

WHAT HAPPENS WHEN

# Autonomous Aerial Technology is Deployed Without a Governance Framework

Six Documented Cases | Real Agencies | Real Consequences  
Autonomous Response Advisory (ARA) | March 2026

THE NUMBERS ACROSS ALL SIX CASES

**\$360M+**

CBP fleet with no performance framework

**6,500+**

NYPD drone flights in 6 months with no use policy

**3,200%**

Increase in NYPD drone deployments 2022–2025

**4**

**Days**

Before Axon abandoned weaponized drone after ethics collapse

**700+**

Sonoma County drone flights (alleged) with no policy update

**4**

**Years**

Chula Vista lawsuit before statewide appellate ruling

*Every case below is drawn from government reports, court records, Congressional testimony, and credible investigative sources. These are not hypothetical risks. They are documented outcomes from real programs operated by real agencies — consequences that a governance framework is specifically designed to prevent.*

**All cases are based on publicly available reporting, court records, and government publications. They are presented to illustrate systemic governance challenges, not to evaluate individual agencies.**

## The Six Cases

### **CASE 01 New York City Police Department (NYPD)** · Drone / UAS — Drone as First Responder Program · 2022–2025

**Source:** S.T.O.P. Report (2025); NYC Dept. of Investigation POST Act Review (Dec. 2024); CBS News; NBC News

#### **WHAT HAPPENED**

NYPD drone deployments increased by 3,200% between 2022 and the first half of 2025, growing from a few hundred flights per year to 6,546 flights in just the first six months of 2025. Despite this explosive growth, the program operated with no published use policy and no operational limits approved through the city's required oversight process. Drones were used to monitor a Labor Day celebration and a backyard party in Queens — directly violating the department's own stated policy against routine surveillance. The program was also deployed to monitor the October 2025 'No Kings' political protest march. In May 2025, a malfunctioning NYPD Skydio X10 drone crashed onto a Brooklyn rooftop and caught fire. The department simultaneously announced plans to access footage from civilian city agency drones without public authorization.

#### **KEY STATISTICS**

- **6,546** — drone flights in the first 6 months of 2025 alone (S.T.O.P., 2025)
- **3,200%** — increase in deployments since 2022 (S.T.O.P., 2025)
- **647** — flights in same period in 2024 — baseline for comparison
- **0** — published use policies approved under the POST Act at time of expansion

#### **CONSEQUENCE**

The NYC Department of Investigation issued a non-compliance finding in December 2024, determining the NYPD drone program did not meet the requirements of the Public Oversight of Surveillance Technology (POST) Act. Civil rights organizations filed complaints documenting First Amendment chilling effects from protest surveillance. The rooftop drone fire created physical liability exposure. Incoming city leadership signaled intent to impose new operational restrictions, directly threatening program continuity.

#### **GOVERNANCE GAP THIS ILLUSTRATES**

Privacy, Civil Liberties & Transparency pillar. Transparency & Public Accountability domain. Operational Governance domain. A governance framework requiring published use policies, defined authorized mission types, data retention limits, and community notification prior to program expansion would have prevented the POST Act non-compliance finding and the civil rights exposure — while protecting the program itself from political backlash.

**CASE 02 Chula Vista Police Department — California** · UAS — First FAA-Authorized BVLOS Law Enforcement Program · 2021–2025

**Source:** CBS 8 San Diego Investigative Unit (2024); CalMatters (2024); California Fourth District Court of Appeal ruling

**WHAT HAPPENED**

Chula Vista PD was the first law enforcement agency in the United States authorized by the FAA to fly drones beyond visual line of sight — a landmark operational achievement that should have positioned the department as a national model. However, the agency had no governance framework defining public records obligations for drone footage. In 2021, a local publisher filed a California Public Records Act request for drone flight footage. The department denied the request using a blanket investigative records exemption - applied to all footage regardless of whether individual flights involved investigations. CBS 8 obtained data from the department's own records showing the program conducted 8,883 flights over two years, with only 21 resulting in an arrest or citation. Nearly 11% of flights were logged under a 'protected call type' with no stated justification.

