



September 2019

COMMERCIAL AVIATION

Information on Passenger Assaults against Airline Customer Service Agents at Airports

Accessible Version

GAO Highlights

Highlights of [GAO-19-683](#), a report to congressional committees

Why GAO Did This Study

Recent media reports have detailed incidents at airports where passengers have acted disruptively or violently toward airline customer service agents, who assist passengers checking into their flights and boarding aircraft, among other things. While state and local laws generally prohibit these types of actions, some stakeholders have raised questions about these agents' safety.

The FAA Reauthorization Act of 2018 included a provision that GAO examine passenger violence against airline customer service agents at airports. This report examines (1) what is known about assaults by passengers against customer service agents and (2) stakeholders' perspectives on the sufficiency of state and local laws and resources to deter and address such incidents. GAO interviewed and reviewed available information from a non-generalizable sample of representatives from five large airports and six large airlines. GAO also interviewed six airport law enforcement agencies, and seven prosecutors' offices. Further, GAO reviewed documents and interviewed two unions representing customer service agents and five federal agencies with airport safety or security responsibilities. GAO developed and administered a brief, non-generalizable survey to 104 customer service agents working at four selected large airports that GAO visited in March and April 2019. Survey results on customer service agents' experiences with passengers cannot be used to make inferences about all customer service agents but nevertheless provide valuable insights.

View [GAO-19-683](#). For more information, contact Andrew Von Ah at (202) 512-2834 or VonahA@gao.gov.

September 2019

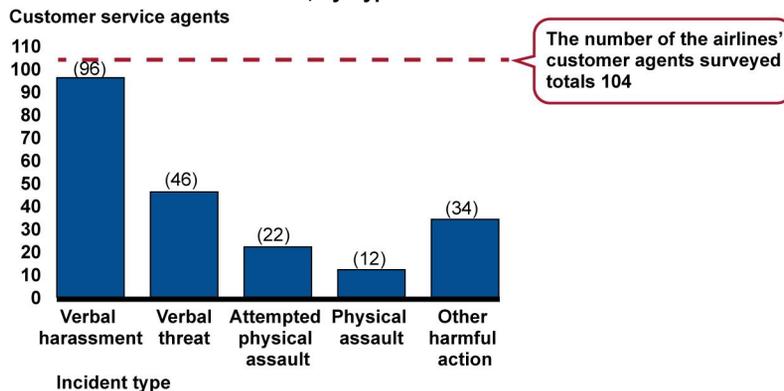
COMMERCIAL AVIATION

Information on Passenger Assaults against Airline Customer Service Agents at Airports

What GAO Found

No comprehensive data are available to determine the nature and frequency of passenger assaults—e.g., verbal threats, attempted physical acts, or actual physical acts—against airline customer service agents at airports. This lack of data is due, in part, to the limited federal role in addressing such assaults. GAO's survey of 104 airline customer service agents showed that over half (61) reported experiencing such action in the past year, while almost all reported experiencing verbal harassment. About 10 percent reported experiencing physical assaults. Stakeholders GAO interviewed said that while passengers are often verbally disruptive, physical assaults are less frequent. These stakeholders also said that alcohol consumption, frustration over airlines' business practices (e.g., fees for checked or carry-on baggage), and long lines can contribute to these incidents.

Airline Customer Service Agents Who, in 2019, Reported Experiencing Aggressive Passenger Behavior within the Past Year, by Type of Behavior



Source: Results of GAO's non-generalizable survey of 104 customer service agents, administered in March and April 2019. | [GAO-19-683](#)

Of the stakeholders—i.e., airlines, airports, law enforcement, and prosecutors—GAO interviewed who provided perspectives and have responsibilities for passenger assaults, all 23 said state and local laws sufficiently deter and address such incidents, and 15 (of 20) said current resources are sufficient. One prosecutor told GAO the transitory nature of airports makes it difficult to get witnesses to testify at trial; when prosecuted, passengers generally face misdemeanor charges. While stakeholders GAO interviewed generally did not identify gaps in resources, some said incidents could be further mitigated if, for example, airports made law enforcement's presence more visible or airlines provided conflict de-escalation training to customer service agents. The FAA Reauthorization Act of 2018 required that airlines (1) provide such training to all employees, and (2) submit plans to the Federal Aviation Administration (FAA) by January 2019 detailing how airlines respond to passenger assaults. In July 2019, FAA issued a notification to airlines reminding them to submit their plans; officials said they will continue to follow up with airlines until they receive the plans.

Contents

Letter		1
	Background	4
	While Information Is Limited, Almost All Surveyed Customer Service Agents Reported Verbal Harassment, and Some Reported Physical Assaults	6
	Most Selected Stakeholders Said State and Local Laws and Resources Sufficiently Deter and Address Passenger Assaults against Airline Customer Service Agents	15
	Agency Comments	20
<hr/>		
Appendix I: Survey for Airline Customer Service Agents		21
Appendix II: GAO Contact and Staff Acknowledgments		23
Appendix III: Accessible Data		24
	Data Tables	24
<hr/>		
Figures		
	Figure 1: Examples of Duties of Airline Customer Service Agents at Airports	5
	Figure 2: Airline Customer Service Agents Who, in 2019, Reported Experiencing Aggressive Passenger Behavior within the Past Year, by Behavior Type	9
	Accessible Data for Airline Customer Service Agents Who, in 2019, Reported Experiencing Aggressive Passenger Behavior within the Past Year, by Type of Behavior	24
	Accessible Data for Figure 2: Airline Customer Service Agents Who, in 2019, Reported Experiencing Aggressive Passenger Behavior within the Past Year, by Behavior Type	24

Abbreviations

DOJ	Department of Justice
DHS	Department of Homeland Security
DOT	Department of Transportation
FAA	Federal Aviation Administration
FBI	Federal Bureau of Investigation
TSA	Transportation Security Administration

This is a work of the U.S. government and is not subject to copyright protection in the United States. The published product may be reproduced and distributed in its entirety without further permission from GAO. However, because this work may contain copyrighted images or other material, permission from the copyright holder may be necessary if you wish to reproduce this material separately.



