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# Iowa law enforcement emails show interest in drones

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An MQ-9 Reaper flies by on a training mission August 8, 2007 at Creech Air Force Base in Indian Springs, Nevada. (Getty Images)

Iowa's top state police officials in recent months have researched and expressed interest in buying drones for law enforcement use, emails obtained by The Des Moines Register show.

Unmanned aerial vehicles, or UAVs, are used by law enforcement in several states, including Florida, Texas and Washington. Law officers in Iowa, though, have been largely silent about their interest in the technology, which requires a human to remotely guide an aircraft that can be equipped with zoom cameras and thermal

sensors.

Written by Jens Manuel Krogstad

The use of drones by law enforcement, in particular, has raised concerns from privacy advocates and civil liberties groups. The increasingly affordable technology has made reality what was once science fiction: an ever-present eye in the sky collecting an endless stream of high-definition video, photo, audio and thermal images. The potential for government abuse is vast without restrictions on how data is collected, used and retained, advocates warn.

Public controversy has dogged drones used to kill people in counterterrorism operations overseas. In recent months, domestic use of unarmed drones — smaller and cheaper than those used by the military — has drawn the attention of federal and state legislators in Iowa and elsewhere.

### About the emails

Government watchdog and transparency advocates have raised concerns about domestic drones for several years.

Iowa public safety officials, who called the emails preliminary conversations, say they

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The Electronic Frontier Foundation in San Francisco, Calif., and MuckRock in Boston, Mass., have partnered to file public records requests nationwide to uncover state and local government use of drones. The groups first obtained emails that showed Iowa law enforcement officials discussing the technology.

The two groups in October discovered through public records that Seattle police planned to expand their drone program even after an initial public outcry.

In February, Seattle Mayor Mike McGinn told city police to shut down the drone program and return the aircraft to the manufacturer. The city doesn't anticipate revisiting the program "in the foreseeable future," said Aaron Pickus, the mayor's spokesman.

have no immediate plans to buy drones.

They said the potential benefits of the technology are clear, while acknowledging worries about privacy from the public: From high in the sky, drones in the shape of miniature airplanes or helicopters can quickly, cheaply and quietly survey wide swaths of land for missing people, fugitives and disaster-stricken areas.

In a Nov. 17, 2012, email, Iowa Department of Public Safety Commissioner Brian London asked colleagues to research a \$300 drone sold at a Verizon store that can fly for 30

minutes and carries a high-definition camera that streams live video.

"These might be worth testing. Let me know...It is a cheap mans (sic) drone but might just get us what we need and can afford," London wrote.

### Drone use expected to increase

Some state lawmakers say they expect to see police fly drones in Iowa in the next few years as prices drop and federal regulations loosen. The American Civil Liberties Union of Iowa director thinks police drones could take flight within a year.

Legislation proposed this year would require police to obtain a warrant, and place a moratorium on drones in the state until 2015. Lawmakers don't expect the legislation to advance this year. Similar bills have been proposed in 36 other states, according to the ACLU.

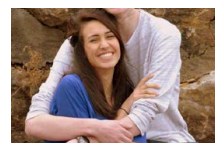
Concerns about potential abuses of privacy and unchecked police surveillance have been raised by a range of Iowans, from U.S. Sen. Chuck Grassley to an Iowa City citizen leading a petition to ban drones in his town.

Sen. Rand Paul, R-Ky., launched a historic filibuster of nearly 13 hours in March to protest the killing of U.S. citizens by military drones.

Congress is now turning its attention to drones in U.S. skies. Grassley said he came away with more questions than answers after a March 20 hearing on drones by the Senate Judiciary Committee. Grassley, the committee's top Republican, said he expects several more hearings on the issue.

"At least in law enforcement use of it, you've got to make sure the Constitution is followed," said Grassley, noting constitutional protections against unreasonable searches and seizures.

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“You always want to remember that the power of new technology creates a greater responsibility for the respect of personal property and privacy.”

Emails show state public safety officials have called drone manufacturers about the purchase or lease of drones, but found models that cost more than \$100,000 “pretty expensive.”

The department has not come any closer to buying drones since initial discussions in November and December, said Jim Saunders, director of the Division of Intelligence and Fusion Center.

