



Office of the City Clerk

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Legislation Details (With Text)

File #: O2013-8436
Type: Ordinance **Status:** Failed to Pass
File created: 11/13/2013 **In control:** City Council
Final action: 5/20/2015
Title: Temporary moratorium on purchase, rental, lease or possession of drones
Sponsors: Waguespack, Scott
Indexes: Miscellaneous
Attachments: 1. O2013-8436

Date	Ver.	Action By	Action	Result
5/20/2015	1	City Council	Failed to Pass	Fail
11/13/2013	1	City Council	Referred	

Send to Committee on Public Safety

ORDINANCE

WHEREAS, the use and premature deployment of unmanned aerial vehicles has outpaced public policy discourse throughout the United States; and

WHEREAS, the unnecessary use of drones poses a serious threat to the privacy and constitutional rights of the citizens of Chicago and the United States; and

WHEREAS drone proliferation threatens the risk of unmanned aerial vehicles becoming increasingly available to journalists, bloggers, news organizations, and others who gather and disseminate public and nonpublic information on the Internet for profit or for political or other reasons;

WHEREAS drone proliferation threatens the risk of unmanned aerial vehicles becoming increasingly available to violent criminal organizations such as gangs;

WHEREAS local police forces-around the-country-have attempted-to purchase-military drone-hardware for civilian use, reflecting a broader trend towards the militarization of local police agencies;

WHEREAS persistent or ambient surveillance of the sort enabled by drones entails serious constitutional abuses of police authority by effectively circumventing the Fourth Amendment's longstanding requirements concerning warrants and due process;

WHEREAS drones can be outfitted with super-sensory technologies such as thermal imaging software and the capability to "see through" walls;

WHEREAS drones are capable of hovering outside the windows of private dwellings to peer inside;

WHEREAS drones can be outfitted with technologies such as license plate readers and Internet packet sniffing technology that enable pervasive surveillance without particularity, circumventing the requirements of the Fourth Amendment;

WHEREAS, drone technology is developing so rapidly that the potential impacts on privacy and Fourth Amendment rights is difficult to predict;

WHEREAS persistent or ambient surveillance, coupled with currently expanding programs to monitor and criminalize nonviolent activism, threatens to chill First Amendment-protected association;

WHEREAS a potential chilling effect on First Amendment activity from the use of drones is compounded by the capability of some drone models to be armed with tear gas, rubber bullets,

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and other weapons;

WHEREAS many of the drone models currently available to law enforcement have limited flying time, cannot be flown in inclement weather, must be flown in sight of an operator, and can only be flown during the day, thus making them ill-suited to search and rescue missions and best suited for pervasive surveillance;

WHEREAS currently existing technology, including helicopters, has proven adequate to capably address emergency situations;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The recitals set forth above are hereby incorporated herein by reference as findings of fact and made a part hereof.

SECTION 2. A temporary moratorium is hereby imposed on the purchase, rental, lease, . . . borrowing, or by any other means of possession, of drones as the term is defined in Chapter 1-24-010.

SECTION 3. The moratorium shall be in effect until November 13th, 2018.

SECTION 4. This ordinance shall take effect upon its passage and approval.

Scott Waguespck Alderman 32nd
Ward

