

Submitter:

Jann Carson

On Behalf Of:

Committee:

House Committee On Rules

Measure, Appointment or Topic:

SB238

I oppose SB238A, which will remove the requirement of a judicial search warrant before law enforcement may use drones for surveillance. The current requirement, of either a judicial warrant or evidence of an exigent circumstance prior to drone surveillance, is a reasonable balance of law enforcement with civil liberties. At a time when our due process rights and respect for the rule of law are under attack at the federal level, it is vitally important that Oregon continues to be a leader in protecting civil liberties. The judicial warrant provides a meaningful and reasonable check on law enforcement power. Without these types of checks on power, abuses will more easily occur. For example, ten years ago, when the Oregon Legislature refused to require a meaningful and reasonable check on local police use of automatic license plate readers (ALPR), law enforcement was allowed to use powerful electronic tools as unregulated surveillance into the travel behaviors of people who live, work, and play in Oregon. At that time I had the opportunity to ask an attorney with the Multnomah County District Attorney's office why it was not reasonable for the police to have probable cause of criminal wrongdoing PRIOR to searching the data collected by ALPRs. I was told searching through the data of tens of thousands of vehicle location data was HOW the police were able to find probable cause. This is what is called a fishing expedition without individualized suspicion. Allowing use of these surveillance tools with important guardrails will do damage to our basic rule of law and due process. PLEASE VOTE NO on SB238A. Thank you.