

State Fiscal Year 2024 Illinois Freedom from Drone Surveillance Act Report

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INTRODUCTION

The Freedom from Drone Surveillance Act [\[725 ILCS 167\]](#) prohibits Illinois law enforcement agencies from using drones to gather information except for specific exempted uses detailed in Section 15 of the Act¹. Since June 16, 2023, law enforcement agencies in Illinois have been required to report individual drone flight details and agency policies for drone usage in addition to other details of drone ownership. The Illinois Criminal Justice Information Authority (ICJIA) is required to compile and publish an annual report on law enforcement drone use. This is the State Fiscal Year 2024 (SFY24) Annual Report.

ILLINOIS LAW ENFORCEMENT DRONE REPORTING

The Freedom from Drone Surveillance Act states:

On July 1 of each year, the Authority shall publish on its publicly available website a concise report that lists every law enforcement agency that owns a drone, and for each of those agencies, the number of drones that it owns, the number of times a drone was used pursuant to each paragraph of Section 15, including the date of use, time of use, reason for use, location, whether video was recorded, whether the video is designated for retention for training purposes. The report shall contain a copy of the agency's latest policy concerning drones as of the most recent April 1. 725 ILCS 167/35(b).

Thus, each law enforcement agency is required to report drone ownership, usage, and policies to ICJIA. Under Section 5 of the Act, a “law enforcement agency” is defined as “any agency or political subdivision of the state vested by law with the duty to maintain public order and enforce criminal laws.” A “drone” is defined as “any aerial vehicle that does not carry a human operator.”²

ICJIA used an online survey to collect agency data. The Illinois Law Enforcement Alarm System provided email addresses for 2,004 police chiefs and other contacts in 955 law enforcement agencies. In March 2024, an email was sent to these agencies requesting reports on agency drone ownership, usage, and policies via the Qualtrics survey. Agencies that did not respond after the initial email was sent up to two reminders prior to the April 1 deadline.

As agencies reported their drone usage, it became apparent that many agencies used drones more frequently than what could be reported in a single Qualtrics survey response. ICJIA sent follow-up emails to agencies to facilitate the resubmission and/or verification of flight information via email.

Overall, 312 agencies responded, a decrease from the 401 responding agencies in SFY23. Of the 312 responding agencies, 149 reported owning 457 drones. In total, 2,693 drone flights were reported. Twenty-two agencies reported owning a drone and conducting no flights. Seven agencies reported owning a drone but did not report flight information.

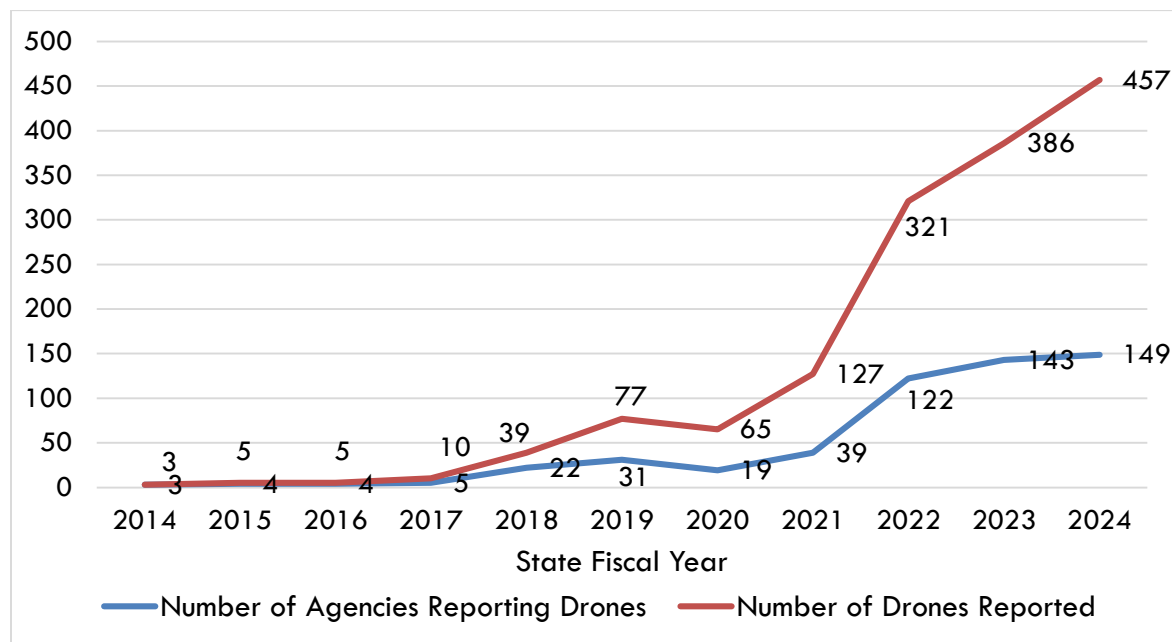
¹ Appendix 1 contains the full text of Section 15 with details of exact exemptions.

