

GENERAL ORDER NUMBER	SOS 3-4	
EFFECTIVE DATE	04/04/2022	
LAST REVISED	04/20/2022	
LAST REVIEWED	04/20/2022	
CHAPTER	Special Operations	
POLICY	MERIT 3-4 Small Unmanned Aircraft Systems	

SMALL UNMANNED AIRCRAFT SYSTEMS TEAM POLICY STATEMENT:

It is the purpose of this policy to establish the governing regulations for the Small Unmanned Aircraft Systems Team. The Small Unmanned Aircraft Systems Team (SUAST) is a component of the Metropolitan Emergency Response and Investigation Team (MERIT). Organizationally, the MCRT is part of the MERIT Special Operations Section.

MISSION:

The mission of the MERIT Small Unmanned Aircraft Systems Team (SUAST) is to respond to a variety of incidents that can benefit from the use of a small unmanned aircraft system (sUAS). This includes the documentation of an incident using aerial photography and video, searching for missing or wanted persons, and other situations where a sUAS is more effective than other available means. The SUAST uses their specialized equipment, training, and experience to assist the member agency with completing professional and comprehensive investigation. All operations will be in strict compliance with the Illinois Freedom from Drone Surveillance Act (725 ILCS 167), Federal Aviation Administration regulations, Title 14 of the Code of Federal Regulations (14 CFR) Part 107 requirements, and privacy rights.

MCRT COMMANDER AND DEPUTY COMMANDERS:

The MERIT Board of Directors will appoint a SUAST Commander that has experience and training as the pilot in command of a sUAS. The SUAST Commander, or designee, is responsible for the deployment of the SUAST and its equipment. The SUAST Commander may designate Deputy Commanders. Duties and responsibilities of the SUAST Commander and Deputy Commanders are as follows:

- Ensure the SUAST is properly staffed and trained to accomplish its mission.
- Ensure the equipment is maintained and software updated as needed.
- Coordinate training as needed.
- Coordinate special request for assistance with member agencies.
- Preparing budget and purchase information.
- Initiating activation once contacted.
- Deploying with and controlling the team during SUAST activation.
- Coordinating with the requesting agency both at the on scene investigation and for follow up as well.
- Ensuring all pertinent reports are written and submitted to the requesting agency.

In addition to the above, the SUAST Commander shall prepare a year-end report for the MERIT Deputy Coordinator to be presented to the MERIT Board of Directors annually.

SUAST EQUIPMENT:

The SUAST maintains several equipment items for use during activations and follow up investigators. The SUAST also has access to specific software to aid in data collection and preparing reports and imagery. It is the responsibility of the SUAST Commander to ensure the maintenance and operation of the SUAST equipment and the update of any necessary software. The SUAST will provide a request for equipment purchase with the MERIT Deputy Coordinator in accordance with the SUAST budgetary process.

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STANDARDS AND QUALIFICATIONS:

All SUAST pilots shall possess a valid remote pilot license issued by the FAA pursuant to Title 14 of the Code of Federal Regulations (14 CFR) Part 107. SUAST pilots shall demonstrate the ability to operate a SUAS in a safe manner that is in compliance with the Illinois Freedom from Drone Surveillance Act (725 ILCS 167), Federal Aviation Administration regulations, Title 14 of the Code of Federal Regulations (14 CFR) Part 107 requirements, and privacy rights.

Officers also may be admitted to the team in a role other than pilot at the discretion of the SUAST Commander if their training and/or experience would benefit the SUAST.

TRAINING:

Additional training courses may be budgeted and conducted as needed by the SUAST with the coordination and approval of the SUAST Commander and the MERIT Deputy Coordinator.

REQUIREMENTS FOR ACTIVATION:

The following situations meet the requirements for activation:

- To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates there is a risk.
- Pursuant to a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963. The warrant must be limited to a period of 45 days, renewable by a judge upon showing good cause for subsequent periods of 45 days.
- Upon reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall the imminent escape of a suspect or prevent the destruction of evidence. The use of a sUAS under this paragraph is limited to a period of 48 hours. Within 24 hours of sUAS initiation under this paragraph, the SUAST Commander must report its use, in writing, to the State's Attorney.
- To locate a missing person while not also undertaking a criminal investigation.
- To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner. Use of the sUAS under this paragraph on private property requires either a search warrant or lawful consent to search. As it relates to lands, highways, roadways, or areas belonging to the state, a search warrant or consent to search is not required. Reasonable attempts shall be made to only photograph the crime scene or traffic crash scene and to avoid other areas.
- To obtain information necessary for the determination of whether a disaster or public health emergency should be declared, to manage a disaster by monitoring weather or emergency conditions, to survey damage, or to coordinate response and recovery efforts. There is no requirement that an official declaration of disaster or public health emergency prior to use.
- Any other circumstance deemed appropriate by the SUAST Commander or Deputy Commanders.