September 17, 2019

The Honorable Roger Wicker
Chairman
The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate

The Honorable Peter DeFazio
Chairman
The Honorable Sam Graves
Ranking Member
Committee on Transportation and Infrastructure
House of Representatives

Media outlets have recently reported instances where passengers have acted violently, abusively, or disruptively towards airline customer service agents at airports. For example, according to media reports, in 2017, a “near riot” broke out at Fort Lauderdale-Hollywood International Airport after one airline canceled multiple flights, inciting unrest among roughly 500 passengers.¹ Airport law enforcement reportedly arrested and charged three passengers with disorderly conduct after the passengers physically assaulted a customer service agent, among others, during the incident.² Such incidents can threaten safety and security at airports.

A number of state and local laws generally prohibit certain intentional verbal and physical acts of aggression, among other types of harmful actions, against another individual. Even though these laws may not necessarily be specific to prohibiting such actions against customer service agents at airports, they can be used to charge and prosecute passengers. Yet, in recent years, some aviation stakeholders have raised questions about the safety of customer service agents. The FAA

¹Jonah Engel Bromwich, “Airport Melee Follows Latest Dispute Between Airline and Its Pilots,” *New York Times* (May 9, 2017). In statute and regulation airlines are generally referred to as “air carriers;” we refer to them as “airlines” for the purpose of this report.

²Amy B. Wang and Luz Lazo, “Federal court orders Spirit pilots back to work after chaos at Fort Lauderdale airport,” *Washington Post* (May 9, 2017).

Reauthorization Act of 2018 included a provision for GAO to examine “crimes of violence”³ committed by passengers against airline customer service agents while they perform their duties at airports. Due to data availability issues, for the purposes of our report, we refer to certain types of incidents—to include verbal threats, attempted physical acts, or actual physical acts—as “passenger assaults.” The Act also included a provision that GAO conduct a gap analysis of state and local laws and resources to determine if they adequately deter and address such assaults. This report examines (1) what is known about instances of assaults by passengers against airline customer service agents at airports, and (2) stakeholders’ perspectives on the sufficiency of existing laws and resources to deter and address such incidents.

For both objectives, we interviewed a non-generalizable sample of 24 stakeholder groups—including representatives from five large hub airports, six airlines, six airport law enforcement agencies, and seven prosecutors’ offices.⁴ We selected airports based on a number of factors. First, we limited our selection to those that FAA designated as large hub airports in 2017 to capture airports that had a large number of passenger boardings.⁵ We then sought to include airports across a range of geographic locations as well as a variety of airlines operating at each selected airport. Finally, we considered whether media outlets had reported incidents between passengers and customer service agents in

³Pub. L. No. 115-254, § 551, 132 Stat. 3186, 3379. Federal statute defines a crime of violence as an (a) offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

⁴In selecting our stakeholders, we first selected the five airports. Once we selected these airports, we worked with airport staff to identify the appropriate law-enforcement entity overseeing the airport, in addition to the prosecutors who make charging decisions for crimes at the airport. In some cases, multiple law-enforcement or prosecutors’ offices oversaw each airport. Prosecutors from one airport did not respond to our interview request.

⁵Large hub airports handle 1 percent or more of total annual passenger boardings. We selected from the largest airports to help ensure that representatives from airports would be more likely to speak to incidents between passenger and customer service agents.

the last 5 years.⁶ We selected our six airlines to include both network and low-cost airlines that boarded among the most passengers in 2017 and serviced a diverse group of airports.⁷ During interviews with all stakeholder groups, we asked representatives for their perspectives on passenger assaults, including information on the most common type of misconduct; frequency; whether gaps exist in laws or resources to deter or address such incidents; and other actions, if any, that could deter or address passenger assaults.⁸ In addition, we interviewed a non-generalizable sample of seven industry organizations—including representatives from associations representing state prosecutors (two); airports (one); airlines (one); airport law enforcement (one); and unions representing customer service agents (two). We selected these organizations based on the following factors: their inclusion in prior GAO reports, their role in relevant industries, and recommendations from other stakeholders.

We also reviewed available documents and interviewed officials from the following five federal agencies that have responsibilities related to aviation safety and security: the Department of Justice (DOJ); Department of Transportation (DOT); Federal Aviation Administration (FAA, a component of DOT); Federal Bureau of Investigation (FBI, a component of DOJ); and the Transportation Security Administration (TSA, a component of the Department of Homeland Security). As part of this work, we also conducted a literature search to identify articles published over the past 5 years about anxiety or stress at airports and identified one additional study by searching the Transit Cooperative Research Program Publications.⁹

⁶To identify whether media reports had identified incidents between passengers and airline customer service agents, we conducted a literature search of popular press articles in the media from 2014 through 2018. We identified incidents at four of the five airports. We primarily selected airports where assaults had allegedly occurred, so stakeholders could speak to these incidents.

⁷The airlines selected were Alaska Airlines, American Airlines, Delta Air Lines, Southwest Airlines, Spirit Airlines, and United Airlines.

⁸While we generally asked representatives similar questions, not all interviewees responded to or were knowledgeable about all questions. Therefore, in some cases, we omitted some representatives from our counts.

