



EMERGENCY
9-1-1
NON-EMERGENCY
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Sheriff Robert D. Burns

**Jackson County Sheriff's Office – Patrol Division
General Order #25-0314-74**

Subject: Unmanned Aerial Systems

This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.

I. AUTHORITY:

This SOP is effective immediately and replaces all previous SOP's addressing the same subject or interest.

II. PURPOSE:

The purpose of this policy is to establish guidelines and a course of action Jackson County Sheriff's Deputies shall take for the use of an unmanned aerial system (UAS) and for the storage, retrieval, and dissemination of images and data captured by the UAS.

III. POLICY:

An UAS may be utilized to enhance the Jackson County Sheriffs' Office'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 as well as Federal Aviation Administration (FAA) regulations.

IV. DEFINITIONS:

- A. 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) or drone), and all supporting or attached systems designed for gathering information.
- B. Information:** Any evidence, images, sounds, data, or other material gathered by a UAS.
- C. Parade:** A march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls. "Parade" does not include a political protest, march, demonstration, or other assembly protected by the First Amendment.
- D. Routed Event:** A parade, walk, or race that:
 - a.** is hosted by the State of Illinois or a county, municipality, township, or park district;

- b. is outdoors and open to the public;
- c. has an estimated attendance of more than 50 people
- d. A “Routed Event” does not include any political protest, march, demonstration or other assembly protected by the First Amendment

E. Special Event: A concert or food festival that:

- a. is hosted by the State of Illinois or a county, municipality, township, or park district;
- b. is outdoors and open to the public;
- c. has an estimated attendance of:
 - i. 150 or more people in a unit of local government with a population that is less than 50,000;
 - ii. 250 or more people in a unit of local government with a population that is greater than or equal to 50,000 but less than 100,000

V. 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 any 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 ensure the expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

VI. Responsibilities of UAS operators

- A. All UAS operators of the Jackson County Sheriff’s Office are required to obtain and keep current required FAA licensing.
- B. Prior to each mission, UAS operators are responsible for conducting a preflight inspection to ensure a safe and reliable flight. This includes but is not limited to:
 - a. Ensuring all propellers are free of breaks or cracks.
 - b. All cameras and mounted accessories are functioning properly and not damaged
 - c. Battery levels of remote control, UAS, or other accessories are fully charged or are capable of being fully charged prior to flight.
 - d. All landing gear and other structural components of the UAS are in good flight worthy condition.
 - e. Verify adequate onboard SD card storage.
 - f. If any items are damaged or need replaced, the Patrol Lieutenant shall be advised.
- C. A flight log shall be maintained and completed by UAS operators upon the completion of each flight. The flight log will be stored with the UAS to ensure prompt completion. The flight log will include the following information:
 - a. Date of use.
 - b. Time of use.
 - c. Reason for use.
 - d. Location of flight.
 - e. Whether video was recorded.
 - f. Whether the video is designated for retention for training purposes.
 - g. Items replaced/repared on UAS.
 - h. Any items damaged during the operation of the UAS.

VII. USE OF UAS

- A.** Only authorized operators who have completed the required training shall be permitted to operate the UAS.
- B.** The deployment of a UAS, and operators call-out, shall be authorized by a supervisor.
- C.** Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, the Jackson County State's Attorney Office should be consulted.
- D.** UAS operations should only be conducted consistent with FAA regulations.

