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Drones

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Eye in the Sky

<https://www.youtube.com/watch?v=PxpX8-efsZI>

- <https://www.msn.com/en-us/news/newsworldcrime/phoenix-officials-discussing-drones-for-officers/vi-AATVKJQ>
- (2/11/22)

Protesters walk onto Morrison Bridge while rallying against the death in Minneapolis police custody of George Floyd, in Portland, Oregon, U.S. June 3, 2020. Picture taken with a drone.



First documented use

County sheriff in North Dakota (2011) borrowed drone from local Air Force base to track down cattle thieves

Been used by US Customs and Border Patrol since 2005 to monitor US-Mexico border

Several departments began experimenting in 2007

No Federal Framework

- Despite American law enforcement's embrace of aerial surveillance by drone, there is no national framework governing their use and how police make use of the data collected by the thousands of drones being flown by thousands of the machines across the United States.
- In the absence of a federal framework for governing the technology, cities and states have written a patchwork of rules and regulations for police drone use that, taken together, show what a more transparent and just set of laws governing police aerial surveillance might look like.

Situational Awareness

- Drones provide what law enforcement likes to call “situational awareness”: a clear birds-eye perspective on potentially volatile situations that’s much less expensive and complex to operate than a manned helicopter.
- Law enforcement agencies have used this argument to justify flying drones over everything from alleged drug deals to homeless encampments to the recent protests against racist police violence.
- They’ve also used drone footage to make arrests: In Arizona in early July, police used drone video to justify arresting three Black Lives Matter protesters, who they say stopped traffic.

Use today in U.S. and Canada

- Track suspects
- Document crime scenes
- Reconstruct traffic accidents
- Search and rescue
- Public protests

Survey (2012)

- 67% of people surveyed said okay to track criminals
- 64% of people surveys said okay to control illegal immigration

How many are there?

- As of March 2020, per data collected by Bard College researchers, at least 1,578 state and local public safety agencies in the United States had acquired drones, and 70% of those agencies were law enforcement bodies.
- The majority of these police drones are small models designed for the consumer market mostly produced by Chinese drone-maker DJI.

The Rules

- Today, approximately 18 states have laws that mandate that police acquire a warrant before they use drones. If police fail to comply, the drone data they collect will be made inadmissible in court.
- Some states with these rules, like Virginia, exempt police from the warrant requirements if they're using drones for non-law enforcement purposes, like taking photographs of accident scenes, for disaster response and for assessing traffic levels.
- However, some such policies include loopholes that may make it relatively easy for police to justify wider drone use. A new Minnesota law (2020), permits police to use drones to collect data in public areas if “there is reasonable suspicion of criminal activity,” an exemption at risk of being broadly applied.

- Vermont, Virginia, and Nevada require that police publish annual reports on how they've used drones, and why.
- These reports should be sought on a more regular basis than once a year, considering how often police use drones today—and they should be made easily available to the public, not buried in official records. Drones' onboard flight control computers store records of every flight they take, and it's easy to pull these records off the aircraft and post them online in the form of digital maps
- In the interest of public transparency, the Chula Vista Police Department (CA) already publishes public records of their drone flights and their overall drone usage. This is a smart approach, and one that police departments concerned with public distrust of drone tech would do well to emulate, though few are likely to do so voluntarily.

- In 2020, police in Minnesota used a drone to capture footage of topless and nude sunbathers at a small lakeside beach, in the hope of issuing tickets for illegal behavior.
- Data like this is obviously sensitive, and police departments need clear rules around who gets to see it and how those viewers are trained.
- Of the states that do have clear laws around police drones, many have explicit language around drone data. Utah, for example, requires that drone data be destroyed “as soon as reasonably possible” (with a number of exemptions).