⁹We conducted our literature search in the following databases: ProQuest Academic, ProQuest Dialog, Scopus, and EBSCO. The Transit Cooperative Research Program is a research forum, sponsored by DOT's Federal Transit Administration, where transit agencies can research issues of common concern to industry.

To understand what is known about passenger assaults—including the frequency and most common type of passenger conduct—we reviewed documentation and conducted interviews with officials at the five federal agencies listed above about available data. We also developed and administered a non-generalizable “intercept survey” to 104 selected customer service agents staffed at the ticket counter, gate area, or baggage claim area at the four airports we visited in March and April 2019 to learn about their experiences as airline customer service agents.¹⁰ We pre-tested our survey with four customer service agents to make sure questions were clear. Results from this non-generalizable survey cannot be used to make inferences about the population of customer service agents but do provide insights into selected customer service agents’ experiences with passengers. Similarly, since we only administered our survey at four large hub airports, it is possible that we would have different results if we had surveyed agents at different airports. The final survey is included in appendix I.

We conducted this performance audit from November 2018 to September 2019 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Airline customer service agents have a number of duties to assist passengers at the airport (see fig. 1). Customer service agents can check passengers into flights; handle and tag checked bags; and board and deplane passengers on the aircraft; in addition to assisting passengers when service failures occur, such as helping to locate a lost bag.¹¹ At many airports and airlines, customer service agents are trained to work

¹⁰An “intercept survey” is an in-person data collection method that is conducted in a public place where a specific targeted population is asked series of questions.

¹¹Service failures can be defined broadly as interactions where service falls short of the passenger’s expectation.

the ticket counter and the arrival and departure gates.¹² In this role, airline customer service agents' interactions with passengers can range from pleasant to routine to contentious. For example, if bad weather causes an airline to delay or cancel flights, harried passengers trying to make connecting flights or get to a destination may take their frustration out on a customer service agent.

Figure 1: Examples of Duties of Airline Customer Service Agents at Airports



Source: GAO. | GAO-19-683

The following entities are responsible for helping to prevent or address passenger assaults:

- **Airlines** seek to provide a safe work environment for customer service agents. Among other things, airlines set policies and procedures instructing customer service agents how to handle and report incidents, in addition to how management should respond.
- **Airport law enforcement** responds to allegations of violence at airports and enforces state and local laws. According to airport law enforcement, when they respond to incidents, they generally capture information in police reports.
- **Airport management**, such as a security director, may be informed of alleged passenger assaults at the airport or support ensuing investigations and prosecutions.

¹²Association of Flight Attendants-CWA, AFL-CIO, *Questions, Answers, and Perspectives on the Current State of Airline Travel*, testimony before Senate Committee on Commerce, Science and Transportation, 115th Cong., 1st sess., May 4, 2017.

-
- **Prosecutors** at the federal and state level decide whether to charge passengers for offenses that violate laws.

No one federal agency is responsible for addressing passenger assaults against customer service agents at the airport. For example, FAA sets policies that airlines and their employees must adhere to for aviation safety, but TSA oversees the security of the nation's civil aviation system. However, officials from both TSA and FAA told us their responsibilities for passenger assaults at airports are limited. In particular, FAA officials said their primary responsibility is for assaults onboard aircraft as opposed to at the airport. Similarly, TSA officials said they only get involved in assaults of airline customer service agents in the rare instances where incidents affect airport security. Within DOJ, FBI conducts investigations of incidents that are deemed to violate federal law, and federal prosecutors can decide whether to prosecute individuals for alleged incidents that are deemed to violate federal law.

While Information Is Limited, Almost All Surveyed Customer Service Agents Reported Verbal Harassment, and Some Reported Physical Assaults

No Comprehensive Information Is Available to Understand Assaults by Passengers against Airline Customer Service Agents

Limited data are available to determine the frequency or nature of passenger assaults at airports against airline customer service agents.¹³ We reviewed selected data from DOJ, DOT, FAA, FBI, and TSA and found that no dataset can isolate such passenger assaults. For example, while the FBI collects transportation crime data from law enforcement agencies about incidents that occur at air, bus, or train terminals—including information on the victim, offender, and location of the crime—the data cannot isolate passenger assaults against airline customer service agents.

While representatives from selected airport law enforcement agencies and airlines we interviewed said they collect information related to passenger assaults for their respective airports or airlines, these data were generally unavailable. In particular, representatives from all six selected airport law enforcement agencies we interviewed said providing data on passenger assaults against airline customer service agents would require manually reviewing all police reports. Results from one selected airport law enforcement agency that had manually reviewed its data for 2018 found that of the 237 assistance calls it received for incidents between customer service agents and passengers, law enforcement completed an incident report for 12 of these calls, and referred two reports to state prosecutors.¹⁴ Representatives from five of the six

¹³Our report examined assaults in lieu of crimes of violence due to data availability issues identifying both crimes of violence in federal databases as well as the profession of victims of such offenses. Throughout this report, we use the term “assault” and “assaults” broadly to include overt verbal acts (such as threats); threatened physical acts against a person; and actual physical acts against a person, sometimes referred to as battery. These actions constitute harmful or offensive contact by a passenger that interferes with the customer service agent’s ability to complete their job duties safely. The Transit Advisory Committee for Safety used a similar definition in its report for the Federal Transit Administration examining assaults of rail and bus employees. See Transit Advisory Committee for Safety, Preventing and Mitigating Transit Worker Assaults in the Bus and Rail Transit Industry, (July 6, 2015). Section 551 of the FAA Reauthorization Act of 2018 used similar terminology in requiring airlines to develop employee assault-prevention and response plans regarding verbal or physical assaults of customer service agents.