- E.** The Jackson County Sheriff's Office may not use the UAS to gather information except (725 ILCS 167/15):
 - a.** 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.
 - b.** Pursuant to a search warrant based on probable cause. 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.
 - c.** Upon reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall imminent escape of a suspect, or prevent destruction of evidence. The use of a UAS under this paragraph is limited to a period of 48 hours. Within 24 hours of UAS initiation under this paragraph, the Sheriff, or designee, must report its use, in writing, to the State's Attorney.
 - d.** To locate a missing person, engage in search and rescue operations, or aid a person who cannot otherwise be safely reached while not also undertaking a criminal investigation.
 - e.** To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner. The use of the UAS under this paragraph on private property requires either a search warrant or lawful consent to search.
 - f.** 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.
 - g.** To conduct an inspection of the infrastructure of a designated building or structure when requested by a local government agency.
 - i.** Information gathered during an inspection of the infrastructure of a designated building or structure shall be given, as soon as practicable, to the requesting local government agency before it is destroyed (720 ILCS 167/20).
 - h.** To locate victims, assist with victims' immediate health or safety needs, or coordinate the response of emergency vehicles and personnel when dispatched to an emergency.
 - i.** In advance of or during a routed event or special event, for those uses allowed under 725 ILCS 167/15.
 - i.** The notice for UAS use in these instances shall be posted at a time, place, and manner as required by 725 ILCS 167/15.

- j. To demonstrate the capabilities and functionality of a law enforcement UAS for public relations purposes, provided that no information is collected or recorded by the UAS during such demonstration.
- F. This policy and restrictions apply to the Jackson County Sheriff's Office use of a UAS owned by a private third party as well as information gathered by a UAS voluntarily submitted to the Sheriff's office by a third party (725 ILCS 167/40)
- G. Facial recognition software onboard a UAS shall not be used during a flight (725 ILCS 167/17). Use of facial recognition software to evaluate information gathered by a UAS is permissible only under those circumstances described in 725 ILCS 167/17

VIII. PROHIBITED USE

- A. The UAS video surveillance equipment shall not be used:
 - a. To conduct random surveillance activities.
 - b. 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.
 - c. To harass, intimidate, or discriminate against any individual or group.
 - d. To conduct personal business of any type.
- B. The UAS shall not be weaponized (725 ILCS 167/18).

IX. RETENTION AND UAS INFORMATION

- A. The Sheriff or his designee shall destroy all information gathered by the UAS within the timeframe specified by law (725 ILCS 167/20).
- B. Information may be retained by a supervisor when (725 ILCS 167/20):
 - a. There is reasonable suspicion that the information contains evidence of criminal activity.
 - b. The information is relevant to an ongoing investigation or pending criminal trial.
 - c. The information will be used exclusively for training purposes and all personally identifiable information has been removed from it.
 - d. The information contains only flight path data, metadata, or telemetry information of the UAS.
- C. The disclosure of information gathered by the UAS is prohibited except (725 ILCS 167/25):
 - a. To another government agency when there is reasonable suspicion that the information contains evidence of criminal activity or the information is relevant to an ongoing investigation or pending criminal trial.
 - b. Pursuant to a court order or subpoena in connection with a criminal proceeding.
 - c. In regard to a completed traffic crash investigation.
- D. Available records of UAS usage (e.g., flight path data, metadata, telemetry information of specific flights) may be disclosed subject to the Freedom of Information Act, 5 ILCS 140/1 et seq., and rules adopted under it (725 ILCS 167/25)
- E. The Sheriff or his designee shall report annually, by April 1, to the Illinois Criminal Justice Information Authority the number of UASs owned by the Jackson County Sheriff's Office and any other required information to be reported under 725 ILCS 167/35. The report shall contain a copy of the Sheriff's Office current UAS policy.

F. The Sheriff or his designee shall implement and make publicly available on the Jackson County Sheriff's Office website the current UAS policy governing the operation, use, administration, and oversight of its UAS program.

X. COMPLIANCE WITH THE FREEDOM FROM DRONE SURVEILLANCE ACT

If a determination is made that a deputy has violated the Act, the Jackson County Sheriff's Office shall take prompt and appropriate action (e.g., training, discipline) (725 ILCS 167/45). If a determination is made that a UAS operator has **willfully** violated the Act, The Jackson County Sheriff's Office shall promptly remove the operator from its UAS program and take action pursuant to 720 ILCS 167/45.



Sheriff Robert D. Burns

Date Effective: 3-14-25

Date Reviewed:

Last reviewed by: _____