Predictive Crime – Minority Report

- <https://www.youtube.com/watch?v=q2bmImPNKbM>

Predictive Policing

- Community Policing
 - Neighborhood Watch
 - Problem oriented policing
- <https://www.youtube.com/watch?v=YxvyeaL7NEM>

Compstat

- NYPD
- <https://www.youtube.com/watch?v=mLUdVkJEdtE>

Chicago Strategic Subject List

- Rated 10s of thousands of people's likelihood of committing/victim of crime
- Used previous behavior and other details
- Ended in 2020
- Did not produce results or reduce crime

LAPD

- <https://www.youtube.com/watch?v=7lpCWxlRFAw>

President's Task Force on 21st Century Policing

Obama Administration

1. Change the culture of policing

- Guardians versus warriors: The final report calls for law enforcement to protect the dignity and human rights of all, to be the protectors and champions of the constitution.
- This rethinking of the role of police in a democracy requires leadership and commitment across law enforcement organizations to ensure internal and external policies, practices, and procedures that guide individual officers and make organizations more accountable to the communities they serve.

2. Embrace community policing

- Community policing is a philosophy as well as a way of doing business.
- The commitment to work with communities to tackle the immediate and longer-term causes of crime through joint problem solving reduces crime and improves quality of life.
- It also makes officers safer and increases the likelihood of individuals to abide by the law

3. Ensure fair and impartial policing

Procedural justice is based on four principles:

- (1) treating people with dignity and respect,
- (2) giving individuals “voice” during encounters,
- (3) being neutral and transparent in decision making, and
- (4) conveying trustworthy motives.

In addition to practicing procedural justice, understanding the negative impact of explicit and implicit bias on police-community relations and then taking constructive actions to train officers and the community on how to recognize and mitigate are key factors.

4. Build community capital

- Trust and legitimacy grow from positive interactions based on more than just enforcement interactions.
- Law enforcement agencies can achieve trust and legitimacy by establishing a positive presence at community activities and events, participating in proactive problem solving, and ensuring that communities have a voice and seat at the table working with officers.

5. Pay attention to officer wellness and safety

- Law enforcement officers face all kinds of threats and stresses that have a direct impact on their safety and well-being.
- Ensure that officers have access to the tools that will keep them safe, such as bulletproof vests and tactical first aid kits and training.
- Promote officer wellness through physical, social and mental health support.

NMPD Behavior Health Services (BHS) Division

- The Behavioral Health Services Division consists of several programs that serve
- Law enforcement personnel and their families
- Citizens within Nashville and Davidson County that have been victims of crime
- The division has trained personnel, that are licensed mental health counselors, Wellness Unit Lieutenant, chaplains and peer supporters to assist law enforcement families and citizens in time of need.

Mandatory/Optional Counseling

- Mandatory for officer involved shootings, critical incidents
- Offered for officers (and non-sworn) who have dealt with serious situations (deaths, serious injury calls, injury of another officer)
- BHS works closely with front line supervisors (Sgts) to learn about officers who may need assistance.
- Work is confidential
- What is a fit for duty examination? Can be ordered by department – is done by outside group

Family Support Groups

- Police Families: Husbands, Wives, Spouses, Partners, Girlfriends, Boyfriends, Moms, Dads, Brothers, Sisters, Grandparents.
- For families only and will not include sworn police officers. We will support our sworn officers via other venues. We plan to offer support groups for officers in the future, including some which may include officers and family together.
- The groups will be facilitated by licensed, professional counselors from the Professional Wellness Section. These groups are completely supported by the Police Department and its leadership.
- The groups have been organized, planned and structured by the Professional Wellness Section counselors that includes Lieutenant Michael Gooch and selected members of the Peer Support Team. The Professional Wellness Team and select Peer Supporters will also be available to support police families, before, during and after these support groups.

