

Submitter:

Daniel Thomas

On Behalf Of:

Committee:

House Committee On Rules

Measure, Appointment or Topic:

SB238

Please consider the implications of proposed Amendment -A11 as they relate to police response to life threatening situations. Police are called and respond to many incidents that do not immediately involve reasonable suspicion of a crime but could involve an imminent threat to life or property, such as motor vehicle crashes, welfare checks, and suspicious activity calls. Today's drones are capable of responding to calls for service from a considerable distance, and often faster than police officers in vehicles, enabling a remote pilot to get eyes on a scene quickly and assess injuries, or status of life. The amendments proposed in -A11 do not substantively change the current status quo of requiring a search warrant or valid exception, as the conditions imposed by the amendment are essentially the definition of an exigent circumstance. Consumer drones are no more capable than commercially available helicopters and fixed wing aircraft equipped with modern camera technology that are currently used by law enforcement and not restricted in the same way. Existing legal theory and case law regarding search and seizure provide sufficient guardrails to protect Oregonians from unreasonable intrusions on their privacy.

The existing text of this Bill provides a critical fix allows law enforcement to use modern technology to respond to calls for service more efficiently and safely, as drones are a critical tool for de-escalation and compliance with HB4301 which requires law enforcement to consider alternative strategies and technologies to reduce use-of-force incidents.