



Restore the Fourth MN

Public comment for Plymouth PD Unmanned Aerial Systems Policy

Good Evening Mr. Mayor, Council Members

My name is Chris Weiland, and I am a freelance Penetration Tester and Cybersecurity Consultant. I also serve as the co-chair of Restore the Fourth Minnesota, the Minnesota branch of Restore the Fourth which is a national nonpartisan, nonprofit civil liberties organization existing since 2013.

In my professional capacity as someone who spends every day trying to protect digital infrastructure, and in our chapters collective capacity as fourth amendment and civil liberties activists, we have concerns with the proposed policy submitted to the council as written.

Unmanned Aerial Systems (Drones) are capable of highly advanced surveillance, with some versions equipped with cameras that can scan entire cities, or alternatively, zoom in and read a milk carton from 60,000 feet.

While I will freely admit that there are many useful and legitimate use cases for the technology, Surveillance Drones raise significant issues for individual privacy and civil liberties. There is a particularly high risk that drones will be used to collect information about individuals not suspected of any crime, or as a way to chill the speech of citizens excerpting their first amendment rights to peaceably protest.

Our chapter does not think the language of the policy does enough to protect citizens impacted by law enforcement use of Surveillance Drones. I have relayed many of these concerns to Captain Michael Reed of the Plymouth Police Department, who helped clarify some of the language of policy and the intent behind it.

After considering his input and the input of other members of our chapter, I respectfully submit the following suggested changes to the policy:

- In **606.3**, better define what “exigent circumstances” means, or refer to other policies which do so
- All of the policies and protocols listed under **606.4** should be made public, and any documentation and data that is required to be created by the policies and protocols should also be made public after a set period of time.

- Remove or replace with stricter controls exemptions (b), (e), and (f) from section **606.5**
 - (b)(f) A plain text reading indicates that these exception could be used to justify a deployment of drones against otherwise peaceful protesters or demonstrators, subverting the prohibition in **606.6.1**.
 - (e) This exemption does not seem to be warranted given the prevalence of readily available satellite footage and the risk of imposing a chilling effect on the expression of first amendment rights.
- Add data sharing limitations such such that data collected by UAS cannot be shared with other law enforcement agencies absent a warrant.
- All evidence collected by Unmanned Aerial Systems should be encrypted at rest by default
- Language should be added which would prevent data collected by drones from being used as part of an investigation, or from being submitted as evidence to prosecute a crime, unless the drone was deployed specifically for the purpose of gathering that data pursuant to a warrant.