Frustrations Police Officers Face

- Arrestees released without bail immediately or after arraignment
- Prosecutors (LA, NY, MA, other areas) refusing to prosecute minor offenses, including shoplift, driving w/o license, jaywalking, possession small amounts of drugs. (Misdemeanors comprise 80% of all cases)

6. Technology

- New and emerging technology is changing the way we police.
- It improves efficiency and transparency but also raises privacy concerns and has a significant price tag. Body-worn cameras, less than lethal use of force technologies, communication, and social media all require a legal and pragmatic review of policies, practices, and procedures.
- These policies, practices, and procedures should be developed with input from the community and constitutional scholars.

Things Local Governments Can Do

1. Create listening opportunities with various areas and groups in the community. Listen and engage in a dialogue regarding concerns or issues related to trust.
2. Specifically allocate local government infrastructure and IT staff expertise to support law enforcement reporting on activities related to implementation of the task force recommendations. These should include making public all relevant policies and procedures, records, and open data sets. Let the community know what you have done and will be doing.

Govt, con'd

3. Conduct community surveys on community attitudes toward policing and publish the results along with associated data. Establish baselines and metrics to measure progress and use the results as a means to engage the community in dialogue.

4. Define the appropriate form and structure of civilian oversight to meet the needs of the community.

Govt, cont'd

5. Recognize the correlation between poverty, urban decay, and unemployment to quality of life, the breakdown of community cohesion, and the increase of crime.

Link economic development and poverty reduction to longer-term problem-solving strategies for addressing crime.

Things Law Enforcement Can do

1. Review and update policies, training, and data collection on use of force. Emphasize de-escalation and alternatives to arrest or summons in situations where appropriate. Policies and training should include shoot/don't shoot scenarios and the use of less than lethal technologies.
2. Increase transparency by collecting and making data, policies, and procedures publicly available in multiple languages relevant to the local community through official website(s) and municipal open data portals. To accelerate this work, join the growing community of agencies participating in the Police Data Initiative to learn best practices around open data on policing, and to share challenges and successes along the way.

Law Enforcement, cont'd

3. Call on the state Peace Officer Standards and Training (POST) Commission to implement training at all levels to ensure fair and impartial policing.

4. Examine hiring practices to better involve the community in recruiting and screening of recruits.

5. Ensure that officers have access to the tools that will keep them safe, such as bulletproof vests and tactical first aid kits and training. Policies should reinforce the use of seat belts and other protective practices.

What Communities Can Do

1. Actively engage with local law enforcement by participating in community meetings, surveys, listening posts, civilian oversight boards, citizen academies, chaplain programs, and innovative activities related to technology.
2. Participate with officers in problem-solving efforts to reduce crime and improve quality of life in neighborhoods.

Communities, cont'd

3. Work with local law enforcement to ensure that they are deploying resources and tactics that reduce crime, improve relationships with the community and mitigate unintended consequences.
4. Call on state legislators to ensure that the legal framework does not impede the ability of the community to hold local agencies accountable for their policies and practices.
5. Review school policies and practices that may have an unintended consequence of pushing children and young people into the criminal justice system and advocate for strategies that are more effective at prevention and early intervention.

Marcus Alert - VA

- The Marcus Alert is named after Marcus-David Peters, a young, Black biology teacher; killed by Richmond police in 2018 amid a mental health crisis. The goal of the Marcus Alert is to provide a behavioral health response to behavioral health emergencies.
- **WHAT IS MARCUS ALERT?**
- Marcus Alert enhances services for people experiencing a crisis related to mental health, substance use, or developmental disability. Marcus Alert creates coordination between 911 and regional crisis call centers and establishes a specialized behavioral health response from law enforcement when responding to a behavioral health situation.

- In January 2019, Rachael Rollins was inaugurated as the new District Attorney of Suffolk County. She had run on a platform of a presumption of nonprosecution for a list of nonviolent misdemeanor offenses, including driving without the correct paperwork, possessing small quantities of prohibited substances, trespassing, and disorderly conduct.
- Rollins changed the default approach to these offenses from prosecution to non-prosecution, pushing her prosecutors to be more lenient toward low-level defendants. What happened?