**KEY STATISTICS**

- **8,883** — total drone flights conducted over the two-year study period (CBS 8, 2024)
- **21** — flights that resulted in an arrest or citation — 0.24% of total
- **11%** — of flights logged under protected call type with no stated reason
- **4 years** — of litigation before statewide appellate precedent was established
- **0** — data disclosure policies in place at time of BVLOS authorization

**CONSEQUENCE**

Four years of litigation consuming department staff time and legal resources. The California Fourth District Court of Appeal ruled against the department, holding that blanket exemptions were unlawful and requiring case-by-case assessment of drone footage. The California Supreme Court declined review, leaving the appellate ruling as binding statewide precedent. The plaintiff stated: 'My case created a new, statewide precedent.' A program that was operationally pioneering — the first BVLOS law enforcement program in the country — became a national case study in transparency failure instead.

**GOVERNANCE GAP THIS ILLUSTRATES**

Transparency & Public Accountability domain. Privacy & Civil Liberties domain. Operational Governance domain. A governance framework with pre-defined data retention policies, FOIA-compliant disclosure procedures, and authorized use documentation would have prevented the lawsuit entirely — and allowed this department to be the national model for accountable BVLOS operations that it had the opportunity to be.

**CASE 03 U.S. Customs and Border Protection / U.S. Department of Defense** · UAS Operations — Border Surveillance + Military Counter-UAS Laser · February 2026

**Source:** Washington Post (Feb. 2026); NBC News; Reuters; CNN; Congressional statements, House Transportation & Infrastructure Committee

**WHAT HAPPENED**

In late February 2026, CBP flew a surveillance drone into military-controlled airspace near Fort Hancock, Texas, without notifying the FAA or coordinating with the Department of Defense. The U.S. military, operating a counter-UAS high-energy laser system in the area, identified the unannounced aircraft as a potential threat and shot it down at an estimated cost to taxpayers of \$30 million. The FAA was notified only after the shutdown and subsequently expanded temporary flight restrictions over the area. This incident occurred just two weeks after a separate incident in which CBP used a military-provided counter-drone laser to shoot down what turned out to be party balloons near El Paso — triggering a shutdown of El Paso International Airport.

**KEY STATISTICS**

- **\$30M** — estimated cost of the counter-UAS weapon used to shoot down the CBP drone
- **0** — inter-agency coordination protocols in place between CBP and DoD for the operation
- **2 weeks** — between the El Paso balloon incident and the Fort Hancock drone shutdown
- **1** — bipartisan Counter-UAS coordination bill Congress had passed specifically to prevent this — which had been bypassed

**CONSEQUENCE**

Congressional members from the House Committee on Transportation and Infrastructure stated publicly: 'Our heads are exploding over the news that DoD reportedly shot down a CBP drone.' A joint DoD/FAA/CBP statement acknowledged the breakdown. Lawmakers noted Congress had already passed bipartisan counter-UAS coordination legislation specifically designed to prevent exactly this scenario — legislation the administration had sidestepped months earlier. The incident became a national demonstration of the inter-agency governance failure Congress had warned about.

**GOVERNANCE GAP THIS ILLUSTRATES**

Regulatory & Airspace Compliance pillar. Operational Governance domain. Governance Architecture domain. Cross-agency coordination protocols, airspace deconfliction procedures, and unified inter-agency command authority are core ARGF components. This is the most current and operationally dramatic illustration in existence that ungoverned aerial operations create risk not just for civil liberties — but for physical safety, national security, and taxpayer dollars.

**CASE 04 U.S. Customs and Border Protection — Predator B / Guardian Fleet**

UAS — Federal Border Surveillance Drone Program · 2005–2015 (Multiple Federal Reports)

**Source:** DHS Office of Inspector General (OIG-14-105; OIG-15-17); GAO Report GAO-20-567; Congressional Research Service**WHAT HAPPENED**

CBP launched its large UAS surveillance program in 2005 and spent over \$360 million across the following decade on a fleet of Predator B and Guardian drones. The program had no defined performance objectives, no mission success metrics, no honest cost accounting, and no strategic plan. More than a dozen government reports — from the GAO, Congressional Research Service, and DHS Inspector General — documented the same failures repeatedly over ten years with no corrective action. The OIG found that CBP reported drone operating costs of approximately \$2,500 per flight hour while the actual all-in cost was \$12,255 per flight hour. In FY 2013, drones contributed to just 1.8% of apprehensions in the Tucson sector and 0.07% in the Rio Grande Valley. Border Patrol agents told investigators that most of those apprehensions would have occurred without drone surveillance.