SUAS deployments by the SUAST must adhere to the operating procedures established by the FAA which are specified in Title 14 of the Code of Federal Regulations (14 CFR) Part 107, "Small Unmanned Aircraft Systems." A

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certificate waiver from the FAA may be applied for which authorizes deviation from specific regulations as may be required. The certificate waiver will be granted when the FAA determines that the sUAS operation can be safely conducted under the terms of the certificate waiver. When appropriate, notification of the sUAS deployment shall be made to the public.

Use of the sUAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and visual 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. Operators and visual observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.

When there are specific and articulable grounds to believe that the sUAS will collect evidence of criminal wrongdoing and/or if the sUAS will be used in a manner that may intrude upon reasonable expectation of privacy, the department will obtain a search warrant prior to conducting the flight, barring any exigent circumstance.

ACTIVATION PROCESS:

MERIT agencies needing the activation of the SUAST can activate the team by contacting DuPage County Public Safety Communications (DU-COMM). The agency requesting the activation will provide the Incident Commander name and phone number in order that the SUAST Commander or Deputy Commander can contact. They will also provide a brief description of the reason for their need for activation and the location. The SUAST Commander or Deputy Commander will contact the Incident Commander to gather information about the request. If the situation warrants the activation of the team, the Commander or Deputy Commander will direct DU-COMM to activate the SUAST.

The MERIT Chairperson, or designee, via the chain of command must authorize a response request from a non-member agency.

Members of the SUAST will be notified of activations via mobile phone.

- On-call - SUAST personnel will be required to supply and carry a mobile phone with text messaging capabilities.
- The commander will be responsible for maintaining a current list of Team Member contact numbers.
- Members of the SUAST will be notified of activation via the paging system. Members are responsible for making all directed follow-up contacts as soon as practical.
- SUAST members will not be required to limit their movements or activities during their off-duty time while having the SUAST on-call duty; however, a response to a received notification of an activation is required.

RESPONSE PROCEDURES:

SUAST members will coordinate with the SUAST Commander, or designee, their response and equipment needs. Upon their arrival, SUAST members will report and coordinate their investigations with the on scene SUAST Commander or designee.

The SUAST Commander, or designee, will be responsible for coordinating their investigation with the requesting agency’s Incident Commander. In the absence of the SUAST Commander at the scene, the SUAST member with the greatest experience on the SUAST will coordinate with the Incident Commander.

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RESPONSE TEAMS:

In order to provide constant coverage in the event of an activation, SUAST will be broken down into teams, each with a specified duty period. It is at the discretion of the Commander of SUAST to determine how many teams are appropriate.

Each team will consist of, at the very least, a remote pilot in command and a visual observer. Additional members may be needed as the complexity of the activation increases. The SUAST Commander shall ensure that adequate staffing is provided to allow for safe and effective operations. A Team Leader will be assigned to each incident. The Team Leader can be the Remote Pilot in Command, the Visual Observer, or a different SUAST member.

- Remote Pilot in Command – The person directly responsible for and who has the final authority as to the operation of the sUAS.
- Visual Observer – The person designated by the remote pilot in command to assist the remote pilot in command to see and avoid other air traffic or objects aloft or on the ground.

To ensure continual coverage, teams will be required to be on call for a specific duty period with another team as backup.

RESPONDING TO INCIDENTS AND TEAM MEMBER RESPONSIBILITIES:

Members will respond to SUAST incidents in a safe and timely manner.

When responding to SUAST incidents, police vehicles should be operated in accordance with all traffic regulations.

Officers must operate their vehicles at a speed and in a manner that will enable them to maintain full control of their vehicles at all times. Use of emergency equipment when responding to SUAST incidents is at the discretion of the responding officer and must be within that officer’s departmental policies.

