martinez then notified me that passenger Macek required additional screening due to not having any identification.

I took possession of passenger Macek's boarding pass. I asked passenger Macek if he had anything in his possession that would help me verify his identity. Passenger Macek responded that he did not want to provide identification and that he was to understand that he was not required to. I informed passenger Macek that he was correct and that I could verify his identity another way, however if he had anything with his name on it that it would help with the process. Passenger Macek responded and stated that he wouldn't provide anything because it was his right not to. I informed passenger Macek that I would contact our Security Operations Center at which point they would attempt to verify his identity with other information and if they could not verify his identity he would not be allowed to proceed through the checkpoint.

I contacted Supervisory Transportation Security Officer (STSO) Anthony Schreiner via radio to request the assistance of a Behavior Detection Officer (BDO). BDO Laura Moots approached the area where I was located before STSO Schreiner could respond. I asked BDO Moots for assistance and informed her of the situation and events that had occurred up to that point. BDO Moots informed me that the request for BDO assistance had to come from a STSO. I contacted STSO Schreiner via radio and requested BDO assistance and informed him the request had to come from a STSO.

I started to complete the documentation required by the Identity Verification Call Center (IVCC). I had filled out the passengers name and date portion of the form when I noticed that passenger Macek had a camera in his hand and it appeared that he was taking pictures or videotaping the process I was conducting. I informed passenger Macek that he need to stop immediately. Passenger Macek responded that he didn't think it was illegal and it was his right to be able to take pictures in an area accessible to the public. I informed passenger Macek that he was not allowed to take pictures of or video tape the processes at the checkpoint. I then, via radio, requested an STSO to have a Law Enforcement Officer respond to the Travel Document Checking (TDC) area immediately.

STSO Schreiner approached the TDC area as I was again attempting to explain to passenger Macek that he could not take pictures of or video tape the processes at the checkpoint. I informed STSO Schreiner of the events that had occurred and Transportation Security Manager (TSM) Gerald Romero also heard of those events as he approached the TDC area.

TSM Romero asked passenger Macek to put his camera away to which Macek responded with the same statement as previously, he didn't think it was illegal and it was his right to be able to take pictures in an area accessible to the public. Albuquerque Aviation Police Department
(AAPD) Officer Robert Dilley approached TSM Romero and asked what the situation was. TSM Romero informed Officer Dilley of the events. Officer Dilley approached passenger Macek with AAPD Officers Landra Wiggins and AAPD Officer Julio De La Pena.

After engaging passenger Macek, the AAPD officers asked Macek several questions and the situation escalated to the point where an AAPD officer informed Macek he would not be allowed to fly. I then handed passenger Macek's boarding pass to Officer De La Pena. The situation escalated again and Officer Dilley, Officer Wiggins, and Officer De La Pena escorted passenger Macek from the A/B Security Checkpoint.

TSO Jonathan Breedon