



July 9, 2020

To: Chairman Vacarro and Members
Public Safety Committee, St. Louis Board of Aldermen

From: Jeanette Mott Oxford, Director of Policy & Organizing
Empower Missouri

RE: Our opposition to Resolution 24

Empower Missouri is a statewide not-for-profit that was founded in 1901 as the Missouri Conference on Charities and Corrections. We have operated for nearly 120 years as advocates for social justice, and our mission is to secure basic human needs and equal justice for every person in our state through advocacy and coalition building.

I am sorry that I cannot be present for today's hearing because I am scheduled for cataract surgery on my right eye this morning. Several volunteers with our organization who care about the issue of drone and/or "persistent" surveillance also had conflicts on their calendars. Please accept this written testimony instead, and I do welcome your questions at 314-775-3261.

Empower Missouri objects to drone/persistent surveillance out of ethical, practical, and evidence-based concerns:

- 1) We affirm the U.N. Declaration of Human Rights as a well-stated and very comprehensive document, encapsulating the human rights that would undergird a society in which free people had the opportunity to be healthy and thrive. Article 12 of the declaration states ***"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."***
- 2) We also affirm the protections guaranteed through the U.S. Constitution and believe drone/persistent surveillance violates the 4th Amendment. As John Pavletic has written, "The Constitution remains a counter-majoritarian check on the government. Absent probable cause and a warrant, persistent aerial surveillance is an unreasonable search that violates the Fourth Amendment."¹

¹ John Pavletic, *The Fourth Amendment in the Age of Persistent Aerial Surveillance*, 108 THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 171 (2018).
<https://scholarlycommons.law.northwestern.edu/jclc/vol108/iss1/4>

- 3) The so-called “War on Drugs” and “War on Terror” have been used to justify the militarization of police in the U.S. Introduction of drone/persistent surveillance continues this trend. Research from a number of sources, including that of Jonathan Mummolo, show that militarized “special weapons and tactics” a) are more often deployed in communities of color; b) provide no detectable benefits in terms of officer safety or violent crime reduction, on average; and c) erode opinion toward law enforcement.²
- 4) While claims are being made that St. Louis can experiment with drone/persistent surveillance at no cost to the City, real life experience tells us that “free trial offers” often turn into costly scams. Certainly many of us have observed how unscrupulous companies prey on the elderly, promising free products and services and then trapping their victim in the fine print that was not adequately explained. As has often been said, “If it sounds too good to be true, it is.”
- 5) Free trials often morph into a lobbying campaign for inclusion in a City’s budget. All budgets are moral documents, asking us to evaluate the relative merit of investment in various programs and services. In terms of community well-being, there are many investments that can do much more to improve health and safety in St. Louis than surveillance tools. Our wish list includes items like decent, affordable and accessible housing, trauma-informed institutions, Black entrepreneurship, and mental health services.

Curtailing militarized policing and protecting the human right to freedom from interference with privacy are in the interest of both police and citizens. Please do not advance and pass Resolution 24.



² PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES, September 11, 2018 115 (37) 9181-9186; first published August 20, 2018 <https://doi.org/10.1073/pnas.1805161115>