

Drone Harassment

Know Your Rights & Legal Remedies

A factual resource for victims, law enforcement, and the legal community

KEY MISCONCEPTION: Many victims — and even some law enforcement officers — believe that because drones are aircraft, only the FAA can address drone harassment. This is incorrect. The FAA governs how a drone flies. State and local criminal laws govern how a drone is USED to harm, intimidate, trespass on, or spy on a person. A Virginia case in 2024 resulted in a conviction under existing state law — no new legislation required.

STEP 1

What You Can Do Right Now

Drone harassment is deliberate and targeted. The person flying it is making choices to follow, surveil, intimidate, or spy on you. Your goal is to build a documented record that law enforcement and prosecutors can act on.

01 — Start a written log immediately

Record date, time, duration, direction of approach, proximity to your home or body, and the drone's behavior for every single incident. Note what you were doing and how it made you feel. This log establishes a pattern of conduct, which is the legal standard for stalking charges.

02 — Record video every time

Film every incident with your phone, capturing the drone over your property with enough context to establish location. Upload to cloud storage immediately with original timestamps intact. Do NOT attempt to shoot, net, jam, or interfere with the drone — tampering with aircraft is a federal crime.

03 — Capture the Remote ID (RID)

All modern drones broadcast a Remote ID as a Wi-Fi signal. When the drone is overhead, check your phone's Wi-Fi settings for unusual network names — write them down. A free app called DroneWatcher can capture and log this automatically. In the Virginia 2024 case, the Remote ID was the breakthrough that identified the suspect. This number can be submitted to the FAA to identify the registered owner.

04 — File a police report every incident

Even if an officer says 'nothing can be done,' insist on a report and get the report number. Ask that each report reference prior report numbers as part of an ongoing pattern. Stalking cases are built on accumulated reports.

05 — Seek a protective order

A civil protective order can explicitly prohibit drone use. If a protective order is later violated using a drone, additional criminal charges apply. Contact an attorney or legal aid organization about a preliminary protective order, which can be issued quickly.

06 — Contact drone expert resources

Organizations like DRONERESPONDERS (droneresponders.org) support victims and law enforcement in drone harassment cases. Ask your sheriff's office to contact the Virginia State Police or Virginia Innovation Partnership Corporation (VIPIC) regarding drone detection technology deployment.

STEP 2

What Law Enforcement Needs to Know

THE CRITICAL DISTINCTION: The FAA governs airspace management and pilot certification. Your jurisdiction governs criminal conduct. Using a drone to stalk, harass, trespass, or spy on a person is a crime under state law — and it is your jurisdiction to investigate and charge. Telling victims 'call the FAA' is not the answer.

Investigative Checklist

Applicable Virginia Charges

- Obtain victim's incident log and all video (preserve metadata)
- Ask victim to capture Wi-Fi/Remote ID during future incidents
- Query FAA DroneZone with any Remote ID numbers obtained
- Establish a documented pattern: number of incidents, frequency, times, proximity to dwelling, flight behavior
- Document victim's behavioral changes (staying indoors, covering windows, avoiding their own property)
- Canvass neighbors for witnesses or additional victims
- Contact VA State Police or DRONERESPONDERS for detection technology
- Request forensic analysis of seized drone flight data

Va. Code § 18.2-121.3

UAS Trespass — drone within 50 ft of dwelling to harass/intimidate. Class 1 misdemeanor.

Va. Code § 18.2-130.1

Peeping by Drone — UAS used to spy into windows. Class 1 misdemeanor.

Va. Code § 18.2-60.3

Stalking — course of conduct causing reasonable fear of death or bodily injury. Class 1 misd. / Class 6 felony (2nd offense).

Va. Code § 18.2-324.2

UAS use by sex offender registrants or protective order respondents. Class 1 misdemeanor.

Va. Code § 18.2-152.7:1

Harassment by computer/electronic device — may apply when drone transmits live video.

Technology Resources Available to Law Enforcement

FAA Remote ID Lookup

Submit captured Remote ID numbers via law enforcement liaison with FAA to identify registered drone owner.

Drone Detection Towers (Dedrone Rapid Response)

Mobile towers log flight paths, launch origin, drone images, and radio signals. Enables real-time geofenced alerts. Contact Virginia State Police or VIPC.

DroneWatcher App (free)

Mobile app that detects and logs drone signal broadcasts. Provide to victim between police visits. Logs are admissible evidence.

DRONERESPONDERS — droneresponders.org

National public safety drone resource organization. Director Charles Werner provides expert support and technology coordination for law enforcement cases.

STEP 3

Guidance for Prosecutors & Judges

Drone harassment cases are fully prosecutable under existing state law. Treat the drone as a tool of criminal conduct — just as you would treat a vehicle used to stalk someone. The drone is not the crime; how it is used against a person is the crime.

