

CITY OF BALTIMORE
COUNCIL BILL 20-0254R
(Resolution)

Introduced by: Councilmembers Clarke, Middleton, Henry, Bullock, Burnett

Introduced and read first time: October 19, 2020

Assigned to: Public Safety Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Office of the Comptroller, Department of Public Works, Office of the Mayor

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **The Baltimore City Aerial Investigation Research Program**

3 FOR the purpose of calling on the Baltimore Police Commissioner and others to report to the
4 Baltimore City Council specific data and criteria in determining the effectiveness of the
5 Aerial Investigation Research program and calling on the Board of Estimates to call a public
6 hearing on the program prior to rendering any decision on its extension beyond October 31,
7 2020.

8 **Recitals**

9 On April 1, 2020, the Baltimore City Board of Estimates approved an agreement with
10 Persistent Surveillance Systems, LLC to establish a 6-month pilot program that would allow 3
11 privately-funded surveillance planes to patrol the streets of Baltimore from the air. In addition,
12 this program will include an independent study regarding the effectiveness of the air patrols on
13 reducing our violent crime. Currently, this program is being privately-funded, and neither the
14 flights nor the associated study are being conducted at any cost to the taxpayers of Baltimore.

15 Shortly after the approval of this program by the Board of Estimates, the first surveillance
16 planes took flight. It was at this point citizens noticed that the planes were causing significant
17 noise as they conducted their surveillance routes over the City. In its May 13, 2020 piece on the
18 noise issue, the Baltimore Sun reported that “[t]he plane typically flies at 9,500 feet but can be
19 forced down to 3,000 feet if there is heavy cloud coverage.”

20 Aside from the very real privacy concerns presented by the surveillance planes, the noise they
21 generate is a quality-of-life issue that is unacceptable for many Baltimoreans, especially when
22 many are working from their homes due to the pandemic. Further, cloud cover is not an
23 acceptable excuse for the noise as cloudy days are a near-certainty.

24 The program is also being litigated based on privacy. Organizations such as the ACLU state
25 that the program’s near-constant surveillance violates the Constitution.

26 Given the privacy and noise concerns, the citizens of Baltimore deserve oversight,
27 information, and metrics regarding the efficacy and utility of this program, which the
28 Commissioner himself not only a year ago expressed some skepticism about.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the
2 Council calls on the Baltimore Police Commissioner and others to report to the Baltimore City
3 Council specific data and criteria in determining the effectiveness of the Aerial Investigation
4 Research program and calls on the Board of Estimates to call a public hearing on the program
5 prior to rendering any decision on its extension beyond October 31, 2020.

6 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the
7 Police Commissioner, the President of Persistent Surveillance Systems, LLC, the Comptroller,
8 the Acting City Solicitor, the Acting Director of the Department of Public Works, and the
9 Mayor’s Legislative Liaison to the City Council.