

Small Unmanned Aerial System (sUAS) Operations

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines under which small unmanned aerial systems (sUAS) may be used, and the storage, retrieval and dissemination of images and data captured by such systems.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Federal Aviation Administration (FAA) -A national authority with powers to regulate all aspects of civil aviation. These include the construction and operation of airports, the management of air traffic, the certification of personnel and aircraft, and the protection of US assets during the launch or re-entry of commercial space vehicles.

Information -As defined in 725 ILCS 167, any evidence, images, sounds, data, or other information gathered by the unmanned aircraft.

Small Unmanned Aircraft System (sUAS) – A small unmanned aircraft that does not carry a human operator, weighing less than 55 pounds on takeoff, and its associated elements, including communication links and the components that control the aircraft that are required for the safe and efficient operation of the aircraft.

Remote Pilot in Command –Person directly responsible for and is the final authority as to the operation of the small unmanned aircraft.

Visual Observer –The person designated by the remote pilot in command to assist the remote pilot in command and the person manipulating the flight controls of the aircraft to see and avoid other air traffic or objects aloft or on the ground.

606.2 POLICY

Small unmanned aerial systems 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 sUAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations and the Illinois Freedom from Drone Surveillance Act (725 ILCS 167/1, et seq.).

606.3 PRIVACY

The use of the sUAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and 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 (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where

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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 sUAS operations.

606.4 SUAS UNIT ORGANIZATION

The Village of Lakewood Police Department sUAS unit will be organized as follows:

606.4.1 SUPERVISOR IN CHARGE

The Chief of Police, or his/her designee, will appoint supervisor in charge of the sUAS unit. The supervisor in charge shall be responsible for complete oversight of the sUAS unit. Listed below are the following additional responsibilities of the supervisor in charge:

- (a) Ensure that all policies and proper procedures are being followed by the Program Coordinator and all licensed pilots assigned to the sUAS unit.
- (b) Ensuring that all authorized operators and required observers have completed the required Federal Aviation Administration (FAA) and 14 CFR 107 training and department approved training in the operation, applicable laws, policies and procedures regarding use of the sUAS.
- (c) Maintain an active list of Remote Pilots in Command who have completed the required training and possess a valid FAA Remote Pilot Certificate or Temporary Airman Certificate with Small Unmanned Aircraft System Rating.
- (d) Developing uniform protocol for submission and evaluation of requests to deploy a sUAS, including urgent requests made during ongoing or emerging incidents.
- (e) 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 ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- (f) Implementing a system for public notification of UAS deployment.
- (g) Facilitating law enforcement access to images and data captured by the sUAS.
- (h) Reviewing and documenting all quarterly reports received from the Program Coordinator.
- (i) Ensuring that established protocols are followed by monitoring and providing periodic program reports to the Chief of Police.

606.4.2 PROGRAM COORDINATOR

The Chief of Police, or his/her designee will appoint a program coordinator who will be responsible for the management of the sUAS 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:

- (a) Coordinating the FAA Certificate of Authorization (COA), and/or 14 CFR 107 application process, ensuring that all certification are current.

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- (b) Obtaining any and all necessary FAA waivers (operations over human beings, etc.).
- (c) Developing protocol for conducting criminal investigations involving a sUAS, including documentation of time spent monitoring a subject.
- (d) Developing an operational protocol governing the deployment and operation of a sUAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- (e) Developing a protocol for fully documenting all missions.
- (f) Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a sUAS, up to and including its overhaul or life limits.
- (g) Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules and the Illinois Freedom from Drone Surveillance Act.
- (h) Recommending program enhancements, especially regarding safety and information security.

606.4.3 REMOTE PILOT IN COMMAND

The remote pilot in command is the assigned licensed pilot present on scene. Remote pilots shall be chosen by the Chief of Police, his/her designee, and/or the Supervisor in Charge of the sUAS unit. Listed below are the following responsibilities of the remote pilot in command:

- (a) The decision whether safe conditions exist to deploy the sUAS lies solely with the designated Remote Pilot in Command who shall take the following conditions into consideration prior to conducting a mission:
 - Airspace Conditions
 - Weather Conditions
 - Condition of Remote Pilot in Command
 - Necessary Flight Crew Number and Condition of Crew
 - Condition of sUAS and Associated Equipment
 - The Remote Pilot in Command's understanding of their abilities and capabilities of the sUAS
- (b) Prior to the operation and use of any sUAS, the Remote Pilot in Command shall conduct an inspection of the sUAS and its associated equipment for any conditions which would adversely affect the safe operation of the sUAS.
- (c) If at any time during a flight mission the Remote Pilot in Command experiences any problematic condition with the sUAS, its associated equipment, or other outside factors, the Remote Pilot in Command will safely land the sUAS to assess and remedy the problem prior to continued use.
- (d) If at any time during a flight mission, the Remote Pilot in Command believes that the situation or conditions dictate that the mission is no longer be safe or feasible, the Remote Pilot in Command shall safely land the sUAS and cease all sUAS operations.

