

09.13

Small Unmanned Aircraft Systems (sUAS)



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09.13.010 Purpose and Mission

A. Purpose. The Small Unmanned Aircraft System (sUAS) program is established to provide a safe and efficient aerial observation perspective during law enforcement incidents involving the Ridgefield Police Department or other designated law enforcement agencies, which will further public safety, and enhance the law enforcement capabilities of the Ridgefield Police Department. The purpose of the sUAS is for use in circumstances that would save life and property, as well as but not limited to, other operational needs such as collision investigations, major crime investigations, and missing or endangered individuals. The purpose of this policy is to provide safe, efficient, and lawful use of the sUAS including privacy protections, operational duties and guidelines, and the use and dissemination of images and data captured by the sUAS.

B. Mission. It shall be the mission of the Ridgefield Police Department to use the sUAS in a constitutionally and legally sound manner by trained and certified personnel to conduct operations and investigations. Any application of the sUAS will be in accordance with City, State and Federal law, to include constitutional privacy rights, search and seizure regulations and Federal Aviation Administration (FAA) regulations.

The Ridgefield Police Department shall be mindful of the individual privacy rights and absent a warrant or exigent circumstances shall not intentionally record or transmit images in any location where a person would have a reasonable expectation of privacy and will take reasonable precautions to avoid inadvertent recording or transmitting of images in violation of privacy rights.

09.13.020 Other Policies Incorporated

The following Ridgefield Police Department policies are incorporated and will be applied to this sUAS Policy 9.13:

- Ridgefield Police Department Policy 03.23.010 Search and Seizure
- Public Records Policy 01.12.010 records retention and dissemination

09.13.030 Definitions

Unmanned Aircraft System (“UAS” or small UAS or “sUAS”): - An unmanned aerial aircraft of any type that does not carry an on-board operator and uses aerodynamic forces to provide vehicle lift. A small, unmanned aircraft system is commonly referred to as a sUAS or drone. A sUAS can fly autonomously, be preprogrammed, or be piloted remotely using FAA regulation altitudes. The sUAS is expandable and/or recoverable. The sUAS has the capability to photograph or record incidents and includes all supporting or attached hardware designed for gathering information through photography, video recording, or any other means. All sUAS's

must be registered with the FAA, as required by Federal Law and each sUAS will be assigned a unique identification number.

sUAS Operators: sUAS Operators include all members of the team conducting the sUAS operation, including the PIC, the PMC, the VO, the TFO, and the sUAS Supervisor as defined herein.

PIC- Pilot in Command (“PIC”): - The Pilot in Command is a sworn member of the Ridgefield Police Department who has obtained and maintains a valid remote pilot airman certificate in compliance with all Federal Aviation Regulations. The PIC is responsible for the complete and overall operation during the use of the sUAS. The PIC is accountable to maintain proficiency in the sUAS use, maintain operational knowledge, and flight proficiency as required by the Federal Aviation Regulation, report any maintenance issues of the sUAS during operation and/or inspection and have the ability to apply good judgement in all situations. A remote pilot in command:

- (A) Must be designated before or during the flight of the sUAS.
- (B) is directly responsible for and is the final authority as to the operation of the small, unmanned aircraft system.
- (C) must ensure that the sUAS will pose no undue hazard to other people, other aircraft, or other property in the event of a loss of control of the small, unmanned aircraft for any reason. A PIC will never be disciplined for not deploying a sUAS under conditions that the PIC deems hazardous.

Person Manipulating the Controls (PMC): A person, other than the remote pilot in command (PIC), who is controlling the flight of a sUAS under the supervision of the remote PIC. A PMC must be a sworn Officer or Sergeant, either with the Ridgefield Police Department or a law enforcement department, or designee approved by the sUAS Supervising Sergeant, Lieutenant, or Chief of Police.

