

February 3rd, 2025

Chairman Klemin and members of the House Judiciary Committee, my name is Casey Yunck and I am a Sergeant with the Stutsman County Sheriff's Office in Jamestown, ND and I am writing this testimony in opposition of HB 1613.

I have been in Law Enforcement for 21 years and have been an FAA Licensed UAS (Drone) Pilot since 2021. In my career, I have seen lots of tools be implemented to make our jobs not only safer for Law Enforcement but also for the public and to allow us to be more efficient in our day to day activities. I would say that the use of a UAS is at the top of the list of one of those tools that has been the most beneficial. A UAS can be utilized for many aspects in Public Safety from providing overwatch in some of the most dangerous situations we encounter, to assisting local Fire Departments with getting a "Birdseye" view of a fire scene and look for hotspots with the use of thermal cameras that some UAS are equipped with.

In the 4 years that I have been piloting a UAS in a Law Enforcement capacity I have used it's capabilities to assist with the above mentioned scenarios as well as looking for missing persons, assisting with apprehension of suspects, and getting a close eye on a HazMat situation when a train derailed in Bordulac, ND and It was not safe to send people into a "hot" zone, and to assist with any possible evacuations in the area by getting a "grand" aerial picture of all residences located in the down wind area. In North Dakota we are not afforded the luxury of being able to call on an aerial unit with helicopters or planes that are already in the air and able to assist us in most situations like in large municipalities where those assets are needed on a daily basis. The North Dakota Highway Patrol does have a plane that is able to assist in some situations but the response time of that asset is often several hours after a situation has developed whereas a UAS can be deployed in a matter of minutes.

In regards to HB 1613, there is already statues written into North Dakota Century Code that dictate how we are able to utilize a UAS and the requirements that must be met (NDCC 29-29.4). FAA Rules and Regulations also dictate the safe and proper use of a UAS for all Part 107 pilots, not only Law Enforcement. HB 1613 will only restrict the use of a UAS further than what is needed and place the lives of officers in undue harm. If Law Enforcement is going to be using a UAS to conduct surveillance to be used in a criminal investigation, it is written in law that a Search Warrant must be obtained for any of that data to be used in court.

When referring to HB 1613 Section 1 subdivision 1a, this would violate FAA laws on the safe use of a UAS and its regulation of flight of a UAS over people . If I am reading this section correctly it is stating that we could not use a drone to serve an arrest warrant or summons as though we would be flying up to a person and delivering the summons to them or physically apprehending a subject. If that is the intent of this section as well subdivision 1b, this would cause Law Enforcement to violate FAA regulations and to possibly cause undue harm to subjects that the drone would be flying close to. I do not know of a Law Enforcement UAS Pilot who would be willing to take that risk and not only lose their FAA Licensing but also possibly cause litigation against them and their agency.

HB 1613 would be detrimental to the future use of UAS and robots by Law Enforcement in the State of North Dakota and would put the lives of not only its Law Enforcement in jeopardy but endanger the lives of its citizens. UAS and Robots are tools that are used to enhance safety. If more laws are written that restrict their uses, we will be taking a step backwards. The use of UAS and robots in a negotiations situation can not only save the lives of Law Enforcement by not having to place them in a situation that could inevitably cause a line of duty death but also aggravate a situation in which an officer is forced to take the life of a another person. Why place a person in harms way when a piece of equipment can be utilized to open lines of communication with someone. If that person becomes upset about the UAS or robot being used and they damage it, that equipment can be replaced, an officer can not be fixed or purchased again like a piece of equipment if they are killed. We are sons and daughters, husbands and wives, fathers and mothers, and brothers and sisters. Losing an officer by forcing them to be put in a situation where they lose their life because we are not able to use tools, causes a lot more pain and grief than having to replace a machine.

In closing, I ask that for the reasons mentioned above, you recommend a DO NOT PASS on HB 1613.

Thank you for your time,

Casey Yunck
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Stutsman County Sheriff's Office

