

Date: 10 June 2025
To: House Committee on Rules
From: Kelie McWilliams
Re: SB 238

To the Honorable Members of the Oregon State Legislature,

Imagine a world where every protest, every community gathering, and every private moment could be watched from above—without your knowledge or consent. This is not a dystopian fantasy; it is the reality Senate Bill 238 threatens to bring to Oregon.

This bill proposes to significantly expand the use of unmanned aircraft systems (drones) by law enforcement. Currently allowed with a warrant and in limited emergency circumstances, this proposal would allow drones to be deployed in a wide range of scenarios.

While use in public safety emergencies and search and rescue operations may be useful, broadening the scope to include all "exigent circumstances" that may exist—without a warrant—is repeatedly found in our nation's history to open the door to severe abuses of power, unchecked surveillance, and the erosion of civil liberties.

We cannot evaluate this bill in isolation. Across the United States, we are witnessing the rise of fascist tendencies, marked by the [erosion of democratic norms](#), the targeting of marginalized communities, and the weaponization of law enforcement and the national guard against dissent.

Drones are not neutral tools; they are wielded by institutions with histories of systemic racism and bias. Allowing law enforcement to deploy drones without robust oversight will inevitably lead to increased surveillance of communities already under constant scrutiny.

History has shown us what happens when governments are given unchecked surveillance powers. Martin Luther King Jr. was harassed and threatened by the FBI. The Black Panther Party was infiltrated under the guise of public safety after years of surveillance, only for public records to later show that the infiltrating officers themselves instigated, encouraged, and helped plan the violence! More than 130 peaceful activists at Standing Rock were brought up on flimsy charges (that were eventually dropped), but not before those charges—based largely on drone footage—interrupted their lives and work for years.

History also shows us that surveillance is rarely neutral. **It is shaped by the biases and priorities of those in power, often at the expense of marginalized groups.** Oregon has the opportunity to stand against this dangerous trend and affirm its commitment to justice, equity, and democracy. The bill's vague language around "exigent circumstances" and "public safety emergencies" provides a dangerous level of discretion to law enforcement, opening the door to targeting activists, protestors, and vulnerable communities. Given law enforcement's tendency to [sympathize with white supremacist groups](#), is this really the path we want to be on?

The normalization of surveillance and the erosion of privacy rights are not just issues for marginalized communities—they are threats to democracy itself. As Hannah Arendt and other scholars of authoritarianism have warned, the gradual acceptance of such measures leads to a society where dissent is stifled and the government operates without accountability. Senate Bill 238 is part of this dangerous trajectory. **By expanding the surveillance capabilities of law enforcement, especially doing so without robust citizen oversight, we widen the gap between the government and the people, making it harder for citizens to hold those in power accountable.**

After the September 11 attacks, Muslim communities in the United States became a primary focus of government surveillance. Programs like the NYPD's Demographics Unit monitored mosques, businesses, and community centers, often without evidence of wrongdoing. This surveillance created a climate of fear and mistrust, further marginalizing already vulnerable communities and ramping up Islamophobia and related hate crimes. The parallels to Senate Bill 238 are clear: expanding surveillance powers without robust safeguards risks targeting specific groups under the guise of public safety.

In 2022, when Clackamas County Sheriff and Police killed Derrick Clark, a Black man, they used a drone to "heat map" his body. Despite knowing that he was severely wounded and not moving, they then used a police dog to attack his body, after failing to render aid while he bled out for HOURS. **Drone footage and their own body cams record their racist remarks and indifference.** This, after other Oregon officers have referred to Black men as "monkeys" and suggested that Black and brown protestors could be used for target practice. This is the reality of unchecked law enforcement power.

These are not isolated incidents—they are warnings—and the common thread in these examples is the misuse of surveillance powers to suppress dissent, intimidate marginalized communities, and stifle movements for justice.

We must also consider the psychological impact of living under constant surveillance. When people know they are being watched, they are less likely to speak out, protest, or engage in political activity. **This damages public discourse and may even stop volunteers from volunteering on neighborhood projects or political campaigns.** This chilling effect undermines the very foundation of democracy. Oregon has a proud history of activism and resistance; we must not allow fear and surveillance to silence our voices.

The proponents of Senate Bill 238 have argued that it is necessary for public safety, but we must ask: safety for whom? Expanding the power of law enforcement without meaningful oversight does not make us safer—it makes us more vulnerable to abuse. For example, studies have shown that law enforcement officers are more likely than the general population to commit acts of intimate partner violence. Research indicates that an estimated 40% of police officers engage in domestic violence, compared to 10% in the general population. **This alarming statistic underscores a troubling reality: those tasked with protecting the public are not immune to abusing their power, especially when they think no one is looking.**

In addition to all of this, the bill does not explicitly address how drone data will be stored. There is no mention in the text of specific protocols for data storage, retention, or security measures. This omission leaves questions about how the data will be handled, who will have access to it, and for how long it will be retained. It also doesn't explicitly state whether the data will be subject to public records laws or if it will be exempt due to privacy or security concerns. The laws that will be repealed if this passes would remove important safeguards, such as the prohibition on weaponized drones and the requirement for transparency through annual reporting.

True safety comes from investing in community-based solutions, addressing the root causes of crime, and building trust between law enforcement and the communities they serve. Instead of solving these problems, drones will make them worse.

You must reject Senate Bill 238. This bill is not just a policy proposal—it is a moral test. Will Oregon stand for justice, equity, and democracy, or will we follow the path of fascistic authoritarianism and surveillance?

The choice is yours, but the consequences will be felt by all of us, especially the most vulnerable.

Sincerely,

Kelie McWilliams