

MINNESOTA DEPARTMENT OF PUBLIC SAFETY BUREAU OF CRIMINAL APPREHENSION

UNMANNED AERIAL VEHICLE (UAV) AUTHORIZED USE

Recommendation

Minnesota Statute 626.19 provides the authorized uses of unmanned aerial vehicles (UAV) by law enforcement in Minnesota. The Bureau of Criminal Apprehension (BCA) proposes adding an authorized use for situations in which there is the risk of a fleeing suspect or an actual fleeing suspect that could potentially result in a foot or vehicle pursuit.

Proposed new circumstances for UAV use

The BCA's investigative work in Minneapolis and other areas, as well as similar instances experienced by other law enforcement agencies, has shown that adding this purpose for the risk of fleeing suspects would significantly increase the safety of suspects, bystanders, officers, and the public in advance of and throughout pursuits.

Proactively launching UAVs to track suspects who flee or may flee would assist in avoiding high-speed vehicle pursuits and potentially dangerous foot pursuits. While the UAV would not be able to identify an individual(s), it would be able to follow a fleeing person or vehicle until apprehension and identification could be made. This proposal would allow law enforcement agencies to have UAVs available in squad cars to be deployed by officers prior to an attempted apprehension.

Injuries resulting from law enforcement vehicle pursuits

There were 2,639 law enforcement vehicle pursuits reported to the BCA in 2023 per Minn. Stat. 626.5532. As a result of these pursuits:

- 68 people (non-law enforcement) sustained non-incapacitating injuries
- 15 people were incapacitated by their injuries
- 2 people were fatally injured
- 608 fleeing vehicles sustained damage
- 267 squad vehicles were damaged
- 217 other vehicles or property sustained damage

Reasons for these pursuits included traffic violations, the commission of a felony, stolen vehicles, an open warrant or driving under the influence. The considerable risk for significant personal and property damage is the main rationale for this proposal.

Aligning with public interest in safer enforcement activities and privacy

Recent modifications to pursuit statutes reflect the public's desire to reduce the number of pursuits and the potential use of force. This proposal would allow for more time to deescalate situations and find suspects without putting people at risk. The BCA is aware of other states with laws allowing the use of UAVs for this purpose and some that employ this practice without a specific statute.

The BCA also presented this proposal at the August 2024 meeting of the Criminal and Juvenile Justice Information and BCA Advisory Group, authorized by Minn. Stat. 299C.65, for its feedback. There were no major concerns.

Proactively launching UAVs for this purpose can be done while still protecting the privacy rights of people who are not the subject of the incident. Current law will continue to protect bystanders and the general public from the collection of data that is not related to the pursuit.

This proposal will aid law enforcement throughout the state in providing the best services and supports to their communities while respecting community desires to reduce possible threats to safety that result from pursuits.