¹⁴While representatives from a different airport law enforcement agency provided us with a sample of police reports they manually reviewed from the past 2 years, they did not specifically isolate incidents to those where passengers assaulted customer service agents.

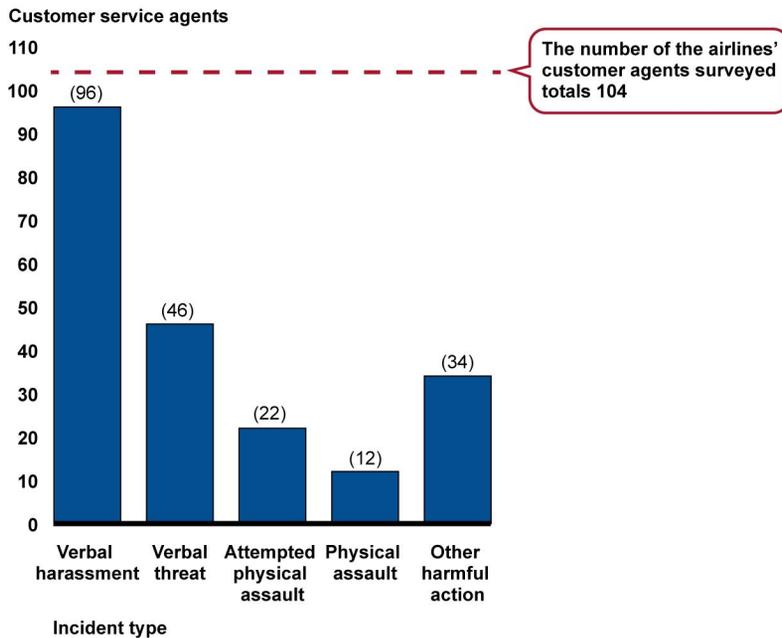
selected airlines declined to share data with us, saying data were not readily available, or were business proprietary, or business sensitive. Representatives from the remaining airline provided us with data from the third and fourth quarters of 2018; this data indicated that incidents between passengers and customer service agents generally remained constant, with an average of approximately 1.2 disruptive passengers per 1,000 passenger boardings.

About 10 Percent of Surveyed Customer Service Agents Said Passengers Physically Assaulted Them in the Past Year

In the absence of available data, we surveyed a non-generalizable sample of 104 randomly selected customer service agents to understand their experiences performing their jobs over the last year. According to these 104 customer service agents, almost all (96) reported experiencing verbal harassment, such as passengers yelling, cursing, or being argumentative (see fig. 2). Almost half (46) reported experiencing verbal threats, such as passengers threatening to harm the customer service agent.¹⁵ Twenty-two customer service agents reported that a passenger attempted to physically assault them by, for example, attempting to push them. Fewer (12) customer service agents said that passengers actually physically assaulted them. We also found that about one-third (34) of surveyed customer service agents said they experienced “other types of harmful actions,” which agents said included passengers destroying property, taking video of agents, grabbing agents’ identification badges, and stalking agents after work.

¹⁵We asked customer service agents about the extent to which they had experienced the following incidents in the past year: verbal harassment, verbal threats, attempted physical assault, actual physical assault, or other harmful action. Of these categories, verbal threats, attempted physical assault, actual physical assault, and other harmful action would generally align with the definition of assault that we use in our report. We also asked customer service agents to respond to these survey questions based on their own perceptions of their experiences. Different customer service agents may have characterized the same passenger conduct differently—i.e., what one customer service agent considers a threat, another may consider verbal harassment. Our final survey is presented in appendix I.

Figure 2: Airline Customer Service Agents Who, in 2019, Reported Experiencing Aggressive Passenger Behavior within the Past Year, by Behavior Type



Source: Results of GAO's non-generalizable survey of 104 customer service agents, administered in March and April 2019. | GAO-19-683

Notes: Categories total to more than 104 because some airline customer service agents reported experiencing multiple incidents in the past year.

We administered our survey in March and April 2019 and asked customer service agents to respond to these survey questions based on their own perceptions of their experiences over the past year. Therefore, different customer service agents may have characterized the same passenger conduct differently—i.e., what one customer service agent considers a threat, another may consider verbal harassment. Our final survey is presented in appendix I.

Other harmful action included, among other things, damaging property and taking video of customer service agents.

Stakeholders we interviewed from selected airports, airport law enforcement, and airlines generally agreed that passengers can be verbally disruptive but that physical assaults are less frequent.¹⁶ More specifically, of these 17 stakeholders, most (13) agreed that disruptive

¹⁶We omitted representatives from seven state prosecutors' offices since they generally had limited insight into trends at the airport. Selected law enforcement representatives said that passenger assaults are one of many types of incidents they handle at the airport.

passenger behavior is frequent.¹⁷ Most (11) also agreed that physical assaults occur less frequently than verbal threats.¹⁸ Nevertheless, while representatives from two selected unions did not have data on such actions, they emphasized to us that the customer service agents they represent face difficult working conditions. The union representatives also stated that passenger assaults, including verbal threats and physical assaults, are becoming more common. Further, three of the nine stakeholders who provided a perspective said that incidents against customer service agents are increasing.¹⁹ For example, representatives from one airline we interviewed said that over the past 5 years, they have observed an increase in both the frequency and severity of passenger assaults, in addition to other disruptive behavior.