He received a Nov. 28 email that contained dozens of links to articles about drones with the subject line, “For Your Drone X-Files.”

Saunders said the public safety department has no plans to set aside money for drone purchases, nor has the department applied for outside funding, such as federal grants, to buy unmanned vehicles.

Saunders said cheap drones, such as those mentioned in the emails, have limited police applications and are “probably not worth our time and effort.”

London took over as the state police commissioner on Oct. 8, 2012, and showed an immediate interest in drones. He told Saunders in a Nov. 14 email that he wanted “to keep on this. It has potential.”

Saunders said the commissioner’s interest grew out of three recent incidents: a bank robbery in northeast Iowa in which the suspects shot at police; a train derailment in northwest Iowa that caused a hazardous materials spill; and a large marijuana-growing operation discovered in southern Iowa.

“We’re always looking at what things are out there to better allow us to protect our citizens and officers,” Saunders said.

In Colorado, the Mesa County sheriff’s office has been flying drones since 2010, said Ben Miller, the office’s Unmanned Aerial Vehicle Program director.

The biggest benefit is performing tasks officers have always done, such as search and rescue missions, for a fraction of the cost.

The office has leased a crop duster airplane for \$650, but can now operate a drone for \$25 per hour.

Departments should not spend more on a drone than on a patrol car, Miller said.

Drones used by his office cost about \$25,000.

The office has sought to address citizen concerns about privacy, which helped win public support, Miller said. The office applied its existing data collection policies to those gathered by drones. The office regularly revisits the policies, but hasn't updated them since it starting flying the aircraft in 2010, he said.

"The moment you try to be secretive you create unintended drama," Miller said.

### **National drone rules expected in 2015**

Congress passed a bill last year designed to speed the ascent of drones into American skies. By sometime in 2015, the Federal Aviation Administration is expected to issue rules that govern the use of unmanned aircraft for private, commercial and government use.

FAA rules currently require a permit for government agencies to fly drones. Commercial use, including for agriculture, is banned. No permits have been issued in Iowa, FAA records show. There has been at least one application in Iowa for the state to be a site for federal test flights. The names of applicants are not being released.

One study projects unmanned aircraft to spur 70,000 new jobs and \$13.6 billion in economic impact in the first three years after the new FAA rules take effect, according to testimony from Michael Toscano, president and CEO of the Association for Unmanned Vehicle Systems International in Arlington, Va. Toscano spoke at the March 20 Senate hearing.

Alarmed at the rise of the drones, state Rep. Jason Schultz, R-Schleswig, proposed a bill this year that would limit the use of drones by law enforcement. Under the proposal, unmanned aircraft could only be used with a warrant, if a terrorist attack is imminent, or if a person's life or property is in imminent danger.

"I don't see them as a friend of the citizen. I see them as a tool for prosecution," Schultz said. "They are not a defender to liberty. They are a threat to liberty. But they may have a purpose in individual cases."

The bill and a similar one proposed by Senate Republicans did not receive much attention from legislators, in part because the authors rushed to write them, said Sen. Robert Hogg, D-Cedar Rapids, chairman of the Senate Judiciary Committee.

Hogg expects the Legislature next year to seriously consider bills that restrict the use of drones. Iowa law should also address drone use by private citizens and businesses, he said.

"We need to act fast before the industry lobbyists arrive at the state Capitol," Hogg said. "Once that happens, it becomes difficult to regulate the technology."

Hogg called on Gov. Terry Branstad to clarify how state agencies should use drones. Branstad spokesman Tim Albrecht said, "We are unaware of any issues or recommendations with regard to drones in Iowa. Should the issue arise in Iowa, we will take a comprehensive look."

In Iowa City, the push is on to ban traffic cameras, license plate readers and drones within city limits. A petition with 3,332 signatures was delivered to city officials this month, said Aleksey Gurtovoy, 35, a software engineer who lives in town. The matter could eventually be put to a public vote.

"We have to draw the line somewhere and say, 'This is where it stops,'" Gurtovoy said. "Just because the technology exists doesn't mean we should use it."

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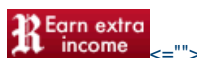
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