

SURVEILLANCE TOOLKIT: SAMPLE COALITION LETTER OPPOSING THE ACQUISITION OF DRONES

Date

Mayor
Councilmember
Councilmember
Councilmember
Councilmember
Your City Council
Street address
City, CA ZIP

Re: Community Opposition to the Proposed Acquisition of Drones

Dear Members of the **[X City Council/ X Board of Supervisors]**,

We are a community coalition of groups and individuals dedicated to protecting civil rights and civil liberties, including the right to be free from intrusive, discriminatory, and dangerous government surveillance, and we write to raise significant concerns with the City's proposed acquisition of unmanned aerial vehicles ("drones"). We write to express strong opposition to the proposed acquisition of drones by the **[City/County Name and Department]**. Drones will make our community less, not more, safe because they expand police power to watch our community, record our movements, and impinge on protected First Amendment activities.

The **[City Council/County Board of Supervisors]** should not authorize the deployment of drones within our community. Drones are unprecedented in their surveillance power and ability to monitor and record the lives and activities of community members. Drones eliminate traditional barriers on continuous aerial surveillance: unlike a traditional manned helicopter or aircraft, they are smaller, easier to operate without advanced skill, and capable of being equipped with invasive tracking systems. Drones can fly lower and navigate private spaces in ways unlike traditional aircraft. As a result, drones pose a serious threat to our civil rights.

Police can easily expand the scope and intrusiveness of surveillance drones. Drones can be coupled with powerful sensors such as facial recognition, license plate trackers, and other software to automate the identification and tracking of community members. As with other surveillance systems, once a drone is in a police agency's arsenal it is easily be put to new invasive uses in ways the public and elected leaders never approved. Put another way, the **[City Council/Board]** should take very seriously the real possibility that the drone it sanctions today expand into an even more invasive surveillance system and possibly be weaponized with firearms and other lethal systems.

These threats are not hypothetical. Drones touted as public safety tools are now available to monitor people in their private homes, workplaces, and places of worship, as well as in public spaces and during First Amendment protected events like protests.¹ Indeed, police in Northern California have previously deployed drones to monitor students and immigrants' rights protests, and even used them to spy on homeless encampments during the pandemic.²

¹ Jeff Stone, UK police may use drones to monitor protests, siege operations, International Business Times (January 5, 2016), <http://www.ibtimes.com/uk-police-may-use-drones-monitor-protests-siege-operations-2250287>.

² See Dave Maass & Mike Katz-Lacabe, Alameda and Contra Costa County Sheriffs Flew Drones Over Protests, Electronic Frontier Foundation, <https://www.eff.org/deeplinks/2018/12/alameda-and-contra-costa-county-sheriffs-flew-drones-over-protests> (Dec. 5, 2018); April Glaser, *Homeless people are at risk from the coronavirus. Police have a contentious solution: drones*. NBC NEWS (April 24, 2020) <https://www.nbcnews.com/tech/security/homeless-people-are-risk-coronavirus-police-have-contentious-solution-drones-n1191866>.

Finally, drones have not been demonstrated to meaningfully prevent crime or improve public safety. To the contrary, research has cast doubt on the efficacy of drones, finding that they provide minimal cost advantage to comparable manned aircraft and provide no more security than manned aircraft despite being significantly more expensive.³ In light of these concerns, people are overwhelmingly rejecting the use of drones by police agencies when given the opportunity.⁴ This is reflective of broader public sentiment against the use of drones for domestic surveillance.⁵

We urge the **[City Council/Board of Supervisors]** to reject this drone proposal. We also encourage the **[City Council/Board of Supervisors]** to adopt an ordinance prohibiting the future acquisition of drones by **[City/County]** departments including the police. Moving forward, the **[City/County]** should engage community members in a discussion about non-surveillance alternatives to drones that have been demonstrated to actually improve the health and safety of communities like ours.

Sincerely,

³ Abigail Hall, *Drones: Public Interest, Public Choice, and the Expansion of Unmanned Aerial Vehicles* (September 17, 2014). Available at SSRN: <https://ssrn.com/abstract=2497539> or <http://dx.doi.org/10.2139/ssrn.2497539>.

⁴ When the Los Angeles Police Department proposed acquiring and using drones in 2019, it received over 1,675 letters in response to requests for public comment on its proposed drone program, the vast majority of which urged LAPD to halt the program in its entirety. Makeda Easter and Kate Mather, Civilian oversight panel hears guidelines for LAPD use of drones, (October 3, 2017), available at <http://www.latimes.com/local/lanow/la-me-ln-lapd-drones-20171002-story.html>. The public also expressed its opposition to the drone program in two separate petitions, one with over 1,900 signatories and another with more than 800 signatories. See "Drone-Free LAPD. No Drones, LA!", MoveOn.org Petitions, <https://petitions.moveon.org/sign/drone-free-lapd-no-drones-1>. See also Shomik Mukherjee, *Concord police to get drones, but promise not to spy*. EAST BAY TIMES (Oct. 14, 2021) <https://www.eastbaytimes.com/2021/10/14/concord-police-to-adopt-drones-program-promises-no-surveillance-amid-pushback/>.

⁵ See Terance Miethe, Miliikeala S.J. Heen, & Emily Trosyhnski, *Public Attitudes About Aerial Drone Activities: Results of a National Survey* (Research in Brief report), CENTER FOR CRIME AND JUSTICE POLICY, https://www.unlv.edu/sites/default/files/page_files/27/Research_PublicAttitudesaboutAerialDroneActivities.pdf (July 2014). See also Stephen Rice, *Eyes In The Sky: The Public Has Privacy Concerns About Drones*, FORBES, <https://www.forbes.com/sites/stephenrice1/2019/02/04/eyes-in-the-sky-the-public-has-privacy-concernsaboutdrones/#135ac3d66984> (Feb. 4, 2019) (citing data from a study revealing that drone use generates fears of police and that the general public opposes ongoing drone surveillance).