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**OFFICE OF CHIEF PUBLIC DEFENDER
Testimony of
TEJAS BHATT, Assistant Public Defender**

**Judiciary Committee
Public Hearing March 15, 2017**

Raised Bill No. 7260

AN ACT CONCERNING THE USE AND REGULATION OF DRONES

The Office of Chief Public Defender supports ***Raised Bill No. 7260, An Act Concerning The Use And Regulation Of Drones***. The Office of Chief Public Defender believes that **Section 10** of this Raised Bill addresses the Constitutional Fourth Amendment concerns that this Office had with various proposals concerning the use of drones by law enforcement agencies during the previous two legislative sessions.

Through Section 10, this proposal requires law enforcement officials who wish to operate a drone on private property to obtain a warrant signed by a judge or to secure the consent of the person who is the subject of the use of the drone. Further, this proposal complies with the Constitutional protections of the Fourth Amendment by permitting law enforcement officials to use a drone *without* a warrant in emergency situations, where they believe that exigent circumstances exist that make it impractical to obtain a warrant.

Subsection (f) of Section 10 also addresses some concerns the Office of Chief Public Defender had raised in years past about retention of data obtained as a result of the use of drones. Subdivision (f)(2) requires that law enforcement destroy all information collected within 48 hours if there is no probable cause to believe that an offense was committed. It further permits the retention of this information for a period of up to 5 years, but only after redaction of the information to delete identifying information.

The Office of Chief Public Defender believes that this proposal conforms to our Constitutional guarantees to be free from unreasonable searches and seizures and thus supports **Raised Bill No. 7260**.