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Joint Committee on the Judiciary
Sen. James Eldridge & Rep. Michael Day, Chairs

SUPPORT H.4103 & S.2483
The Responsible Robotics Act

Dear Senator Eldridge, Representative Day, and members of the committee,

The ACLU of Massachusetts strongly supports H.4103 and S.2483, *An Act to Ensure the Responsible Use of Advanced Robotic Technologies*, sponsored by Senator Moore and Representative Sabadosa. As robotics and AI rapidly advance, so do their threats to our communities. The Commonwealth must establish a legal framework that ensures responsible robotics development and protects people, balancing public safety and privacy while allowing room for innovation.

In 2016, Dallas police used a robot armed with explosives to kill a suspect, marking the first known case of a robot being used lethally by U.S. police.¹ A year prior, in 2015, a teenager in Connecticut mounted a handgun on a drone, showing how easily these devices can be weaponized by civilians.² In 2014, a South African company announced plans to sell a small drone equipped with weapons designed to fire less-lethal pepper spray bullets, marketing the technology as useful for crowd control operations.³ And Ghost Robotics, a Pennsylvania based corporation, strapped a powerful gun to one of its robot dogs.⁴

Last year, Waltham-based Boston Dynamics led the robotics industry in calling for companies to sign a statement pledging not to allow for the weaponization of their products.⁵ But voluntary statements from robotics manufacturers, while symbolically important, are insufficient to protect

¹ Isabelle Taft, Police Use of Robot to Kill Dallas Suspect Unprecedented, Experts Say, The Texas Tribune, July 8, 2016. <https://www.texastribune.org/2016/07/08/use-robot-kill-dallas-suspect-first-experts-say/>

² AP in Clinton, Connecticut, Teen's Video of Handgun-toting Drone Prompts Federal Investigation, The Guardian, July 21, 2015. <https://www.theguardian.com/us-news/2015/jul/21/drone-handgun-video-teen-connecticut>

³ Leo Kelion, African firm is selling pepper-spray bullet firing drones, BBC News, June 2014. <https://www.bbc.com/news/technology-27902634>

⁴ Kris Holt, Ghost Robotics strapped a gun to its robot dog, Engadget, October 2021. <https://www.engadget.com/robot-dog-gun-ghost-robotics-sword-international-175529912.html>

⁵ James Vincent, Robot makers including Boston Dynamics pledge not to weaponize their creations, The Verge, October 2022. <https://www.theverge.com/2022/10/7/23392342/boston-dynamics-robot-makers-pledge-not-to-weaponize>

the public interest. While companies like Boston Dynamics may hold firm in their commitment to develop technologies to help and never to hurt people, other companies have not been so discerning. Furthermore, individuals could exploit the current gap in Massachusetts law to use robots to endanger others.

Laws, on the other hand, have teeth. The ACLU of Massachusetts is therefore proud to partner with Boston Dynamics and other leaders in the robotics and drone industries in calling on the Massachusetts legislature to be the first in the nation to enact a statute to forbid the weaponization of robots. The Responsible Robotics Act will, if enacted, ensure the responsible development and use of robotic devices in the Commonwealth for generations to come.

First, the bill prohibits the weaponization and misuse of robotics across the board—both for individuals and the government. Specifically, the bill prohibits anyone from:

- manufacturing, changing, selling, transferring, or operating a robotic device or drone equipped or mounted with a weapon; and
- using a robotic device or drone to threaten, harass, or physically restrain a person.

The legislation contains exceptions allowing law enforcement to use robots outfitted with “weapons” in two limited scenarios: for bomb squad operations and to destroy property in emergencies (i.e. to use a robot armed with a small detonator to blow open a door).

Second, the bill establishes rules for law enforcement's use of robotics for surveillance so that such use comports with our constitutional rights. The Fourth Amendment to the U.S. Constitution and Article Fourteen of the Massachusetts Declaration of Rights recognize our reasonable expectation of privacy and protect us against unreasonable searches. The bill applies existing common law to surveillance executed using advanced robotics technology, requiring the government to obtain a warrant to deploy robotic devices for surveillance or entry onto private property in cases where a warrant would be required if a law enforcement agent surveilled the place through their physical presence or the use of other electronic surveillance means.

Third, the bill facilitates responsible innovation in the field. The intent of the legislation is not to hinder military operations or technologies, but rather to protect domestic civil rights and safety. Therefore, the bill exempts defense companies working with the Department of Defense. It also allows companies to seek a waiver from the Attorney General under certain conditions, e.g., robotics companies testing anti-weaponization technologies. This ensures the legislation doesn't stifle technological advancement in robotics, an important part of the Commonwealth's innovation economy.

Massachusetts has a unique opportunity to lead the nation by passing this critical legislation, to ensure advanced robotics help human beings and society and never hurt us. We respectfully urge this committee to advance H.4103 and S.2483 with a favorable report, and we welcome the opportunity to partner with you to make Massachusetts a global leader in responsible robotics development. Thank you.