**KEY STATISTICS**

- **\$360M+** — spent on the drone fleet over approximately a decade (DHS OIG)
- **\$12,255** — actual cost per flight hour — vs. \$2,500 reported (DHS OIG) — understated by nearly 5x
- **1.8%** — of apprehensions in Tucson sector attributable to drones (FY 2013)
- **0.07%** — of apprehensions in Rio Grande Valley attributable to drones (FY 2013)
- **12+** — critical federal government reports over 10 years — no corrective framework triggered
- **\$443M** — in additional planned expansion the OIG recommended reconsidering

**CONSEQUENCE**

Hundreds of millions in taxpayer funds spent with no measurable mission impact. Multiple Congressional hearings. DHS Inspector General recommended halting expansion. The OIG stated the \$443 million planned for program expansion 'could be put to better use.' No accountability structure existed to require performance measurement, honest cost reporting, or mission-justified continuation. The program ran for a decade without a single mechanism to force the question: is this working?

**GOVERNANCE GAP THIS ILLUSTRATES**

Strategic Deployment pillar. Risk Identification & Assessment domain. Continuous Monitoring & Certification domain. ARGF requires organizations to define mission objectives and success metrics before scaling, conduct regular maturity assessments, and build honest performance monitoring into the governance lifecycle. This case is the clearest example of what a decade of deployment without those structures costs — in dollars and in credibility.

**CASE 05 Axon Enterprise (formerly Taser International)** · AI-Enabled Autonomous Drone — Taser-Equipped School Deployment · June 2022

**Source:** NYT (June 2022); The Verge; Wired; Axon AI Ethics Board public resignation statements; Reuters

**WHAT HAPPENED**

Following the Uvalde, Texas elementary school shooting in May 2022, Axon CEO Rick Smith publicly announced the company was formally beginning development of a Taser-equipped autonomous drone system designed to be pre-installed in schools. The announcement bypassed the company's own AI Ethics Board, which had voted 8-4 just weeks earlier to recommend against proceeding — citing concerns including deployment risks in over-policed communities of color and the absence of adequate safety controls. Board members were given no notice the announcement was coming and had no opportunity to respond before it went public. Within days, nine of twelve board members had publicly resigned. NYU Law professor Barry Friedman, a board member, stated: 'What Rick is suggesting as a necessary public dialogue was really just jumping over the head of the board.' Axon paused the project within four days due to public outcry, civil liberties backlash, and the collapse of its ethics governance structure.

**KEY STATISTICS**

- **8-4** — ethics board vote against proceeding — overridden without notification
- **9 of 12** — ethics board members resigned publicly within days of the announcement
- **4 days** — before Axon abandoned the project entirely
- **0** — governance process steps followed before the public announcement

**CONSEQUENCE**

Complete collapse of the company's ethics governance structure — public, permanent, and widely covered by national media. Significant reputational damage to Axon as a responsible innovator in public safety technology at a critical industry moment. The project was abandoned. The board that existed to prevent exactly this outcome had its recommendations ignored — demonstrating that having a governance body means nothing if organizational decision-making can bypass it without consequence.

**GOVERNANCE GAP THIS ILLUSTRATES**

AI & Autonomy Integration domain. Operational Governance domain. Privacy & Civil Liberties domain. ARGF requires that AI and autonomy decisions be subject to defined governance authority, community engagement, and civil liberties impact assessment before public announcement or deployment — and that governance bodies have actual authority, not advisory roles that can be overridden. This case shows what happens when a governance structure exists on paper but not in practice.

**CASE 06 Sonoma County Code Enforcement — California** · AI-Powered Surveillance Drone — Code Enforcement Program · 2019–2024

**Source:** Schmitz v. County of Sonoma (2024), Superior Court of California; Press Democrat; ACLU of Northern California

**WHAT HAPPENED**

Sonoma County launched a drone surveillance program in 2019 with a defined public safety mission: monitoring illegal cannabis cultivation. Over five years the program expanded dramatically into general code enforcement with no policy update, no community notification, and no governance mechanism to detect or constrain the mission expansion. A 2024 civil lawsuit revealed the extent of the program's growth and the absence of any oversight structure. Plaintiff Nichola Schmitz, who is deaf, discovered she had been surveilled only when a worker pointed it out and told her. She stated in the complaint: 'This horrible experience has shattered my sense of privacy and security. I am afraid to open my blinds or go outside because who knows when the county's drone could be spying on me.' The lawsuit invoked California's 1985 Invasion of Privacy statute.