- Traffic, weather, and road conditions must be taken into consideration.
- Officers operating unmarked police vehicles should not operate them as emergency vehicles unless an appropriate flashing red light and/or siren is in operation.
- Officers operating appropriately equipped unmarked police vehicles as emergency vehicles must be cognizant that additional caution must be exercised in their operation, as they are more difficult to identify as emergency vehicles.
- Officers must remember that the use of emergency lights and/or siren does not guarantee them the safe use of the right of way.

Team Members are responsible for checking in with the Team Leader prior to leaving the scene of a SUAST activation to ensure that all at-scene work has been completed.

Team Members are responsible for providing all completed work to the Team Leader promptly.

Team Members shall assist the Team Leader with necessary follow up investigative tasks as practical.

The Team Leader is responsible for ensuring that all of the gathered evidence and information is provided to the requesting agency, as well as completing the necessary MERIT documentation.

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AT SCENE RESPONSIBILITIES OF STRICKEN (HOST) AGENCY:

Responsibilities of the stricken (host) agency include:

- Immediate care for the injured, rendering life sustaining first aid.
- Summoning fire, ambulance, or other rescue services and/or additional police assistance as required and appropriate.
- Protecting the scene
- Preserving short-lived evidence.
- Establishing a safe traffic pattern around the scene.
- Attempting to locate and identify all involved parties and witnesses, including gathering preliminary statements from involved parties
- Assign an Investigator/officer to liaise with the SUAST
- Responsible for evidence collection and processing (aided as necessary by SUAST personnel).
- Contacting the coroner as needed
- Initiating press releases and press conferences as deemed appropriate and/or necessary.

COMMAND OF SCENE:

The supervisor of the stricken agency will retain control and command of the incident.

Officer in charge of SUAST personnel at the scene of a SUAST incident:

In the event that the Commander or a Deputy Commander is on the scene, they shall assume command and coordinate the SUAST’s efforts and resources with the supervisor of the stricken agency.

When one or more SUAST members are at the scene, the Team Leader assigned to the investigation shall be in charge of the at-scene investigators to ensure the orderly and effective accomplishment of necessary tasks.

REPORTING AND DOCUMENTATION OF ACTIVATIONS:


The responsibility of the SUAST at the scene is to document the scene accurately using any necessary equipment for use in the reports for the agency’s investigation. The activation of the SUAST does not eliminate the need for the requesting agency to conduct and complete an investigation or report. The requesting agency is responsible for the necessary reports and their investigation into any criminal complaints, when applicable.

The SUAST Commander will provide a brief memorandum to the MERIT Deputy Coordinator as soon as practical following any activation. The memorandum will state the requesting agency, location, and the SUAST members responding.

ON SCENE INVESTIGATIVE PROTOCOL:

To establish a standard for the completion of an investigation, the following should be adhered to when applicable. These guidelines are not to be viewed as all-encompassing and do not prevent the SUAST from investigating issues not listed herein:

- Make contact with the on-scene supervisor and obtain pertinent information relating to the activation.
- Discuss the abilities and inabilities of a sUAS, and how the sUAS can best be utilized.
- Conduct a scene walkthrough (when applicable)
- Photograph the scene, including post-scene processing to provide 2D and 3D imaging.
- If deemed appropriate, obtain a video recording of the scene.

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POST ACTIVATION PROTOCOL:

Prior to clearing the scene, the Team Leader shall meet with all team members to ensure that all at-scene work has been completed.

Written reports shall be generated in compliance with MERIT 1-3.

Team Leaders are responsible for providing completed documentation and final reports to the stricken (host) agency. The stricken agency is responsible for maintaining copies of all photographs, video recordings, documents, and electronic data related to the incident once tendered to them. The SUAST will not retain any copies of the items listed above.

MONTHLY REPORTING:

On a monthly basis, the Commander will forward a report to the Deputy Coordinator summarizing the Component's prior month activities. The report will include activations and where applicable, arrests, clearances, critical incidents, results of investigations, man hours, member agency participation and training. Once reviewed, the report will be delivered to the Coordinator no later than the 15th of each month.

ANNUAL REPORTING:

The Deputy Coordinator will prepare an annual report detailing the Component's activities for the year. The report will be delivered to the Coordinator no later than May 15th of each year.

PERIODIC POLICY REVIEW:

The Commander will review this policy annually and update it as necessary.