A number of factors may contribute to passenger assaults. Selected stakeholders, including those from airlines, airports, airport law enforcement, and other industry associations most commonly cited (24) alcohol consumption at the airport or drug use as a contributing factor.²⁰ For example, according to representatives from one law enforcement agency, when customer service agents deny boarding to intoxicated passengers, passengers can become verbally or physically aggressive toward customer service agents. Other stakeholders told us that

¹⁷In this report, we use the term “disruptive behavior” to refer to incidents where passengers are intentionally uncooperative toward airline customer service agents in a manner that makes it challenging for them to perform their job duties—including yelling or raised voices, cursing, or insults. Unlike how we define “assaults,” these actions are generally less likely to be prohibited by law.

¹⁸Five of the remaining representatives provided no perspective on the frequency of physical assaults, and the remaining stakeholder acknowledged that some physical assaults might occur. Stakeholder perspectives that verbal incidents are more common than physical incidents aligned with a Transit Cooperative Research Program report about the safety of bus operators. In that report, the Transit Cooperative Research Program found that 55 percent of operators had experienced a verbal threat, compared to 36 percent of operators that had experienced physical assaults. See National Academies of Sciences, Engineering, and Medicine, *Practices to Protect Bus Operators from Passenger Assault* (Washington, D.C.: National Academies Press, 2011).

¹⁹Of the remaining stakeholders who provided a perspective, four told us that the frequency of certain incidents have decreased and two told us that the frequency of incidents have stayed the same. The remaining eight stakeholders did not provide perspectives.

²⁰Past research has also cited alcohol as a contributing factor to passenger assaults. See, for example, L. Anglin, P. Neves, N. Giesbrecht, and M. Kobus-Matthews, “Alcohol-Related Air Rage: From Damage Control to Primary Prevention,” *The Journal of Primary Prevention*, vol. 23, no.3 (2003): p. 283-297.

passengers increasingly have more opportunities to consume alcohol while waiting for their flights, thereby increasing alcohol-related incidents. For example, representatives from one airport noted that tablets at the boarding area allow passengers to place orders for alcohol while seated at the gate.

Seventeen selected stakeholders we interviewed also told us that airlines' business practices, such as charging fees for checked and carry-on baggage or policies around delays and cancellations might aggravate or surprise passengers and lead them to be aggressive toward customer service agents. Some stakeholders (10) also said that other factors, such as long lines and large crowds in the airport can increase passengers' stress levels. Moreover, according to some stakeholders, service failures—such as flight delays, cancellations, or lost baggage—can exacerbate these stressors.²¹

Of the 61 surveyed customer service agents who reported experiencing verbal threats, attempted physical assaults, actual physical assaults, or other harmful actions, most (45) said these incidents negatively affected their overall well-being. Similarly, selected union representatives we interviewed also said that these incidents can increase stress and anxiety for customer service agents.²²

Almost All Surveyed Customer Service Agents Who Said They Experienced a Passenger Assault Reported It, and Airline Management or Airport Law Enforcement Often Took Some Action

Almost all customer service agents (56 of 61) who stated in our survey that they experienced passenger conduct amounting to more than

²¹Past research has shown that people experience higher levels of stress at the airport. See, for example, K.A. DeCelles, S.E. DeVoe, A. Rafaeli, and S. Agasi. "Helping to reduce fights before flights: How environmental stressors in organizations shape customer emotions and customer-employee interactions," *Personnel Psychology*, vol. 72, (2019): 49–80.

²²While not specific to passenger assaults, representatives from two selected airports we spoke with also told us that increases in homelessness at airports can also contribute to a challenging work environment for customer service agents. Among other things, representatives told us that some homeless individuals may struggle with mental health issues, which can make interactions challenging.

harassment said they reported the conduct to someone.²³ Specifically, 46 customer service agents stated that they contacted their immediate airline manager; 28 stated that they contacted airport law enforcement; and 6 stated that they contacted airport staff or other entities.²⁴

These actions described by customer service agents we surveyed generally aligned with selected airlines' procedures for handling passenger assaults. Specifically, representatives from five selected airlines told us that while their respective airline's policy generally calls for agents to contact management first, agents can also contact airport law enforcement if they feel like their safety is threatened.²⁵ However, representatives from two selected unions told us that airline managers are sometimes hesitant to inform law enforcement about incidents—or have their agents contact law enforcement—or to elevate incidents internally. According to one union representative, airlines prefer to keep such incidents internal and emphasize providing on-time service to their passengers. Contacting law enforcement could make this difficult to achieve, so when disruptive passenger behavior occurs, airlines may be inclined to allow the passenger onboard the aircraft instead of contacting law enforcement.

Of the 56 customer service agents who stated they reported the passenger conduct, over half (33) said that, to their knowledge, representatives from airlines, law enforcement, or airports took action in response.²⁶ According to our survey results, these representatives generally took a range of actions, including but not limited to, requesting that a passenger stop the disruptive behavior, completing an airline or

²³If customer service agents told us they solely experienced verbal harassment by a passenger, we concluded the survey and did not ask about how the incident affected them or to whom they reported the incident. If customer service agents experienced passenger conduct amounting to more than verbal harassment, we asked them how they were affected by the passenger conduct, and who, if at all, they reported it to, among other things. Moreover, when asking about whether they reported incidents, we asked customer service agents to speak to the most severe incident they experienced.

²⁴These totals include 21 surveyed customer service agents who indicated they contacted multiple individuals.

²⁵Representatives from the remaining airline told us that their policy is that customer service agents contact airline managers, and managers decide whether to contact airport law enforcement. Representatives from all airlines generally declined to share their written policies and procedures related to handling passenger assaults.

