Vertical Policing & Drone Enthusiasts:
A Qualitative & Theoretical Exploration of Unmanned Aerial Drones on the US Homefront

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Introduction

Albeit highly contested, aerial drones, or Unmanned Aerial Vehicles (UAVs), have

emerged as the cutting edge of military air power within the context of US surveillance and

violence in Iraq, Afghanistan, and northern Pakistan. Known for their powerful surveillance

cameras, thermal imaging, hovering capabilities, and flexibility, and depending on the type,

missile strike capabilities, Secretary of Defense Leon Panetta once stated that drones are "the

only game in town" in terms of combatting so-called terrorism – a logic embraced by an Obama

administration seemingly undeterred from accumulating civilian deaths while expanding and

ramping up drone attacks premised on a secretive "kill list" of "suspected terrorists," including

US citizens. Although it is often asserted that UAVs exercise optical superiority – photographic

honesty, accuracy, and objectivity – drones are in no way removed from issues of ambiguity,

inaccuracy, and partiality (Wall and Monahan 2011) – as demonstrated with a significant tally of

civilian deaths in the "war on terror" due to Predator and Reaper drone missile strikes. In

addition, it is important to note that the majority of military UAVs are primarily equipped for

aerial surveillance and intelligence-gathering, and are not nearly the size of the Predator and

Reaper "hunter-killer" drones that have received most attention.

Importantly though, the US and other governments have been deploying UAVs with

greater frequency across a diverse range of territories (CNN 2010). For certain, although drones

have emerged within the context of US foreign policy in Iraq, Afghanistan, northern Pakistan,

and most recently Yemen and Somalia, these aerial surveillance and "targeting" technologies are

slowly but steadily circulating above non-military spaces in the US (see Wall and Monahan 2011) – at least "unarmed" UAVs . Indeed, an increasing number of police departments in the US (and many other places) are promoting, and security corporations are marketing, military drones as important domestic police surveillance technologies that lend themselves to the aerial monitoring of "home-front" territories and populations. In addition to being used in warzones mentioned above, UAV systems are being used for managing emergencies caused by natural disasters, spying on foreign drug cartels, finding criminal activity in urban and rural areas, and conducting border control operations.

As briefly outlined in the next section, this research project critically engages the migration of military-style UAVs to domestic policing agencies. Due to the fact that UAVs have increasingly become a source of controversy in regards to the geopolitical, legal, and ethical dilemmas of national security and homeland security, the research provides needed empirical and theoretical framing of the circulation of domestic drones. Importantly, the research critically thinks through the potential consequences that might result from the further adoption of UAVs by domestic law enforcement agencies in the US.

Research Questions & Methodology

This research project tracks and critically engages the "boomerang effect" (see Graham 2010; Foucault 1997) where US military drones deployed in overseas "warzones" are "repurposed" and "redeployed" for domestic security operations such as routine policing. Therefore, this exploratory qualitative research interrogates the cultural logics, representations, and material interests of "the politics of verticality" (see Weizman 2007) circumscribing US domestic drones by specifically looking at 1) the adoption or desired adoption of military UAVs by US domestic police departments, and 2) the enlistment of and use of UAVs by US citizens – or "drone

enthusiasts" (although the latter issue has yet to be significantly investigated at the time of this writing. Therefore, I focus here on the former). This exploratory, still-in-progress research asks:

- To what extent are drones being deployed in US airspace?
- What sorts of cultural logics and material interests are behind the police adoption of UAVs?
- What is being said about why drones are needed and who has the privilege to speak on behalf of the domestic drone issue?
- How are drones discursively justified for domestic law enforcement duties?
- Which groups and populations might benefit – economically and in terms of security – from domestic drones and which groups and populations might be adversely affected?
- What are some of the possible ramifications – legally, politically, and ethically – of domestic drones flying in US civilian airspace?

The methodological approach is qualitative and conceptual and in some ways can best be categorized as "polymorphous engagement" (Gusterson 1997) – or an inductive approach to collecting qualitative data that relies heavily on the collection of documents and texts that are deemed relevant to the substantive topic being explored. One focus of polymorphous engagement is to be broad, inclusive, and creative in the data collection stages of qualitative research – and this especially makes sense with exploratory research. Data has been located in a variety of texts and documents as produced and circulated by media, governmental, and "insider" but public textual sources of police agencies and drone enthusiasts. Specifically, police trade journals (advertisements and articles), newspaper and magazine articles on UAVs, market research documents, drone manufacturer brochures, government reports and statements concerning domestic drones, police department websites, and drone stakeholder websites have and continue to be rich data sources. Ultimately, the research aims to develop theoretical, yet empirically informed, accounts of drones in order to better understand the relations between state violence and everyday life both at "home" and "abroad".

