

Testimony in support of Senate Bill 238 - T

The Benefits and Legislative Constraints of Drone Use in Oregon Law Enforcement

Introduction

My name is Lee Phelps, I am a Police Officer with the Albany Oregon Police Department. I have served the Albany Police Department since February of 2016. I previously worked as a Deputy Sheriff with the San Bernardino County Sheriff's Department from October of 2006 to January of 2016. My current assignment is that of a Field Training Officer and I have further collateral duties as a Drone Pilot, a member of Multi Agency Investigation Team, Background Investigator, and I am a member of the Albany Police Peer Support Team. I have served in several capacities in my career from Corrections, Gangs and Intelligence, Traffic Enforcement, Patrol and Detectives.

The integration of drone technology into law enforcement has significantly enhanced public safety, officer safety, and operational efficiency. In the 18 plus years I have served in law enforcement, the use of drone technology has proven itself to be the single most valuable tool I have ever utilized.

However, in Oregon, the deployment of drones by law enforcement agencies is governed by specific statutes within the Oregon Revised Statutes (ORS) Chapter 837, which impose certain limitations on their use.

Legislative Constraints on Drone Deployment

Under ORS 837.310, law enforcement agencies in Oregon are generally prohibited from operating unmanned aircraft systems (UAS), acquiring information through their operation, or disclosing information acquired through their operation, except as provided in ORS 837.310 to 837.345. Any information obtained in violation of these statutes is inadmissible in judicial or administrative proceedings and cannot be used to establish reasonable suspicion or probable cause.

Exceptions to this prohibition include situations where a law enforcement agency:

- Obtains a warrant authorizing the use of a UAS, specifying a period not exceeding 30 days.
- Determines that exigent circumstances exist, making it unreasonable to obtain a warrant and believes that a crime has been, is being, or is about to be committed.
- Has obtained written consent from the individual being surveilled.
- Is engaged in search and rescue operations, as defined in ORS 404.200.
- Is conducting training exercises related to the use of UAS.

These statutory limitations can impact the ability of law enforcement to deploy drones in certain situations, potentially delaying response times and affecting the efficiency of operations.

Impact on Law Enforcement Operations

The restrictions outlined in ORS 837.310 necessitate that law enforcement agencies carefully assess each situation to determine whether drone deployment is permissible under the law. This assessment process can introduce delays, particularly in circumstances where obtaining a warrant is required, thereby impacting the timeliness of drone-assisted responses.

As law enforcement agencies continue to adapt to evolving challenges, the integration of drone technology has proven to be a transformative asset, enhancing public safety, officer safety, and operational efficiency. Drones, also known as unmanned aerial vehicles (UAVs), offer a wide range of applications that greatly benefit both the public and law enforcement personnel.

Enhancing Public Safety

Drones provide real-time situational awareness, allowing law enforcement to monitor potentially dangerous situations from a safe distance. In search and rescue operations, drones can cover large areas quickly, helping locate missing people faster and reducing response times. During natural disasters, drones can assess damage and identify individuals in need of assistance, enabling a more coordinated and efficient emergency response.

Additionally, in crowd management scenarios, drones allow officers to monitor large gatherings, detect potential threats, and prevent disturbances before they escalate. This proactive approach enhances public safety by allowing agencies to intervene early and minimize risks to the community.

Improving Officer Safety

By deploying drones in high-risk situations, law enforcement can reduce direct exposure to potentially dangerous environments. During active shooter incidents, hostage situations, or hazardous material events, drones provide valuable intelligence without putting officers in harm's way. This aerial perspective helps tactical teams assess threats, plan safer entry points, and respond more effectively.

In surveillance operations, drones allow for discreet monitoring, reducing the need for officers to engage in prolonged, high-risk stakeouts. This not only minimizes officer exposure but also increases the likelihood of resolving situations peacefully.

Increasing Operational Efficiency

Drones significantly improve the efficiency of law enforcement operations by reducing the time and manpower required for certain tasks. Crime scene documentation, traffic accident investigations, and infrastructure inspections can be conducted faster and more accurately using aerial footage. This reduces the burden on personnel and allows agencies to allocate resources more effectively.

Moreover, drones enhance situational awareness during dynamic incidents, enabling command staff to make informed decisions in real-time. This results in more coordinated responses and improved outcomes. The cost-effectiveness of drones compared to manned aerial support, such as helicopters, also allows agencies to maintain aerial surveillance capabilities without straining their budgets.

Conclusion

The adoption of drone technology in law enforcement enhances public safety, protects officer lives, and improves overall efficiency. By leveraging these tools, agencies can respond more effectively to emergencies, mitigate risks, and ensure better outcomes for the communities they serve. As drone technology continues to advance, its role in modern policing will become increasingly essential, offering new opportunities to improve safety and operational effectiveness.

Respectfully submitted by,



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