² The term Unmanned Aircraft Systems (UAS) is prevalent in reporting and policy documents, as this term is used by the Federal Aviation Administration.

By comparison, in SFY14, the first year of reporting to ICJIA, three agencies reported drone ownership. Notable increases in drones started in SFY17 (Figure 1). However, the gradual increase in agency reporting, rather than increased drone ownership, may have accounted for some of the reported increase. Figure 1 shows responding agencies owning drones and the total number of drones by year since 2014.

Figure 1

Number of Agencies Owning Drones and Number of Drones, State Fiscal Years 2014-2024



Note. The data sources were Illinois law enforcement agency reports to ICJIA.

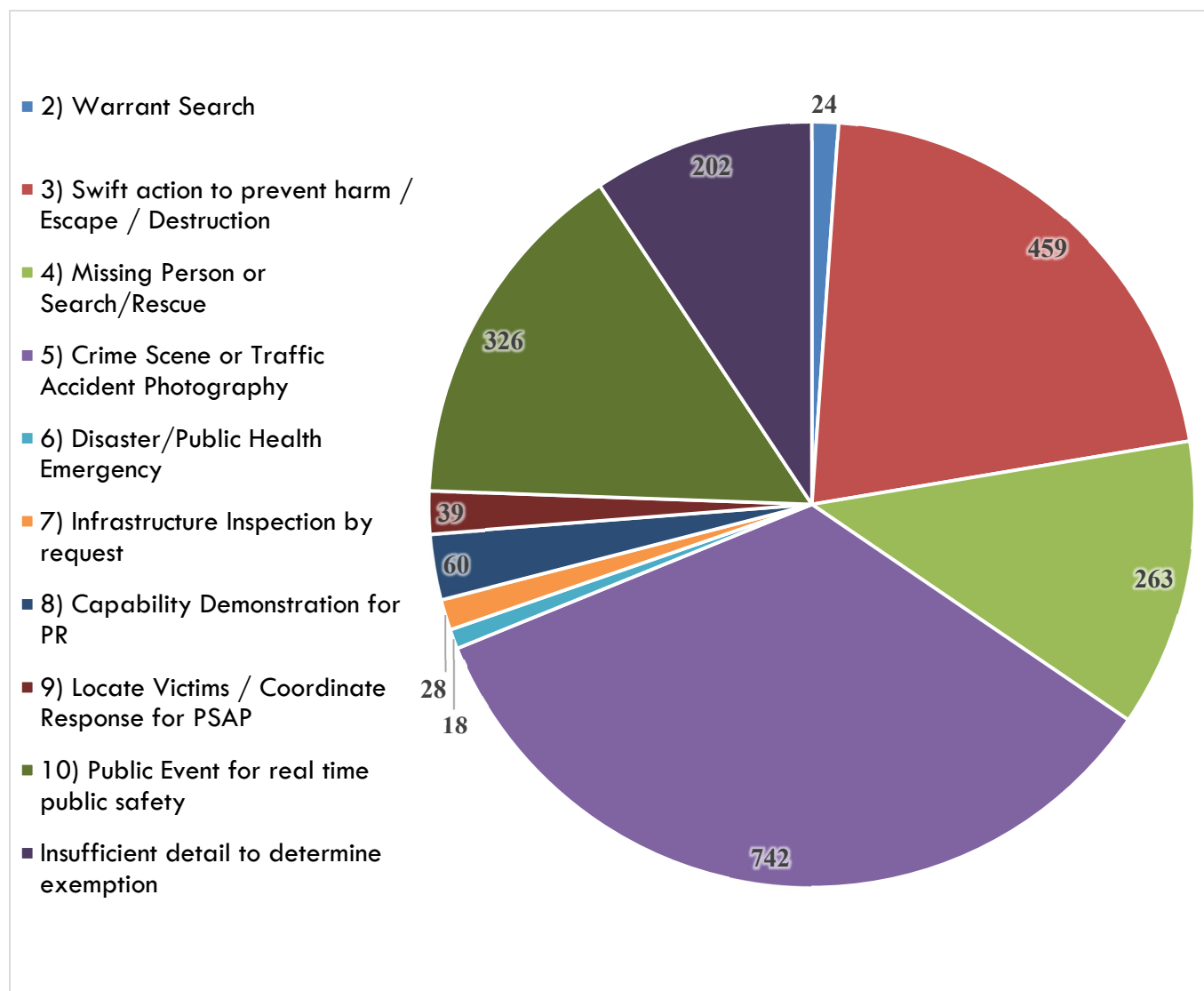
Drone Usage

Agencies submitted details of 2,693 flights, including dates, times, locations, and reasons for use. The level of detail and the format of data submitted to ICJIA varied considerably, likely due to this being the initial year of reporting flight details. For reason of use, law enforcement agencies were asked to describe the reason in an open text field. While some agencies reported an exemption category under Section 15 as the reason for the flight, other agencies provided brief narrative details without indicating the exemption category. To facilitate summary reporting, ICJIA staff made a good faith effort to categorize flights to exemptions where a clear indication of reason was present.

Of the 2,693 flights, 532 flights were indicated as training. Figure 2 shows the breakdown of the other 2,161 flights by the 10 exemptions specified in Section 15 of the Act. The exemptions are abbreviated using ICJIA phrasing, however the full text of Section 15 is included in Appendix A.

Figure 2

Summary of Statutory Exemption for Non-Training Drone Flights, July 2023-March 2024



Note. Illinois law enforcement agency reports to ICJIA, and ICJIA categorization to Section 15 exemption. No use of drones was reported under Section 15-1, credible terrorist threats, therefore 1 is omitted from the figure.

The most frequently reported use of drones was for crime scene or traffic accident scene photography (Section 15-5), comprising 742 flights. This was followed by 459 exempt flights, which Section 15-3 details as a use of drones when “swift action is needed to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence.” No flights were reported due to credible terrorist threats, Section 15-1.