VO- Visual Observer: - It is the duty of the VO to assist with the visual observation of a UAS during deployment. The VO (1) will scan the airspace where the sUAS is operating for any potential collision hazard and (2) maintain awareness of the position of the sUAS through direct visual observation. The VO shall be a sworn Officer or Sergeant or other sworn rank, either with the Ridgefield Police Department or a law enforcement department. The remote pilot in command, the person manipulating the flight controls of the small, unmanned aircraft system, and the visual observer must always maintain effective communication with each other. It is the duty of PIC to designate the VO prior to flight and to maintain a VO designee as sUAS flight continues. Based on operational needs, a VO role may be transferred to another VO designee while the sUAS is in flight

Tactical Flight Officer (TFO): Is a sUAS operating member who takes on the responsibility of operating the payload (camera) of the sUAS, as well as coordinating and communicating with dispatch and resources on the ground during an incident. TFO shall be a sworn member of the Ridgefield Police Department or another sworn Officer who is a FAA sUAS operator.

COA- Certificate of Authorization: - A Certificate of Authorization is issued by the FAA to grant permission to law enforcement agencies to fly within specific boundaries and parameters. The Ridgefield Police Department will maintain all COA's consistent with FAA Regulations.

14 CFR Part 107 (Part 107): Federal Aviation Administration (FAA) regulations regarding Small Unmanned Aircraft Systems. The certificate for 14 CFR Part 107 is also called a "remote pilot certificate" and is required to operate a sUAS or supervisor a Person Manipulating Control (PMC).

sUAS Lieutenant: The sUAS Lieutenant will be tasked with the overall direction and performance of the sUAS Unit. The sUAS Lieutenant will supervise sergeant(s) appointed to manage the responsibilities of the sUAS Unit.

sUAS Sergeant: The sUAS Sergeant is responsible for the day-to-day personnel, administrative and operational management, and supervision of the sUAS Unit and sUAS operators.

DME- Digital Multimedia Evidence: - Digital Recording of images, sounds and data associated with a deployment to include but not limited to photographs, live video or location data, other captured information. This will be stored with Omnigo Digital Evidence Management System per Chapter 10.79 RCW and Washington laws regarding record retention and dissemination.

09.13.040 Protection of Rights and Privacy

A- Authorized use Only: sUAS operators will ensure the protections of citizen's civil rights and reasonable expectation of privacy are considered during all decisions to deploy a sUAS system. Each Pilot and Visual observer will ensure that the sUAS operations are consistent with local, state, and federal law and that the sUAS system is only used for the amount time necessary to complete the mission.

B- Privacy Procedures: To protect the privacy of citizens, the following guidelines apply to all sUAS operations:

1. If possible while the sUAS is being flown, all onboard cameras will be turned away from occupied structures, to minimize the inadvertent video or still images of uninvolved person(s).
2. Any collection of data, information, photographs, video, or recordings will be minimized or limited to those needed for a successful investigation and will be maintained in compliance with RPD policies and procedures as set forth in policy 9.13.070.
3. Prior to operating the sUAS, PICs will ensure that a warrant, if needed, has been obtained.
4. All searches and seizures conducted as a result of evidence gathered by the sUAS operator will be pursuant to State and Federal law. The 4th Amendment to US Constitution article 1 Section 7 directs the restrictions for all searches and seizures conducted as a result of the evidence gathered by the sUAS will be pursuant to a warrant, unless one of the following seven exceptions recognized in the State of Washington apply to the search and seizure:
 - a) Consent
 - b) Exigent Circumstances
 - c) Incident to a valid arrest
 - d) Inventory Search
 - e) Plain View
 - f) Terry Investigative Stop
 - g) School Search exception is present
5. The Ridgefield Police Department will not conduct random surveillance activities.

09.13.050 Procedures for use

The Ridgefield Police Department must obtain applicable authorizations, permits and/or certificates required by the Federal Aviation Administration (FAA) prior to deploying or operating the SUAS, and these authorizations, permits and certificates shall be maintained and current.

09.13.051 sUAS Operation

The SUAS system will be operated only by personnel who have been trained and certified in the operation of the system and are FAA Certified Remote Pilots. SUAS pilots are responsible for ensuring the current weather conditions are appropriate for the SUAS system to be deployed. The SUAS Pilot will ensure they have enough information to familiarize themselves with the

current and continually changing weather conditions and will monitor them during the sUAS operation. If the weather changes and the sUAS system can no longer fly safely, the sUAS PIC will be responsible for terminating the mission and landing the sUAS.

09.13.052 sUAS Inspections

The sUAS PIC shall inspect and test the sUAS equipment prior to and after each deployment to verify the proper functioning of all equipment and the airworthiness of the device. Any issues shall be documented and the sUAS Sergeant will be notified as soon as possible. If the sUAS system cannot be safely operated, the sUAS system will not be deployed.

