

Domestic Aerial Surveillance

A civil liberties briefing



The Dayton City Commission is considering a request from the Dayton Police Department to work with a local company to provide aerial surveillance. If approved, the city will pay \$120,000 to Persistent Surveillance Systems (PSS) for 120 hours of airborne surveillance this summer.

According to PSS, these planes can monitor an area four times as large as Dayton's downtown.¹ The rapid-fire cameras used on the plane make the captured data more like film than still photos. Police can zoom in on any part of the image, in real time. **This means they could track your car down the street or watch you swimming in your backyard.**

Privacy Risks

Aerial Surveillance creates many privacy concerns, including:

- **More invasive technology.** Increasing technology, such as high powered night vision cameras and see-through imaging, provide more and better detail and exacerbate privacy issues.
- **Free speech.** Surveillance curtails individual liberty and freedom by placing Americans under constant scrutiny. Innocent people may fear punishment if they exercise their First Amendment rights on issues where they do not agree with the government. In the past, similar government surveillance programs have been used to spy on people like Dr. Martin Luther King, Jr., John Lennon, and Malcolm X.
- **Misuse of data** can be harmful to individuals' reputations, increase vulnerability to theft or physical harm, or have chilling effects.

Need for Guidelines

As technology improves, programs such as this will become more invasive. It is important to implement good guidelines to ensure law enforcement has clear expectations for its use, and residents' privacy is protected against unreasonable government intrusion.

Cost Concerns

The surveillance program proposed by the Dayton Police Department costs \$1,000 per hour for 120 hours of surveillance. Crime happens 24 hours per day. Adding more police officers to the force is a better investment of city resources. Police on the ground will always be a more effective crime prevention tool than cameras in the air.



Aerial Surveillance Guidelines

The ACLU of Ohio recommends legislation to guide the use of drones in Ohio and protect Ohioans' civil liberties. This legislation should require:

- **Warrants** prior to use;
- **Retention and sharing policies** to govern the use of any captured data;
- Explicit, written, and publicly accessible **policies and procedures** for the use of this technology; and
- **Independent audits** of deployment.

1. Dayton Police Department. 2013. 2013 Aerial Surveillance Project. Retrieved from: http://www.acluohio.org/wp-content/uploads/2013/04/2013_0206AerialAirborneSurveillanceProgramPresentationToDaytonCityCommission1.pdf