ICJIA staff left 202 flights uncategorized for purposes of Figure 2, though the vast majority of these appeared exempt under the Act. The Qualtrics survey permitted law enforcement to

provide the reason for each flight, and it was often submitted as a brief narrative, such as “drone was deployed to search for victims in water.” However, depending on circumstances, searching for victims could fall under exemptions 2, 4, 6, or 9 of Section 15 of the Act, and indeed may well fall under more than one.

As mentioned, ICJIA received reports of 532 training flights, such as using drones for staff to learn how to operate the drones or how to coordinate a drone with officers or other first responders. These training flights are not explicitly covered in the exemptions. However, communication with agencies indicated that these are seen as “non-information gathering operations” and, thus, are not prohibited by the Act.³ Indeed, some agencies indicated that they excluded training flights from their reporting for this reason. At least one agency did not report deployments of small drones inside of buildings for tactical use by SWAT, as this was also seen as a non-information gathering deployment. Notably, nine *submitted* flights were for SWAT deployments, and they were included in the uncategorized group.

All submitted flight details are attached in Appendix B, including the reason for the flight as originally provided to ICJIA.⁴

Drone Policy

One hundred and fifty-five law enforcement agencies submitted their drone usage policies to ICJIA. Notably, most policies were filed as Unmanned Aircraft Systems (UAS) policies. UAS is the term used by the Federal Aviation Administration (FAA), and policy documents generally also cover aspects of compliance with FAA guidelines. These are compiled and reported in Appendix C.

CONCLUSION

Because of expanded reporting under the revised Freedom from Drone Surveillance Act, this annual report is the first to present information describing how law enforcement in Illinois deploys drones. Reports submitted by Illinois law enforcement agencies show that usage under the act supports a variety of investigations, rapid responses, and support of first response activities.

³ Section 10 of the Act states: “Prohibited use of drones. Except as provided in Section 15, a law enforcement agency may not use a drone to gather information.”

⁴ ICJIA categorizations of exemption reasons are not included in Appendix 2 as they were not specified by the agencies. Many agencies explicitly or directly referenced Section 15 exemptions in their provided reasons.