

OHIO FAMILIES UNITE

FOR POLITICAL ACTION AND CHANGE

Chairman Holmes, Vice Chairman Willis, Ranking Member Baker, and members of the House Aviation and Aerospace Committee,

Thank you for allowing me to testify today. My name is Emily Cole and I am the Executive Director of Ohio Families Unite for Political Action and Change, or OFUPAC. OFUPAC was started by Ohio families directly impacted by the criminalization of poverty, police brutality, incarceration, and the criminal legal system here in Ohio. I am here today to stand with and for our families as a proponent and urge you to pass House Bill 149 with several important amendments..

While the bill represents an effort to establish guidelines for UAV use, we propose several changes to improve the bill's privacy protections, transparency, and accountability.

1. Prohibition of Weapons on Drones

We strongly advocate for a clear prohibition on the attachment of both lethal and non-lethal weapons to drones. The intent of bill sponsors in prohibiting lethal weapons being affixed to drones is clear; and, since 2020 departments in Ohio's urban cities, including here in Columbus, have utilized tear gas, pepper spray, rubber bullets, and other items to subdue peaceful protestors, all of which are classified as non-lethal. We fear allowing non-lethal weapons to be affixed to drones would have a chilling effect on the freedom of assembly and also be counter to the intent of this section of the bill. We strongly urge you to clarify this portion of the bill to also prohibit non-lethal weapons being affixed to drones.

2. Expansion to Both Unmanned and Manned Devices

We propose expanding the bill's scope to encompass both unmanned and manned aerial devices utilized for surveillance by law enforcement agencies. This broader definition will prevent potential loopholes in the legislation, ensuring that all aerial surveillance activities, whether conducted by UAVs or manned aircraft, are subject to the same oversight and accountability measures, for the best interest of the general public and of solidifying transparency.

3. Provisions Preventing Third-Party Use

To improve privacy protections, we recommend adding provisions that prohibit third-party use of surveillance data collected by law enforcement UAVs or manned aerial devices. This prohibition will prevent the unauthorized sharing or selling of

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surveillance data to external entities, safeguarding individual privacy rights and preventing potential misuse of collected information.

4. Restrictions on Data Access and Sharing

Lastly, we propose adding restrictions on law enforcement agencies' access to and sharing of surveillance data collected through UAVs or manned aerial devices.

Specifically, we recommend:

- **Limited Access:** Law enforcement agencies should only be permitted to access surveillance data for legitimate law enforcement purposes and investigations.
- **Data Sharing Restrictions:** Surveillance data should not be shared with other government agencies or third parties without explicit authorization.
- **Data Retention and Destruction:** Strict limitations should be imposed on the retention period for surveillance data, with data being retained for the shortest time necessary for law enforcement purposes and securely destroyed once no longer required.

While not a recommendation, we would like to raise for the sponsors and committee a final point worthy of consideration. We fear departments using this technology to surveil groups of people exercising their first amendment rights, resulting in a potential chilling of free speech. We support efforts to put guardrails around the use of this technology, and would raise whether it is necessary to include a specific prohibition around the use of UAVs to surveil public gatherings.

In conclusion, while HB 149 represents a step towards regulating the use of UAVs for surveillance by law enforcement agencies, there is room for improvement to strengthen privacy protections, transparency, and accountability. I urge the Committee to consider the proposed changes to ensure that the legislation finds the right balance between enabling law enforcement to use UAV technology effectively and safeguarding individual rights.

Sincerely,

Emily Cole
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