

Syracuse, New York • Enacted December 16, 2013

WHEREAS, the prospect of using Unmanned Aircraft System (UAV's) often referred to as "Drones" inside the United States raises far-reaching issues concerning the extent of government surveillance, the value of privacy in the digital age, and the role of Congress in reconciling these issues; and

WHEREAS, Drones are being considered for use in non-federal law enforcement agencies, which might include surveillance, crime fighting, disaster relief, searches for missing persons, and immigration and environmental monitoring; and

WHEREAS, the Federal Aviation Administration (FAA) predicts that 30,000 Drones may be operated in the national airspace in less than 20 years; and

WHEREAS, research must be conducted into the logistics, safety and privacy considerations related to proposed civil and commercial uses for Drones; and

WHEREAS, there are currently insufficient safeguards in place to ensure that Drones are not used to surveil Americans, unduly infringing upon their fundamental privacy as guaranteed by the First and Fourth Amendments of the Constitution; and

WHEREAS, the FAA is primarily tasked with ensuring air traffic safety in the national air space system, and is not tasked to handle the issues of privacy and civil liberties raised by local agencies' use of Drones; and

WHEREAS, the use of Drones in or by the City of Syracuse may result in a large amount of data being made available to the City of Syracuse and its agencies, who may share some of the data with other agencies of government, and this data may be mined in a way that may reveal personal information not lawfully accessible without a judicial warrant. Unlawful use or sharing of the data collected by Drones would represent an unreasonable and unacceptable violation to the rights of individual privacy, freedom of association and assembly, equal protection and due process in the City of Syracuse as guaranteed by the First and Fourth Amendments to the Constitution; NOW, THEREFORE;

BE IT RESOLVED, that this Resolution declares that no agency of the City of Syracuse, nor any agents under contract with the City, will operate Drones in the airspace over the City of Syracuse until federal and state laws, rules and regulations regarding the use of Drones are adopted that adequately protects the privacy of the population as guaranteed by the First and Fourth Amendments to the U.S. Constitution; and

BE IT FURTHER RESOLVED, that the Syracuse Common Council urges our Federal and State officials to create and adopt such laws, rules and regulations regarding the use of Drones which ensures Constitutional protections of individuals; and

BE IT FURTHER RESOLVED, that, to the extent permitted by law, it is the policy of this Common Council that no Drones will be purchased, leased, borrowed, tested or otherwise utilized by the City of Syracuse or its agencies, directly or through contract, until such Constitutional safeguards are in place, the appropriate personnel are trained and fully authorized by the FAA to safely operate Drones and that the Corporation Counsel of the City of Syracuse certifies that all City of Syracuse personnel engaged in the use of Drones have been trained in federal, state and local privacy laws, regulations, and enforcement mechanisms affecting drone operations and any data collected by drone operations; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to transmit copies of this Resolution to Mayor Stephanie A. Miner, Governor Andrew Cuomo, Attorney General Eric T. Schneiderman, U.S. Senators Schumer and Gillibrand, U.S. Representative Dan Maffei, NY State Assembly Members Roberts and Magnarelli, NY State Senate Members Valesky and DeFrancisco, President Obama, the U.S. Attorney General and the Director of the Department of Homeland Security.