**KEY STATISTICS**

- **700+** — drone flights conducted (alleged in civil complaint, Schmitz v. County of Sonoma, 2024)
- **5,600+** — images collected (alleged in civil complaint)
- **\$3M+** — in fines issued during the ungoverned expansion period (alleged in civil complaint)
- **5 years** — of mission expansion with no policy update, community notification, or governance review
- **0** — authorized policy changes to expand from cannabis monitoring to general property surveillance

**CONSEQUENCE**

Active civil litigation seeking to halt the program and challenge the fines. Significant community trust damage. A program launched with a defined and publicly defensible mission — addressing illegal cannabis operations — became a warrantless surveillance tool targeting private property for revenue generation, with residents having no knowledge they were being monitored. The program's original public safety rationale was completely obscured by five years of ungoverned expansion.

**GOVERNANCE GAP THIS ILLUSTRATES**

Privacy, Civil Liberties & Transparency pillar. Transparency & Public Accountability domain. Operational Oversight & Control domain. ARGF requires that authorized mission scope be explicitly defined in governance documentation, that any expansion require formal governance approval and community notification, and that data collection be governed by minimization and retention policies. Without those controls, programs designed for one purpose will expand into others — this case shows exactly how that happens, over exactly what timeframe.

## What These Cases Prove

These are not outliers. They represent a systemic pattern. Every case follows the same sequence: capability deployed, governance absent, problem emerges, damage accumulates before anyone has the authority or mechanism to stop it.

Consequence Type	Documented Evidence Across the Six Cases
<b>Legal &amp; Litigation</b>	Chula Vista: 4-year lawsuit, statewide appellate precedent (2024). Sonoma County: active civil suit, \$3M+ in contested fines (alleged, 2024). NYPD: POST Act non-compliance finding, civil rights litigation (2024). Long Lake Township, Michigan: Fourth Amendment drone surveillance case reaching Michigan Supreme Court.
<b>Operational Safety</b>	CBP/DoD: \$30M weapon used to shoot down a federal agency's own drone — no inter-agency coordination protocol existed (Feb. 2026). NYPD: drone rooftop fire in Brooklyn (May 2025). El Paso Airport shutdown triggered by anti-drone laser fired at party balloons.
<b>Financial Waste</b>	CBP: \$360M+ spent over a decade, costs understated by nearly 5x, no performance metrics, 12+ critical federal reports with no corrective action (DHS OIG). Congressional Research Service identified \$443M in planned expansion as potentially wasteful.
<b>Civil Liberties &amp; Trust</b>	NYPD surveillance of Labor Day celebrations and political protests violating its own stated policy. Axon ethics board public collapse — 9 of 12 members resign over weaponized drone announcement. Sonoma County resident surveilled without knowledge for years. DHS documented surveillance of BLM protests in 15 cities with no public disclosure.
<b>Reputational &amp; Program Damage</b>	Chula Vista: First BVLOS program in the country became a national case study in failure, not leadership. Axon: project abandoned in 4 days after public ethics collapse. CBP: decade-long program became a congressional cautionary example. NYPD: expansion threatened by incoming administration restrictions.

### None of these outcomes were inevitable.

Each reflects the absence of governance structures that define authorized use, require accountability, manage inter-agency coordination, protect civil liberties, and create the organizational culture in which technology serves its stated mission rather than expanding beyond it.

### That is exactly what ARGF is designed to provide.

ARGF is a four-layer governance architecture — peer-reviewed and published in Homeland Security Affairs — purpose-built for autonomous aerial systems in public safety, critical infrastructure, and homeland security contexts. It is the first framework designed to address aviation safety, AI autonomy, cybersecurity, and civil liberties accountability in a single integrated architecture.

### Ready to govern your aerial program?

Contact Autonomous Response Advisory to discuss ARGF implementation, readiness assessment, or maturity certification.

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