Findings/Theoretical Formulations

Although the official grant period has ended, the research and writing is still in-progress. At the time of this writing (September 2012), I am nearing the completion of a first draft of an article (snippets of which have been used here), although I am still working out the thrust of the overall argument. I hope to have this draft submitted to an academic journal by January 1st. In addition, I am also considering writing a completely new article that will focus on a different aspect of police drones. Therefore, since the research is still in-progress and my analysis, thinking, and framing of the research is still evolving, I offer below piecemeal but hopefully still interesting comments in regards to the "findings" of the research and the theoretical conceptualizing of the domestic drone issue. More could certainly be said and explored, and the ongoing research is exploring issues not discussed below, but hopefully the following will give readers a sketch outline of some of the issues I find interesting and important.

The Rise of Police Drones: "Extra Patrolmen in the Sky"

Prior to 2012 though there had been one major obstacle to domesticating drones, namely, Federal Aviation Administration (FAA) regulations blocking widespread access to national airspace by both public and private institutions. In February 2012 this significant obstacle, if not completely demolished, was significantly reworked into a much less significant impediment with Congress passing H.R. 658, requiring the FAA to expedite the process of handing out COAs to government agencies such as the police and border patrol and also private enterprises. That is, within 90 days (or what was early May 2012) of passing the H.R. 658 the FAA were mandated to make clear guidelines on entering aerial drones into national airspace. The bill originally granted "public safety agencies" permission to operate any drone that is 4.4 lbs or less, but soon afterwards the weight limit was increased to 25 lbs. In addition to the prioritizing the drone

desires of public agencies, 658 also requires the FAA to expedite the introduction of drones owned and operated by private companies into national airspace by 2015. It has been estimated that by 2018, there could be 15,000 drones flying over US skies – a mixture of military, public safety, and private drones. And most recently, one estimate claims that there could be 30,000 police drones in the next 10 years.

The passing of H.R. 658 was largely due to sustained pressure by drone stakeholders, primarily Congress's Unmanned Systems Caucus, the Association of Unmanned Vehicles International (AUVSI) and domestic policing agencies. These stakeholders argued that the lack of access to US airspace was a hindrance to both capital accumulation and much needed security measures. As a spokesperson for the AUVSI has stated, "The potential civil market for these systems could dwarf the military market in the coming years if we can get access to the airspace." Michael Huerta, an FAA administrator, has stated: "What we're hearing from the Congress and the industry is, 'This technology is evolving quickly and we don't want the FAA to be too cautious so as to hold up technological innovation". But the mutually-reinforcing discourses of "law and order" and security remained the most forceful. As the New York Democrat Charles Schumer stated, "The FAA has been very hesitant to give authorization to these UAVs due to limited air space and restrictions that they have. I certainly can appreciate those concerns; but when we're talking about Customs and Border Protection or the FBI, what have you, we are talking about missions of national security. And certainly there's nothing more important than that".

Indeed, police drones have been implemented in various ways or at least publicly acknowledged by local policing agencies or journalists as being possible aerial technology for respective departments. Here we could mention just a few of the places: Miami, Florida,

various places in Texas, Arkansas, Las Vegas, Nevada, Utah, Idaho, South Carolina, North

Carolina, Seattle, Washington, New York City, Cook County, Illinois, and Alabama.

Interestingly, across these examples drones are often framed as a special security commodity that

can basically address a plethora of "public safety" issues. Chief Deputy of Montgomery County

Texas has stated, "Public-safety agencies are beginning to see this as an invaluable tool for them,

just as the car was an improvement over the horse and the single-shot pistol was improved upon

by the six-shooter". Drones are said to be an important visual prosthetic that could help law

enforcement in natural disasters, search and rescue missions, traffic congestion and enforcement,

as well as high speed pursuits, locating fleeing and hiding suspects, locating marijuana fields,

and in collecting intelligence. A City Council member has stated that "As we get into this we'll

be able to find more uses for it" (Butts 2012) – usefully illuminating how police drones are

already being imagined by drone stakeholders as a versatile tool of public safety that is

ultimately open ended. The "mission creep" of drone military technologies to domestic policing

is but the most recent manifestation of a long history of police militarization – for the domestic

police have long modeled themselves after military institutions and have directly adapted

military structures, practices, technologies, and aesthetics (Kraska 2001; see also Leichtman

2008). Yet all of these stated uses of police drones are circumscribed by the logics of security

and insecurity, order and disorder – which I will briefly discuss below.

