



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

DAWN LUEDTKE
COUNCILMEMBER
DISTRICT 7

February 21, 2025

The Honorable Luke Clippinger
Chair, Judiciary Committee
101 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21401

RE: House Bill 682, *Public Safety - Persistent Aerial Surveillance*

Dear Chair Clippinger,

I urge the Committee to provide an unfavorable recommendation for House Bill 682 - Public Safety - Persistent Aerial Surveillance. HB 682 would unduly restrict law enforcement and other public safety agencies in the performance of their duties and prohibits conduct by the government that is otherwise permissible under existing and longstanding Constitutional law in criminal investigations. It is an overly simplistic approach to a complex legal issue. The result, if enacted, would be decreased public safety and efficiency without any enhancements of that which is already guaranteed under the Fourth Amendment to the United States Constitution.

I believe a real life incident that just occurred in my district may be helpful to the committee's understanding of my position. As I sat in the Judiciary Committee on Wednesday, February 19th waiting to be called to testify on another matter, a serious car crash occurred on Rt. 108 in Olney, Maryland. The roadway was dry and visibility was clear. Nevertheless, the crash involved entrapment of two individuals in one of the vehicles and the need for Priority 1 transport to our local trauma center at Suburban Hospital. Montgomery County Fire & Rescue and Montgomery County Police Department handled the crash scene. The severity of the crash warranted the use of the MCPD Collision Reconstruction Unit (CRU). The roadway was completely shut down. One individual died as a result of their injuries. A drone hobbyist provided photographs of the crash scene that were widely used in local news and on social media.

With the availability of unmanned aircraft, MCPD has been able to use a drone to assist the CRU with mapping crash areas. This is a far more efficient method of gathering information, on a public roadway, in public spaces, to assist with accident reconstruction work. Automobile

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crash investigations may end up being charged criminally depending on the facts and circumstances at issue and what the investigation ultimately reveals. I submit to the committee that this does not fall into any of the conditions outlined in HB 682's proposed §3-534(c) - and also that use of the drone to gather visual evidence, collect a series of photographs of the public roadway, or record video of the crash scene is constitutionally permissible and in the best interest of the public we serve.

Based on the foregoing reasons, I respectfully request an unfavorable report on HB 682.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dawn Luedtke', with a large, stylized initial 'D'.

Dawn Luedtke
Montgomery County Councilmember
District 7

cc: Members of the House Judiciary Committee