²⁶Two surveyed customer service agents reported that they did not know if any action was taken in response to passenger conduct that they reported.

police report, denying a passenger boarding, or arresting a passenger. Representatives most commonly removed passengers from an area or denied passengers from boarding (18); diffused the situation (7); or arrested the passenger (4). Twenty-six customer service agents said that no action was taken in response to the incident, which left some to not feel supported by airline management. Moreover, according to representatives from one union, in some instances, customer service agents feel that if airline management provides passengers with travel benefits, such as seat upgrades or airline miles, to diffuse these types of situations, it can appear to be condoning or rewarding any passenger misbehavior.

The FAA Reauthorization Act of 2018 requires airlines to develop and submit employee assault-prevention and response plans to FAA by January 2019. In these plans, airlines are required to document:

- reporting protocols for airline customer service agents who have been the victim of a verbal or physical assault;
- protocols for notifying law enforcement after an incident of verbal or physical assault committed against an airline customer service agent;
- protocols for informing federal law enforcement about violations of federal law that prohibits interference with security screening personnel;
- protocols for ensuring that a passenger involved in a violent incident with an airline customer service agent is not allowed to move through airport security or board an aircraft until appropriate law enforcement has an opportunity to assess the incident and take appropriate action; and
- protocols for informing passengers of federal laws protecting federal, airport, and airline employees who have security duties within an airport.

In March 2019, FAA officials said they had not received employee assault-prevention and response plans from all of the 49 U.S. airlines that were required to submit such plans. However, at that time, officials also said they were not concerned about any delays because they believed airlines already have internal policies and procedures for handling these types of incidents. Nevertheless, FAA officials told us they intended to issue a reminder to the airlines. Of the six selected airlines we interviewed, representatives from two airlines said they had submitted their plans to FAA, and representatives from the remaining four airlines

said their plans were in development. Further, when we asked airlines to describe their policies for handling assaults, some of the policies that representatives described aligned to some requirements in the Act for the plans. For example, as discussed previously, all six selected airlines told us they had policies for how customer service agents or managers should notify airport law enforcement when assaults occur. Moreover, representatives from all six airlines also described reports that that customer service agents and employees complete when such incidents occur.

In July 2019, FAA issued a notification to airlines, reminding them to develop and submit their plans. FAA officials attributed delays in following up with airlines to the government shutdown in early 2019 and multiple competing requirements in the Act. FAA officials also said they were initially hesitant to issue a notification around these plans, since the agency has a limited role and does not promulgate requirements for the training or oversight of customer service agents. Nevertheless, FAA officials said they plan to continue to follow up with the airlines as needed to collect the remaining plans.²⁷

²⁷As of August 2019, FAA officials had not determined the number of airlines that had submitted their plans to the agency.

Most Selected Stakeholders Said State and Local Laws and Resources Sufficiently Deter and Address Passenger Assaults against Airline Customer Service Agents

Despite General Satisfaction, Some Said Stronger Penalties and Other Legal Avenues Could Be Pursued

All selected stakeholders we interviewed representing airlines, airports, airport law enforcement, and prosecutors (23 of 23) who provided a perspective said that current state and local laws sufficiently deter and address passenger assaults.²⁸ We spoke with seven selected state prosecutors who told us that, among other offenses, they can charge passengers for actions against customer service agents with assault; battery (e.g., intentional causing of bodily harm); disorderly conduct (i.e., acts that are of a nature to outrage the sense of public decency, or affect the peace and quiet of persons who may witness them, or engaging in brawling or fighting); and trespassing. According to these prosecutors, they typically charge passengers for assaults as misdemeanors, which one prosecutor told us generally does not result in passengers' serving any jail time.²⁹

While four selected state prosecutors who regularly handle misdemeanor prosecutions did not have data isolating these crimes, three recalled charging passengers for assaults against customer service agents. For example, a representative from one prosecutor's office estimated that,

²⁸We omitted representatives from one stakeholder group because they told us they could not speak to this issue.

²⁹A misdemeanor is usually a petty offense, less serious than a felony, punishable by less than a year of confinement. A felony is a crime carrying a penalty of more than a year in prison. See Department of Justice, *Legal Terms Glossary*, accessed July 25, 2019. Aside from criminal charges, passengers may also face civil charges (i.e., where a customer service agent may seek financial compensation for wrongdoing). As an alternative to criminal charges, passengers may be allowed to enroll in a diversion program. These programs allow offenders with no prior convictions to serve probation and complete certain requirements.

over the last 5 years, law enforcement had referred 25 to 30 of these incidents to his office and that his office had prosecuted six or seven of these cases. In determining whether to pursue a case, five prosecutors we interviewed told us they weigh a number of factors, such as whether the customer service agent is willing to file charges; whether law enforcement observed the assault; and whether witnesses are available to testify. Nonetheless, according to prosecutors we interviewed, crimes committed at airports present unique challenges. More specifically, according to one prosecutor we spoke with, the transitory nature of airports makes it difficult to get witnesses to testify at a trial, because they are often passing through the airport en route to another destination.

Four selected prosecutors also told us that passenger assaults might be charged as felonies if, for example, the crime involves the use of a deadly weapon or causes serious physical injury to the victim. However, these prosecutors told us such instances are infrequent and incidents between passengers and customer service agents rarely rise to the level of severity of a felony charge. To that end, none of the three prosecutors we interviewed who typically prosecute felony cases could remember charging a passenger for an assault of a customer service agent within the last year.

Nevertheless, some selected stakeholders told us opportunities exist to strengthen penalties for passenger assaults. More broadly, a few stakeholders that we interviewed—including one airline, one prosecutor, and one union—suggested opportunities exist to pursue harsher penalties. According to selected stakeholders, this could be achieved by, for example, prosecuting passenger assaults as felonies, prosecuting these incidents at the federal level, or seeking a legislative change to classify airline customer service agents as a protected class. For example, under Florida statute, an alleged battery against certain specified protected classes, including elected officials and teachers, are automatically reclassified from a first degree misdemeanor to a third degree felony charge, resulting in potentially harsher penalties.

