
Unmanned Aerial System (UAS) Operations

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.2 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type (sometimes referred to as an unmanned aerial vehicle (UAV) or Drone) that is capable of sustaining directed flight, whether preprogrammed or remotely controlled, and all of the supporting or attached equipment or systems designed for assisting flight or for gathering information through imaging, recording or any other means. Placing any weapon on a Department UAS is prohibited.

606.3 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with this policy, the US and State Constitutions and legal privacy rights and Federal Aviation Administration (FAA) regulations.

606.4 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., inside residences or enclosures). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of persons, objects, or areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such persons, objects, or areas during UAS operations.

606.5 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current (if required by State or Federal Law).
- Ensuring that all authorized operators and observers have completed all required FAA and Department training, certifications, licensing in operation, applicable laws, policies and procedures regarding use of a Department UAS.

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- Developing and maintaining uniform protocol for deployment of a UAS, to include urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a person, object or location of interest.
- Implementing a system for public notification of UAS deployment when such notification is within best practices, taking in all considerations.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements.
- Developing protocols that ensure retention and purge periods for UAS recordings, training, and actual operations are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS. Establishing protocol for outside organization public information requests associated with the UAS program.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing bi-annual reports on the program to the Chief of Police.

606.6 USE OF UAS

Only Department approved and authorized operators who have completed the required training, or are being officially trained, shall operate a Department UAS. Deployment of a UAS requires approval of a sergeant or member of Command Staff. All members of Command Staff shall be advised of any UAS deployment as soon as practicable and in no case, later than 3 hours. Command Staff notification shall be sent via a Nixle advisement.

A UAS may be used for the following purposes:

- To search for lost or missing at risk persons
- To search for an outstanding criminal suspect during a criminal investigation that is active (occurring in real time). An active criminal investigation means law enforcement is patrolling, surveilling, or conducting an investigation in an effort to locate and arrest or detain a suspect.
- To aid in crime, traffic collision, or fire scene processing or documentation.
- To assist emergency responders during an active critical incident, disaster, or emergency.

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- During official UAS training of operators or observers.
- To assist with other types of Department or Town training or for the creation of recruitment or marketing recordings or efforts for the Town. Requires Commander or Chief of Police approval.
- To assist another law enforcement or public safety agency within previously mentioned criteria. Requires Commander or Chief of Police approval

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing persons, objects, or areas only where there is no legally protected privacy right or when in compliance with a law, search warrant or court order.

606.7 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct surveillance activities not approved or outlined in this policy.
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate, threaten, annoy, tease or discriminate against any individual or group.
- To conduct personal business or for any other personal use.

606.8 COLLISION, DAMAGE, ACCIDENT, OR LOSS

Any employee who crashes, is involved in an accident with, loses, or damages a UAS (to include any associated components or supporting equipment) shall immediately report such incident or damage to a supervisor. The employee shall provide enough basic information to help the supervisor determine if there is a need to search for injured persons, inspect other damaged property, or decide how best to locate or retrieve the UAS.

606.9 RETENTION OF UAS DATA

Data collected by a UAS shall be retained and placed into evidence or other digital storage system as outlined by Department policy and according to legally required records retention schedules.