Many questions and concerns though exist as to how police departments might actually

deploy these aerial surveillance technologies. For example, issues such as privacy and civil

liberty violations (which I will return to below) and issues of racialized policing and the policing

of legal protest are of the utmost concern and should be thoughtfully engaged as important

issues. Yet most drone stakeholders minimize these concerns as being merely sensational or just

simply inaccurate and unlikely happenings – although I would suggest that there is a long list of

historical and empirical research that shows that these concerns are valid and vital to any

discussion of police power and everyday life.

In the Name of Security and Public Safety…and (In)Security

To drone stakeholders, the trope of "security" and "public safety" is central to their

claims – as the above quote from Joe Biden usefully demonstrates. In other words, the

boomeranging of drones is justified in the name of security or public safety.   This is not

necessarily surprising considering that it is the security industries and public safety agencies who

are most overtly advocating for police drones. Nevertheless, I suggest that tracking this, what

could be called "security fetishism" (Neocleous 2008), as it plays out with UAVs illuminates the

important role "security" plays in the fabrication of everyday life, state power, and capitalist

accumulation. Importantly though, security presupposes insecurity and hence the logic of

insecurity has been just as important to drone stakeholder discourse. In fact, insecurity becomes

crucial in that to market and deploy drones domestically both the security industry and public

safety agencies "require" the existence of various insecurities, or what one industry marketing

group calls "opportunities", such as disasters, crime, and general disorder to better justify the

sale and use of drones.

Security State/Security Industry: Drones as Security Commodities

By tracking the police drone issue what also becomes apparent is the intimate

intertwining of the security industries with what could be called the security state. Police drones

exemplify how logics of (in)security circulate and proliferate, working as commanding

technologies for police power, which is to say the complicity and collusion of capital and the

state. In this sense, both imperial or domestic police drones can usefully be framed as security

commodities in that they are technologies invested in and bounded by the prerogatives of security and accumulation, accentuating how security and social control becomes commodified (Spitzer 1987; Neocleous 2008) in neoliberal "risk markets" (Rigakos 2002). This entails not so much the retreat or "hollowing-out" of the state or a privatization of the state, but a security industry intimately intertwined with the state in such a way as to bolster both state power and accumulation. Security corporations do not produce security commodities such as UAVs because they are particularly interested in surveillance and security per se, but first and foremost because they are interested in profits (Neocleous 2008). Yet they also recognize that to secure accumulation, a healthy security state must be nourished – hence a forged security assemblage where both industry and state thrive off the circulation of insecurity.

Privacy and its Problems…Pacification

Finally, the rise of police drones has increasingly garnered public attention, controversy, and criticism. Some of the criticisms have focused on the issue of privacy, surveillance, and civil liberties, but also issues about the safety of the technology, namely, the possibility of mid-air collisions with other aircraft as well as the possibility of aerial drones losing contact with their on the ground pilots, leading to various collisions and crashes that would endanger lives. But as already stated, the most pronounced criticism has been couched in a language of privacy and the potential violation of individual privacy. Here the American Civil Liberties Union (ACLU) and the Electronic Frontier Foundation (EFF) have been crucial – and much of my research is indebted to their invaluable research reports. Yet with that said, one issue I am currently thinking through is what could be called the "limits of privacy discourse". In other words, I am unconvinced that the police drone issue is best critiqued from the angle of privacy and its violation. Perhaps, I want to suggest in my article, that police drones are more about

pacification than privacy. That is, more about the pacification of populations and territory in the service of state power and capital accumulation than about individual privacy. Privacy remains important, but as a variety of scholars have pointed out, clinging to this language and critique is hampered by a certain liberalism that is bounded by appeals to "rule of law". This is most clearly expressed in the many comments ACLU spokespeople have made stating that they are not opposed to the police obtaining drones, just that they want the police and legal authorities to establish regulations on their use.   From my theoretical and political vantage point, this remains naively optimistic about the history and animus of state power and regimes of accumulation. Pacification, not privacy, is ultimately at stake with police drones.

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