Building the Stalking Case

Stalking is a 'course of conduct' — not a single incident. Establish a pattern of repeated acts that caused the victim to reasonably fear for their safety. Key evidence includes:

- A timeline of all documented incidents (from victim's log and police reports)
- Video evidence showing drone position relative to victim's dwelling and movements
- Remote ID or Wi-Fi data linking a specific registered device to the incidents
- Forensic matching of device flight data to detection tower or victim-captured data
- Victim testimony on behavioral changes (leaving home, covering windows, fear outdoors)
- Evidence of drone purchase timing correlating with harassment start date
- Prior relationship or contact between suspect and victim
- Any prior police reports, protective orders, or related incidents

Addressing FAA Preemption Arguments

Defense counsel may argue FAA jurisdiction preempts state criminal prosecution. This argument fails because:

- FAA jurisdiction covers airspace regulation and pilot certification — not criminal conduct directed at persons
- State criminal statutes address the USE of a drone against a person, not its flight in navigable airspace
- The existence of a federal regulatory scheme does not immunize actors from state criminal liability
- Courts have affirmed that states retain full police power to protect residents from harassment, stalking, and trespass regardless of the instrument used

Bail & Protective Conditions

Request explicit conditions prohibiting drone operation and all contact with the victim. Under Va. Code § 18.2-324.2, a protective order respondent who subsequently uses a drone to follow, contact, or capture images of the petitioner faces separate additional criminal charges.

Virginia Statutes Quick Reference

Statute	What It Covers / Penalty
Va. § 18.2-121.3 UAS Trespass	Drone within 50 ft of dwelling to coerce, intimidate, or harass. Also covers critical infrastructure (eff. July 1, 2025). Penalty: Class 1 misdemeanor (12 mo / \$2,500); Class 4 felony for critical infrastructure.

Va. § 18.2-130.1 Peeping by Drone	UAS used to spy into windows or dwelling apertures where occupants have a reasonable expectation of privacy. Penalty: Class 1 misdemeanor (up to 12 months / \$2,500).
Va. § 18.2-60.3 Stalking	Course of conduct placing a person in reasonable fear of death or bodily injury to themselves or family. Penalty: Class 1 misdemeanor (1st offense); Class 6 felony (subsequent offense).
Va. § 18.2-324.2 Drone + Protective Order	UAS use by registrants (sex offender registry) or protective order respondents to follow, contact, or image a person. Pen.

CASE STUDY

Virginia 2024: The First Drone Stalking Conviction

Rockingham County, Virginia — This case is the roadmap. It demonstrates that persistence, the right technology, and proper application of existing state law can result in a conviction for drone-based stalking and harassment.

2020

First Harassment Begins

Lynlee Thorne, living on a small farm north of Harrisonburg, first notices a drone hovering repeatedly over her isolated property. It comes low enough to see inside her home and attempts to land on her front porch. Law enforcement tells her nothing can be done.

June 2024

Harassment Resumes — More Aggressively

The drone returns — up to five times a day. It follows her through her orchard, hovers outside her windows, flies within 20 feet of her. Her family stops going outside and covers their windows. She is again initially told nothing can be done.

June 19,
2024

BREAKTHROUGH: Remote ID Captured

Her partner checks Wi-Fi networks on his phone while the drone is overhead and finds an unusual network name containing the drone's Remote ID broadcast number. This is passed to investigators — it eventually traces directly to the registered owner.

July 2024

Detection Technology Deployed

Through DRONERESPONDERS Director Charles Werner, VA State Police deploys a mobile drone detection tower to Thorne's property. The tower logs every flight, captures images, detects launch origin, and sends real-time alerts to investigators when the drone enters a geofenced zone around the property.

August 23,
2024

Search Warrant Executed

Using tower flight data, the Rockingham County Sheriff's Office executes a search warrant at Dustin Honeycutt's home and seizes the drone. VA State Police forensically match the drone's flight data to the tower logs. Eight counts are filed.

October
23, 2024

CONVICTION SECURED

Honeycutt pleads guilty to 6 of 8 counts: spying by electronic device (2 counts), drone trespass (4 counts), and stalking (2 counts). Sentence: 2 years prison, fully suspended, 1 year supervised probation. Prohibited from contacting victim or operating any drone during probation.

"A drone is not a drone. A drone is a human being. That is a person who is doing that thing. They are flying it in that way. They are watching, and it is intentional and planned."

— Lynlee Thorne, victim, Rockingham County, Virginia

Sources & Resources

1. Police1 — "What Happens When a Drone Stalks You" — <https://www.police1.com/drones/what-happens-when-a-drone-stalks-you-at-first-nothing-but-a-va-woman-found-a-way-to-fight-back>
2. Virginia Drone Laws 2026 — Unmanned Safety Institute — <https://www.flyusi.org/guides/drone-laws/virginia>
3. Va. Code § 18.2-121.3 — UAS Trespass — <https://law.lis.virginia.gov/vacode/title18.2/chapter5/section18.2-121.3/>
4. Va. Code § 18.2-130.1 — Peeping by Drone — <https://law.lis.virginia.gov/vacode/title18.2/chapter5/section18.2-130.1/>
5. DRONERESPONDERS — National Public Safety Drone Organization — <https://www.droneresponders.org>
6. SPARC Prosecutor's Guide to Stalking — <https://www.stalkingawareness.org/wp-content/uploads/2020/01/SPA-19.005-Prosecutors-Guide-to-Stalking-00000002-revised.pdf>
7. Conference presentation — the Lynlee Thorne case (video) — <https://youtu.be/xOd5xVP9f9s>

This document is for informational purposes only and does not constitute legal advice. Developed in partnership with DRONERESPONDERS.
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