

May 7, 2025

House State Representatives, Oregon State Legislature
900 Court St. NE
Salem, Oregon 97301

Dear Oregon House State Representatives,

We strongly oppose Senate Bill 238A. This bill grants law enforcement the discretion to use aerial surveillance technology – drones – with minimal oversight by the courts and with vague, insufficient limitations on their discretion. This bill undermines fundamental constitutional rights including privacy and free speech. **We, the undersigned organizations, respectfully urge you to vote NO on SB 238A.**

Undermines Fundamental Constitutional Rights: In addition to undermining free speech rights, this bill **endangers the basic privacy rights of all Oregonians** – from democracy protesters in Portland and Salem to ranchers, farmers, and hunters across our state, from Bend to Baker City to Tillamook County.

Undermines the Rule of Law: During a time when our courts and the rule of law are under attack, this bill also diminishes the power and authority of our judiciary.

Undermines Freedom and Democracy: During these dangerous times of rising government tyranny and authoritarianism, why are Oregon lawmakers risking becoming a “cautionary tale about rushing into aerial surveillance without sufficient guardrails”? (See April 11, 2025 article at dronexl.co)

Even with the Senate’s amendments, we have these main concerns:

- **Vague and overbroad authorization** allows law enforcement to use drones, without warrants, for “lawful police activity” – a phrase NOT defined. So, this bill allows police and sheriffs to use drones to spy on almost all Oregonians, in most areas across Oregon, including residential/urban neighborhoods, ranches, farms, hunting/fishing areas, and public gatherings including protests.
- **No demonstrated evidence** that current law is insufficient. **Important note:** current law allows law enforcement to use drones without a warrant under exigent circumstances (which covers emergency situations requiring de-escalation) and exceptions like search and rescue. In other words, law enforcement can do what they say they need with SB 238A under current existing law.
- **Likely disproportionate impacts** on Oregonians more frequently targeted or harassed by the government and law enforcement, including dissenters, activists, and Black, Indigenous, and Oregonians of color.
- **Failure to require public transparency or reporting** including info about: (i) when and where drones are deployed, or the nature of the surveillance activity; (ii) what data is collected and retained; and (iii) whether the practice improves public safety or diminishes privacy.

SB 238A massively expands law enforcement authority at the expense of courts and communities, without necessary public consultation, stakeholder engagement, and evidence-based policy design. There is no good reason for the Legislature to rush this bill – and undermine the basic privacy rights of Oregonians across the state – without sufficient guardrails. **We urge you to vote NO on SB 238A.**

350PDX

ACLU of Oregon

Beyond These Walls

Don’t Shoot Portland

Latino Network

Next Up Action Fund

Oregon Criminal Defense Lawyers
Association

Oregon Justice Resource Center

Portland Immigrant Rights Coalition
(PIRC)

Unidos Bridging Community

Unite Oregon

Western States Center