09.13.053 sUAS Data Collection

The sUAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Ridgefield Police Department. The storage of such information will follow local, state, and federal guidelines.

A search warrant should be obtained when the sUAS is used in a manner that may intrude upon reasonable privacy expectations of any person(s).

09.13.054 sUAS Documentation

All flights will be documented on a form or database designed for that purpose and all flight time shall be accurately recorded. In addition, each deployment of the sUAS shall include information regarding the reason for the flight:

1. Time
2. Date
3. Location of the flight.
4. Name of the sUAS (Sgt/Lt/Chief) supervisor approving the deployment.
5. Name of the pilot or staff operating the sUAS on scene.
6. Summary of activities covered.
7. Actions taken.
8. Any outcomes of the deployment.

09.13.055 Search and Seizure

All searches and seizures conducted as a result of the evidence gathered by the sUAS will be pursuant to a warrant unless one of the 7 exceptions recognized in the State of Washington:

1. Consent
2. Exigent Circumstances

3. Inventory Search
4. Plain View
5. Terry Investigative Stop
6. School Search Exception is present
7. Incident to a valid arrest

09.13.056 Pre-Flight Procedures

Prior to beginning any flight or mission, the PIC will follow the below checklist to ensure the sUAS is operational and in good condition eliminate or lessen any risks involved with the operations:

1. Assess weather conditions (wind, rain, fog, lighting etc.)
2. Record details of the flight (time, case number, PIC name, etc.)
3. Perform a visual inspection to check the overall condition (check propellers, body, and controller etc.)
4. Verify FAA Registration number is displayed and legible.
5. Check batteries on sUAS and Controller.
6. If flying at night or low visibility, ensure the anti-collision lights are functional and turned on.
7. Designated a qualifying VO.
8. Connect the controller to the sUAS.
9. Verify the controller display is functioning properly.
10. Perform Compass Calibration as required.
11. Position sUAS for launch.
12. Set home position.
13. Broadcast over the air and within a verbal radius that the “drone is hot,” to notified personnel the propellers are to be activated.
14. Launch sUAS to an altitude of 10 feet.
15. Ensure controller joysticks are functioning properly and sUAS is responding to the PIC inputs correctly.
16. Proceed with mission.

09.13.057 Post-Flight Procedures

At the end of any flight, the PIC will verify that the sUAS remains in good working condition and is free from dust, dirt, and debris. If the PIC finds the sUAS had sustained any damage, the PIC will note the damage and complete the applicable documentation to have the sUAS fixed or replaced. The PIC will also be responsible for all video uploading in the digital evidence management system.

09.13.060 Restrictions

1. The sUAS system will be deployed and used only to support official law enforcement and public safety missions, as well as training purposes, or other assigned operational needs approved by the sUAS Sergeant and/or Lieutenant.
2. The sUAS system shall not be operated in an unsafe manner or in violation of any FAA rules.
3. The sUAS system shall not be equipped with weapons of any kind.
4. The sUAS system shall not be used for the purpose of random surveillance.

09.13.070 Data Retention and Management

Each sUAS system will be capable of digital recording and photography during each deployment. At the completion of each mission, the recorded data shall be reviewed by the PIC and evaluated for its evidentiary value; recordings which are known to have captured an incident from which criminal prosecution or civil litigation may arise shall be submitted into the digital evidence management system (DEMS) under the appropriate case number, so it can be retained until the exhaustion of any appeals process. Any non-evidentiary recording will be submitted into the DEMS system as "non-evidentiary." The case number format will be TDMMDDYY.

Data captured during a UAS mission shall not be retained longer than the minimum 90 days unless there is reasonable suspicion that evidence of criminal activity is present. All retained data shall be maintained or destroyed pursuant to Ridgefield Police Department records retention and evidence policies and in compliance with applicable laws and regulations. Reference WA State retention schedule DAN # LE09-01-09 and LE09-01-08.

Any video or photographs obtained by the UAS operation may be submitted by the PIC as evidence in accordance with Ridgefield Police Department's policies and procedures.

