



Date: 4/25/2023

Re: Letter in Support of the Protect Our Privacy Act, (A.5251 Assemblymember Kim/S.4162 Senator Ramos)

We, the undersigned organizations, support the Protect Our Privacy Act, (A.5251 Assemblymember Kim/S.4162 Senator Ramos) and urge the legislature to pass, and the Governor to sign, this bill.

New York is increasingly turning to harmful drone policing. 85 New York government entities collectively register at least 530 drones, but police departments rarely disclose how they use drones, how often they use them, or what information they collect. Drones threaten civil rights, as they enable the government to spy on large gatherings, like protests, from a distance. By design and application, drone surveillance conflicts with the right to be free from unreasonable government searches. But now, New York can return to its constitutional values by passing A.5251 and S.S.4162.

Police departments commonly abuse drone technologies. In 2020, “Aircraft filmed demonstrations in Dayton, Ohio; New York City; Buffalo and Philadelphia, among other cities.”¹ If drones can fly, no one can feel secure in the privacy of their movements, even in the most sensitive, intimate spaces, and immigrants cannot be sure that police are not surveilling their movement from the sky and sending that information to those who are hostile to their presence in the country. Finally, in an act of intimidation, the NYPD flew drones past a Black Lives Matter organizer’s home while falsely accusing him of assaulting an officer and seizing him with riot police, seemingly without a warrant. Similarly, drones are more likely to be deployed in under-resourced and overpoliced areas, thus entrenching ongoing and historical biases.

A.5251 and S.4162 would prevent law enforcement agencies from using drones outside of some emergencies. This would prohibit police from using drones for most purposes, including, but not limited to, monitoring protests, concerts, religious gatherings, and other activities protected by the First Amendment. The bills would also prohibit police from circumventing these restrictions by obtaining third-party drone data instead of collecting their own. A.5251 and S.4162 also enhance public safety by allowing police drones to facilitate search and rescue operations and survey disaster sites. Additionally, these bills would suppress any evidence obtained by police in violation of the law and provide monetary compensation for New Yorkers if police place them under drone surveillance.

By passing this bill, New York will help create a system for the more responsible use of government drones. We urge the legislature to pass and the Governor to sign the Protect Our Privacy Act (A.5251 Assemblymember Kim/S.4162 Senator Ramos).

¹ <https://www.nytimes.com/2020/06/19/us/politics/george-floyd-protests-surveillance.html>.

Ban Big Brother Coalition – Letter in Support of A.4638/S.1764
4/25/2023

Sincerely,

Surveillance Technology Oversight Project (S.T.O.P.)
The Legal Aid Society
New York Immigration Coalition
Legal Defense Fund (LDF)
Arab American Association of New York
Chinese-American Planning Council, Inc
Fight for the Future
LatinoJustice PRLDEF
National Lawyers Guild – New York City Chapter Mass Defense Committee
National Action Network
Brooklyn Defenders
Demand Progress
Grassroots Advocates for Neighborhood Groups and Solutions G.A.N.G.S. Coalition
Policing and Social Justice Project
Yemeni American Merchants Association
YAMA Action
Emgage, New York Metro Chapter
Muslim Community Network
Freedom To Thrive
Secure Justice
Decoding Stigma
Jim Owles Liberal Democratic Club
NYU Center on Race, Inequality, and the Law
Restore The Fourth NYC
Defending Rights & Dissent
Oakland Privacy
Police Reform Organizing Project (PROP)
Coalition for A District Alternative
Defenders Clinic at CUNY School of Law
No Ethics In Big Tech
Surveillance Resistance Lab
Aspiration
RootsAction.org
Amend4Rights
TakeRoot Justice
United We Dream
PDX Privacy
EFF-Austin