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# Unmanned Aerial System (UAS) and Robotic Device 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 robotic devices, and for the storage, retrieval and dissemination of images and data captured by the UAS and/or robotic devices.

## 606.2 DEFINITIONS

Definitions related to this policy include:

**Robotic Device** - A device or robot that is capable of ground travel whether it be programmed or remotely controlled and all of the supporting or attached equipment or systems designed for the robotic device or for gathering information through imaging, recording or any other means.

**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 and robotic devices 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 or robotic device will be in strict accordance with this policy, along with state and federal law (Federal Aviation Administration (FAA) regulations).

## 606.4 PRIVACY

- A. The use of the UAS and/or robotic devices potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers of UAS/robotic devices shall adhere to FAA altitude regulations, or other applicable law, 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).
- B. 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/robotic operations.

## 606.5 PROGRAM COORDINATOR

- A. The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS/robotic device program. The program coordinator will ensure

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that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

1. 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).
2. 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.
3. Developing and maintaining uniform protocol for deployment of a UAS/robotic device, to include urgent requests made during ongoing or emerging incidents.
4. Developing protocol for conducting criminal investigations involving a UAS/robotic device, including documentation of time spent monitoring a person, object or location of interest.
5. Implementing a system for public notification of UAS/robotic device deployment when such notification is within best practices, taking in all considerations.
6. Developing an operational protocol governing the deployment and operation of a UAS/robotic device including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
7. Developing a protocol for fully documenting all missions.
8. Developing a UAS/robotic device inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
9. 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.
10. Developing protocols that ensure retention and purge periods for UAS/robotic device recordings, training, and actual operations are maintained in accordance with established records retention schedules.
11. Facilitating law enforcement access to images and data captured by the UAS/robotic device. Establishing protocol for outside organization public information requests associated with the UAS/robotic device program.
12. Recommending program enhancements, particularly regarding safety and information security.
13. 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 AND ROBOTIC DEVICES**

- A. Only Department approved and authorized operators who have completed the required training, or are being officially trained, shall operate a Department UAS/robotic device. Deployment of a UAS/robotic device requires approval of a sergeant

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or superior officer. A member of Command Staff shall be advised of any UAS/robotic device deployment as soon as practicable and in no case, later than two (2) hours. The member of Command Staff who has been notified shall minimally send a message via Nixle to the rest of command staff.

- B. A UAS/robotic device may be used for the following purposes:
1. To search for lost or missing at risk persons
  2. 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.
  3. To aid in crime, traffic collision, or fire scene processing or documentation.
  4. To assist emergency responders during an active critical incident, disaster, or emergency.
  5. During official UAS/robotic device training of operators or observers.
  6. To assist with other types of Department or Town training or for the creation of recruitment or marketing recordings or efforts for the Town.
    - (a) Requires approval from a commander or superior officer.
  7. To assist another law enforcement or public safety agency within previously mentioned criteria.
    - (a) Requires approval from a commander or superior officer.
- C. Use of vision or audio enhancement technology (e.g., thermal and other imaging or audio enhancement 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**

- A. The UAS/robotic device video surveillance equipment shall not be used:
1. To conduct surveillance activities not approved or outlined in this policy.
  2. 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.
  3. To harass, intimidate, threaten, annoy, tease or discriminate against any individual or group.
  4. To conduct personal business or for any other personal use.

#### **606.8 COLLISION, DAMAGE, ACCIDENT, OR LOSS**

- A. Any member who crashes, is involved in an accident with, loses, or damages a UAS/robotic device (to include any associated components or supporting equipment) shall immediately report such incident or damage to a supervisor or superior officer.

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- B. The member shall provide enough basic information to help the supervisor or superior officer 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/robotic device.

#### **606.9 RETENTION OF UAS/ROBOTIC DEVICE DATA**

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

#### **606.10 POLICY ISSUANCE OR REVIEW**

06/13/2024 - Reviewed by Chief John Noland - SP002