Unmanned Aerial System

606.1 PURPOSE AND SCOPE

This policy is intended to establish guidelines for the use of unmanned aerial systems, including retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means.

606.2 POLICY

A UAS 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 constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

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

606.4 TRANSPARENCY

Rigorous adherence to the requirements set forth in this policy is not enough. To be successful in our law enforcement and national security missions, we must continue to facilitate relationships of trust with the communities we serve. Enhancing our transparency about agency operations, including how we operate UAS, creates an informed citizenry and greater confidence in the Department's decision-making. Education of the public can enhance the Department's ability to fulfill its missions and serve the American people. As appropriate, while not revealing information that might compromise law enforcement or national security needs, the Department will update its website to reflect its current policy on UAS on an ongoing basis, and will provide a general summary of UAS operations conducted by the Department during the previous year, including a brief description of types or categories of missions flown and the number of times the Department provided assistance to other federal, state, local, and tribal agencies or entities.

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606.5 AUTHORIZED USE

The authorized missions for the Poulsbo Police Department's UAS are:

(a) Video/photographs for investigative support

(b) HAZMAT response

(c) Search and Rescue

(d) Barricaded persons

(e) Traffic collisions

(f) Disaster response (i.e. flood, earthquakes, etc.)

(g) Aerial support for Fire incidents

(h) Marine assistance

(i) Training events

All other requested uses will be approved by the on-duty supervisor prior to accepting the mission.

606.5.1 COMMUNITY OUTREACH DEMONSTRATIONS

In an effort to encourage public trust and effectively engage our community, the use of an UAS as part of a community meeting or special event is authorized. The UAS demonstration should be limited to showcasing the department's investigative capabilities and educating the public on the UAS program. Use of an UAS in this capacity must be authorized by someone the rank of Deputy Chief or higher.

606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.7 AUTHORIZED OPERATORS

Only personnel who have successfully completed the required training shall be permitted to operate the UAS. These officers will be designated as Remote Pilots in Charge (RPIC).

606.8 FLIGHT LOGS

Each authorized UAS RPIC will maintain a flight log. RPICS will log the date, flight time, and locations of all UAS deployments. They will also note case number, incident type, automated flight or manual flight, and whether photo images or video were captured during the flight.

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(a) Flight log data will be entered by the RPIC upon completion of all missions, whether operational or training.

(b) Flight log data will be stored digitally in a manner determined by command staff that allows supervisors immediate access.

(c) Flight log data will be maintained and retained in accordance with the Records Release and Security policy.

(d) Any practical demonstration of proficiency will include a review of the RPIC's flight log.

606.9 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, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocols for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing operational protocols 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. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.

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- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

606.10 RETENTION OF DATA

Photographs and video collected by the UAS shall be retained in accordance with Washington State Records Retention Schedules and current Poulsbo Police Department Evidence Retention requirements.

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