Applicability of Federal Law

With respect to the potential prosecution of passenger assaults against customer service agents at the federal level, we identified one federal statute that DOJ could potentially apply in certain circumstances. More specifically, this statute—titled interference with security screening personnel—makes it a criminal offense for an individual at a commercial service airport to assault an “airport or air carrier employee who has

security duties within the airport,” if the assault interferes with or lessens the employee’s ability to perform those duties.³⁰ In 2017, in response to a congressional inquiry, DOJ issued a public letter reaffirming that the statute applies to airline employees who have security duties within the airport. In written responses provided to us by DOJ in May 2019, officials reiterated a similar statement. Specifically, DOJ officials told us that the determination of whether an airline employee has security duties—regardless of the employee’s job title—would be determined on a case-by-case basis depending on factual circumstances specific to each case. Alternatively, FBI officials—who can investigate federal crimes at airports—did not believe that customer service agents have security duties; therefore, according to FBI officials, assaults against customer service agents would not be prosecuted under this federal statute.³¹

Our review of federal case data prosecuted under this statute identified six cases from 2009 through 2018 in which charges were brought under this statutory provision. Based on our review of these cases, all but one involved alleged assaults against TSA agents, airport security officers, or other law-enforcement officers. The remaining case involved an airline employee, who, according to airline officials, was a customer service agent.

Most stakeholders from selected airport law enforcement agencies and prosecutors’ offices we spoke with who prosecute misdemeanors and felonies that occur at the state and local level were unaware of this federal statute, or did not think it applied to customer service agents. Of the 13 stakeholders from selected airport law enforcement agencies and prosecutors’ offices we spoke with, four were not familiar with the statute, and four were familiar with it.³² Of the four stakeholders who were familiar with the statute, three thought it applied to customer service agents and one thought it did not apply.

Representatives from two selected unions we interviewed said that the federal statute should be triggered when passengers assault customer

³⁰49 U.S.C. § 46503, interference with security screening personnel. This statute covers federal, airport, or airline employees who have security duties within the airport.

³¹In written responses, FBI officials said that federal prosecutors have the final say as to whether a federal law has been violated and whether sufficient evidence exists to charge someone.

³²Five stakeholders did not discuss the statute.

service agents at the airport. Namely, representatives said that customer service agents inherently have security responsibilities—such as controlling access to airplanes—and, therefore, an assault against them should trigger prosecution under the federal statute. These same selected union representatives also said that different federal statutes cover other similar airline occupations, including flight attendants.³³ According to these union representatives, ensuring customer service agents are categorically covered under federal statute would send a message to all passengers that these incidents are taken seriously.

While Selected Stakeholders Generally Agreed Resources Are Sufficient, Some Suggested Improvements

Most selected stakeholders we interviewed who provided a perspective said that their current resources sufficiently deter and address passenger assaults.³⁴ Specifically, of the 20 selected stakeholders who provided a perspective, 15 said that current resources are sufficient and did not identify other resources that could improve their ability to address or mitigate passenger assaults. The remaining five stakeholders would like to see additional resources directed toward airport's law enforcement agencies.³⁵ In particular, four selected stakeholders said they believe that increasing the number and presence of law enforcement in airports would help deter or address passenger assaults.³⁶ Representatives from one airline told us they hired private security officers to monitor ticketing and baggage areas at the airport to increase their security posture. While the purpose is not to address passenger assaults, representatives told us that these officers can respond to such assaults. The remaining stakeholder suggested law enforcement could receive additional training to improve responses when passenger assaults occur.

³³See for example 49 U.S.C. § 46504, interference with flight crewmembers and attendants.

³⁴We omitted representatives from four stakeholder groups from our count because they did not speak to this issue.

³⁵Representatives from four stakeholder groups did not provide a perspective.

³⁶Past research conducted by the Transit Cooperative Research Program identified increased law enforcement presence as a leading practice for preventing and mitigating assaults of rail and bus employees. See National Academies of Sciences, Engineering, and Medicine, *Practices to Protect Bus Operators from Passenger Assault*, (Washington, D.C.: National Academies Press, 2011).

Some of the selected stakeholders we interviewed who did not identify gaps in resources nonetheless offered suggestions to further deter or mitigate passenger assaults, including:

- **Provide additional training for customer service agents.** Three stakeholders told us customer service agents should receive additional training on conflict de-escalation.³⁷
- **Increase information sharing and reporting.** Three selected stakeholders said that information sharing could be improved among relevant stakeholders—including airlines and airport law enforcement. For example, representatives from one airline said they have limited insight into the outcomes of passenger assaults unless they contact airport law enforcement or prosecutors. Two selected union representatives said that having better data on these incidents could be beneficial to understand the scope of the problem.³⁸
- **Increase public education and support for customer service agents.** Representatives from two unions would like to see (1) signage at airports saying that assaults by passengers are subject to prosecution, and (2) airlines provide additional support to customer service agents, in the form of legal assistance or time off, to press charges against passengers alleged to have committed such assaults.

Moving forward, the FAA Reauthorization Act of 2018 requires airlines to provide initial and recurrent training for all employees on, among other things, de-escalating hostile situations, and, as previously noted, the reporting protocols for these incidents. Providing such training and having additional reporting protocols could provide customer service agents with additional tools for diffusing these incidents and standardize how airlines respond to these incidents, respectively.

