San Jose, California police acquire a drone

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This year, San Jose, California became the first Bay Area city to officially acquire a drone for its police department. While it received the drone in January, it only became known this past July. The San Jose Police Department applied for federal funds to buy the drone in May 2013 and then quietly slipped the purchase into a November City Council consent agenda as a part of a bigger security package, an agenda that is generally rubber-stamped without debate.

The drone in question is a six-rotor Neo 660 V2, called a hexacopter and is made by San Jose-based Century Helicopter Products. According to its vendor's web site, this model is perfect "for aerial photography, search and rescue operations, law enforcement agencies, and other activities where a flying drone is needed." It is approximately two feet wide, carries a camera and can transmit back sharply defined pictures of individuals as well as buildings and their interiors.

SJPD spokesman Officer Albert Morales told the San Francisco *Chronicle* that the purchase, for approximately $7,000 in federal grant money, was for the purpose of aiding the department bomb squad. And because it was purchased with federal grant money, it will be made available to 13 other bomb squads around the Bay Area, including San Francisco and Oakland, communities that strongly rejected such purchases in the last two years. San Jose police have routinely denied for the last year and a half that any such purchase was either planned or made.

The item in question on the Consent Agenda appeared as a one-line memo from Police Chief Larry Esquivel to the City Council as part of a request to accept approximately $1 million in Department of Homeland Security funding. According to the ACLU, there was no council discussion on what the $1 million in funding would be used for.

Chief Esquivel also explained that the city had no policy in the use of drones. In response to a Freedom of Information request by online watchdog groups, Esquivel released heavily censored documents, saying that any disclosure of acquiring a drone would "enable law violators to escape detection." Drones like this can be used for many purposes, including dragnet surveillance.

An editorial in the San Jose *Mercury News* on August 7 accepted the "apology" of the SJPD, calling the purchase "a mistake" made without finding out if the "community was comfortable with it." The editors then took aim at Mayor Chuck Reed and the City Council, saying that focusing on the police let the politicians off the hook. The paper bemoaned the fact that, due to a public outcry, the council now has to set "rules" for the use of the drone, including, "transparency, outside oversight and accountability," requirements that are not applied at the national level, let alone state or local levels.

This is hardly the first questionable acquisition of the SJPD. In 2008, they acquired high tech sound wave weapons that are designed to disperse crowds by firing concentrated beams of sound at 150 decibels, causing intense pain and possible deafness. It received $27,000 in state grant money to purchase the device, which is the exact same model used by armed forces in Iraq and Afghanistan.

"Think louder than a jet engine. Think the front row of a Metallica concert. Think of the piercing scream of a smoke alarm—inches from your ear," reported the San Jose *Mercury News* at the time. "Police say it will be used mostly as a high-grade sound system to clearly amplify a police officer's order at great distances. But it can also be used as another of the department's 'less-lethal' weapons, along with Tasers and 40mm projectile guns."

In fact, the Department of Homeland Security's Urban Area Security Initiative (UASI) awards millions of dollars for law enforcement agencies along with

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military grade weaponry. In fiscal year 2013 alone, $33.8 million was disbursed in the Bay Area for such "projects." The San Jose PD received $1.5 million. What it has been used for has still not been revealed.

Like police in Ferguson and elsewhere in the country, San Jose has begun to receive military surplus equipment from the 1033 program. Police claim they need military-grade weapons to counter heavily armed drug dealers, mass shooters and terrorists. Local police now arrayed in camouflage are using equipment once seen only in combat to patrol the streets of America's cities, suburbs and small towns.

US Sen. Carl Levin, Democrat of Michigan, chairman of the Senate Armed Services Committee, said in a statement Friday that Congress established the military surplus program "out of real concern that local law enforcement agencies were literally outgunned by drug criminals."

"We intended this equipment to keep police officers and their communities safe from heavily armed drug gangs and terrorist incidents," Levin said. "Before the defense authorization bill comes to the Senate floor, we will review this program to determine if equipment provided by the Defense Department is being used as intended."

Events in Ferguson show the equipment is being used exactly as intended. With no particular danger to themselves, police are arming to the teeth in response to peaceful protests. They treated Ferguson and its outraged inhabitants as a population to occupy.

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