The UAS unit is responsible for the installation and maintenance of cameras used on uncrewed

aircraft. The UAS Unit is not responsible for monitoring or uploading video deemed as evidence by any other unit or investigator. However, evidentiary videos captured on behalf of an outside agency must still be retained by RPD. In such cases, in addition to the records unit supplying a copy of the footage to the outside agency, the UAS operator must also author a police report and submit the original video to RPD evidence.

All videos released for Public Disclosure purposes will be reviewed, and redacted according to WA State RCW's, by the Ridgefield Police Department record's staff, using the Veritone redaction software.

Review policy 01.13, Public Records and 1.17, Records/Clerical Function

09.13.080 Reporting and Documentation

The PIC shall record information for all flights, including training flights, which shall include the date, weather conditions, time, location, and case numbers, if applicable or other mission identifiers and operators/team members involved in the mission. This information shall be recorded within a flight log stored on the Ridgefield Police Department computer system. This same information will be placed either in a police report or other approved document method in accordance with the Ridgefield Police Department policy. The report shall include whether any digital evidence was gathered.

Audits of this documentation will be conducted by the Lieutenant or designee.

09.13.090 sUAS Collision or Damage

In the event there is a collision or damage involving the sUAS, the PIC is responsible and shall follow the FAA guidelines in the incident. The FAA guidelines require reporting the incident to the FAA Regional Operations Center within 10 calendar days of a sUAS collision that include these types of incidents:

1. Results in serious injury to a person.
2. Causes any person to lose consciousness.
3. Causes damage to property, excluding the sUAS, exceeding \$500.

Internal Department reporting shall also occur anytime a sUAS is damaged as a result of a collision or mishap.

1. If the incident involves Department or City property only, then a Damage to City Property form will be completed along with any photographs taken of the incident. Once completed all documentation will be forwarded through channels to the Chief of Police.

2. If the incident involves damage to private property or any injury to a person, a police report will be generated to document the incident.

09.13.100 Training

1. All PICs will be certified under FAA part 107. PICs will complete the agency approved training to ensure the proper and safe operation of the assigned sUAS system. Additional training may be required to ensure the continued effective and proper operation of the sUAS system.
2. Initial training will consist of an agency approved training course, the successful completion and acquisition of the FAA part 107 airman's certificate and the completion of at least 8 hours of flight training with a current sUAS instructor.
3. The task of instructing new operators of the sUAS system will call upon the sUAS Sergeant, Lieutenant, and Chief of Police. All instructors should attend a CJTC Instructor Development Course before providing instruction.
4. All sUAS operators will maintain proficiency with their assigned sUAS system and will maintain knowledge of all pertinent FAA regulations, local, state, and federal laws, and any policies and or procedures for the SUAS operation. All pilots will document at least 8 hours of flight time per year. This flight time can consist of documented missions, and/or documented training flights.
5. Training flights consist of any time spent operating a sUAS system outside of a documented mission. Training flights will be documented by the PIC and will be reported to the sUAS Sergeant for retention purposes. Training flights must follow all guidelines set forth within this policy.

09.13.110 Maintenance

All sUAS's will undergo a quarterly maintenance check. The check will be done by a designated sUAS Pilot and documented. The check will consist of the following items:

1. Inspect the outer shell and other components for damage.
2. Check the condition of the propellers. Make sure there are no bent blades or cracks.

3. Inspect the gimbal for damage and the camera lens for dust and dirt.
4. Examine the chargers for damage to the cord, plug, enclosures, and other parts.
5. Examine the batteries for damage.
6. Check inventory list to ensure all components are present.
7. If any components are missing, file the appropriate documentation to order new items.
8. All maintenance records will be recorded and stored at the Ridgefield Police Department.

09.13.120 Administration

The policies and procedures outlined here are issued by the Ridgefield Police Department. This policy is not intended to be all-inclusive. In addition to this policy, sUAS operators should know and understand the FAA Regulations, Part 107 regulations, Certificate of Authorization (COA) and the SUAS Manufacturer's Flight manual.

A copy of this policy shall be issued to each sUAS Operator or Pilot. This policy shall be reviewed, at a minimum annually to ensure it is up to date. Any changes to the policy will be updated and communicated to all department members.

Any changes to the FAA regulations, local, state, and federal laws and/or any changes to the Ridgefield Police Department procedures governing sUAS operations must be adopted into this policy and approved by the Chief of Police.

Cathy Doriot, Chief of Police

HISTORY:

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