³⁷This suggestion aligns with a report issued by the Transit Cooperative Research Program, which suggests that providing such training can help employees avoid potentially violent behavior. See National Academies of Sciences, Engineering, and Medicine, *Practices to Protect Bus Operators from Passenger Assault*, (Washington, D.C.: National Academies Press, 2011).

³⁸Past research conducted by the Transit Cooperative Research Program also recommended better reporting mechanisms for data. See National Academies of Sciences, Engineering, and Medicine, *Practices to Protect Bus Operators from Passenger Assault*, (Washington, D.C.: National Academies Press, 2011).

Agency Comments

We provided a draft of this report to DHS, DOJ, and DOT for review and comment. DOJ provided technical comments, which we incorporated as appropriate. DHS and DOT did not have any comments.

We are sending copies of this report to the appropriate congressional committees, the Secretary of the Department of Transportation, the Attorney General, the Secretary of Homeland Security, and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff any have questions about this report, please contact me at (202) 512-2834 or VonahA@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix II.



Andrew Von Ah
Director, Physical Infrastructure Issues

Appendix I: Survey for Airline Customer Service Agents

1. How long have you been a customer service representative for an airline? Do you work for the airline or are you a contractor?
2. In the past year, in your role as an airline customer-service representative, have any of the following incidents been committed against you by a passenger on airport property? [Text in brackets is surveyor instructions.] [Please mark a "0" if the incident has not occurred.]

In the past year, how many times have experienced the following incidents: [Insert response]

Passenger verbally harassed you

Passenger verbally threatened you (i.e., said they would do something to you specifically)

Passenger **attempted** to physically assault you (tried to hurt you)

Passenger **actually** assaulted you

Passenger committed other harmful action (please describe)

[If all zeros or only experienced harassment, survey is complete.]

3. How, if at all, have these incidents affected your overall well-being?
 - a. No effect
 - b. Slightly negative effect
 - c. Very negative effect
4. Now thinking about the most severe incident you have experienced in the past year, which of the following airport officials, if any, did you contact about this incident?
 - a. Immediate airline manager
 - b. Airport law enforcement
 - c. Airport staff
 - d. Other—Please identify _____
 - e. None

5. Did any airport or airline officials take action because of your most severe incident in the past year?
 - a. No
 - b. Don't know
 - c. Yes. Please describe the action that was taken.

6. How, if at all, could airlines support customer-service representatives when these incidents happen?

Appendix II: GAO Contact and Staff Acknowledgments

GAO Contact:

Andrew Von Ah, (202) 512-2834 or VonahA@gao.gov.

Staff Acknowledgements:

In addition to the individual named above, other key contributors to this report were Jonathan Carver, Assistant Director; Melissa Swearingen, Analyst-in-Charge; Emily Flores; Clara Goldrich; Geoffrey Hamilton; Delwen Jones; Dawn Locke; Malika Rice; Kelly Rubin; and Amy Suntok.

Appendix III: Accessible Data

Data Tables

Accessible Data for Airline Customer Service Agents Who, in 2019, Reported Experiencing Aggressive Passenger Behavior within the Past Year, by Type of Behavior

Incident type	Customer service agents
Verbal harassment	96
Verbal threat	46
Attempted physical assault	22
Physical assault	12
Other harmful action	34
The number of the airlines' customer agents surveyed totals	104

Accessible Data for Figure 2: Airline Customer Service Agents Who, in 2019, Reported Experiencing Aggressive Passenger Behavior within the Past Year, by Behavior Type

Incident type	Customer service agents
Verbal harassment	96
Verbal threat	46
Attempted physical assault	22
Physical assault	12
Other harmful action	34
The number of the airlines' customer agents surveyed totals	104

GAO's Mission

The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.

Obtaining Copies of GAO Reports and Testimony

The fastest and easiest way to obtain copies of GAO documents at no cost is through GAO's website (<https://www.gao.gov>). Each weekday afternoon, GAO posts on its website newly released reports, testimony, and correspondence. To have GAO e-mail you a list of newly posted products, go to <https://www.gao.gov> and select "E-mail Updates."

Order by Phone

The price of each GAO publication reflects GAO's actual cost of production and distribution and depends on the number of pages in the publication and whether the publication is printed in color or black and white. Pricing and ordering information is posted on GAO's website, <https://www.gao.gov/ordering.htm>.

Place orders by calling (202) 512-6000, toll free (866) 801-7077, or TDD (202) 512-2537.

Orders may be paid for using American Express, Discover Card, MasterCard, Visa, check, or money order. Call for additional information.

Connect with GAO

Connect with GAO on [Facebook](#), [Flickr](#), [Twitter](#), and [YouTube](#).
Subscribe to our [RSS Feeds](#) or [E-mail Updates](#). Listen to our [Podcasts](#).
Visit GAO on the web at <https://www.gao.gov>.

To Report Fraud, Waste, and Abuse in Federal Programs

Contact FraudNet:

Website: <https://www.gao.gov/fraudnet/fraudnet.htm>

Automated answering system: (800) 424-5454 or (202) 512-7700

Congressional Relations

Orice Williams Brown, Managing Director, WilliamsO@gao.gov, (202) 512-4400,
U.S. Government Accountability Office, 441 G Street NW, Room 7125,
Washington, DC 20548

Public Affairs

Chuck Young, Managing Director, youngc1@gao.gov, (202) 512-4800
U.S. Government Accountability Office, 441 G Street NW, Room 7149
Washington, DC 20548

Strategic Planning and External Liaison

James-Christian Blockwood, Managing Director, spel@gao.gov, (202) 512-4707
U.S. Government Accountability Office, 441 G Street NW, Room 7814,
Washington, DC 20548



Please Print on Recycled Paper.