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- (e) Upon the completion of any flight mission, the UAS Flight Documentation Form, as well as all necessary associated paperwork, shall be completed and submitted to the Program Coordinator or Supervisor assigned to the sUAS program.
- (f) Notify the McHenry County or County of jurisdiction States Attorney's Office when a sUAS deployment occurs, when required by state law.

606.5 USE OF SUAS

Only authorized operators who have completed the required training shall be permitted to operate the sUAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

sUAS operations may be conducted during daylight or nighttime hours, in accordance with FAA rules. The sUAS should not be flown over people without a waiver or as authorized by FAA rules.

The sUAS, or images and data produced by its use, shall not be used for personal business of any type. Any use of the sUAS that is not specifically related to the operation or mission of this department shall require the express authorization of the Chief of Police or the authorized designee.

The Village of Lakewood Police Department may not use the sUAS 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 the imminent escape of a suspect or prevent the destruction of evidence. The use of an sUAS under this paragraph is limited to a period of 48 hours. Within 24 hours of sUAS initiation under this paragraph, the Chief of Police must report its use, in writing, to the State's Attorney.
- (d) To locate a missing person 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 sUAS 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.

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606.5.1 PRIVATE UAS OWNERS

This policy and its restrictions apply to the department's directed use of a UAS owned by a private third party and information gathered by a UAS voluntarily submitted to the Department by a private third party (725 ILCS 167/40).

606.6 RESTRICTIONS

1. The sUAS 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.
 - Purposefully disturb or pursue wildlife.
2. sUAS deployments by the police department must also adhere to the operating procedures established by the FAA. These rules are outlined below, but are not limited to:
 - Conduct a pre-flight check to ensure the sUAS in condition for safe operation.
 - Keep the sUAS in visual line of sight.
 - Fly at or below 400 feet above ground level.
 - Fly at or below 100 mph.
 - Yield right of way to manned aircraft.
 - Must not fly from a moving vehicle, except in rural areas.
 - During an emergency situation, deviations from policy are permitted.
 - Flight outside of daylight and twilight hours must be done with Anti-Collision lighting that can be seen for 3 Statute Miles. (Dimming of Anti-Collision lighting may only be done when safety is a concern.
3. The sUAS shall not be weaponized.
4. The program supervisor or their designee shall request a certificate waiver from the FAA which authorizes deviation from specific regulations. 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.
5. Personnel shall notify the program supervisor or their designee when he/she knows or has reason to know that he/she has a physical or mental condition that would interfere with the safe operation of the sUAS.

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606.7 SECURITY OF RECORDINGS

Personnel should be aware that recordings may contain sensitive information and are responsible for ensuring compliance to the rules and regulations in this policy. A breach in security, careless handling of the recording and/or intentional release of recordings to non-authorized individuals may jeopardize relationships with citizens, subject victims to an invasion of privacy, jeopardize prosecutions and endanger the safety of individuals.

- (a) All recordings are considered investigative property of the Village of Lakewood Police Department. The utmost care and caution shall be taken to ensure the recordings are not mishandled or misused.
- (b) Employees shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner recordings without written authorization by the program coordinator or supervisor in charge of the program.
- (c) Any violations related to unauthorized edits, alterations, and dissemination of this data shall be cause for disciplinary action.
- (d) Pursuant to 725 ILCS 167/25, the disclosure of information is prohibited, except 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.

606.8 RETENTION AND DISCLOSURE OF SUAS INFORMATION

Within 30 days of sUAS use, the Records Department supervisor shall destroy all information gathered by the sUAS except 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 (725 ILCS 167/20).

The disclosure of information gathered by the sUAS is prohibited except 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 (725 ILCS 167/25).

606.9 REPORTING

606.9.1 ACCIDENT REPORTING

1. The FAA requires notification of certain sUAS accidents. Pursuant to 14 CFR 107 Drone Operation & Certification Regulations, within 10 days after the accident, the remote pilot in command must report accidents to the FAA in the following situations:
 - (a) Serious injury to any person or loss of consciousness.
 - (b) Damage to any property, other than the sUAS, unless one of the following conditions is satisfied (a) the cost of repair including materials and labor does not exceed \$500.00 or (b) the fair market value of the property does not exceed \$500.00 in the event of a total loss.

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2. The remote pilot in command is required to initiate a police report for any accident involving the sUAS. The police report shall include the following information:
 - (a) Name and contact information for operators and witnesses.
 - (b) Type of operation.
 - (c) Type of device and registration number/certificate.
 - (d) Event location and incident details.
 - (e) Evidence collection such as photos, video, and device confiscation, if necessary.

606.9.2 REPORTING REQUIREMENTS

1. Every remote pilot in command shall be responsible for completing all following documentation when required by this departmental policy or state law:
 - (a) Village of Lakewood Police Department UAS Flight Documentation Form
 - (b) Village of Lakewood Police Department States Attorney's Office Notification Form
2. Copies of the above forms shall be submitted to the Supervisor in Charge and Program Coordinator.
3. The completion of the above steps shall be noted in the remote pilot in commands report.
4. Annually, by April 1, the program supervisor or their designee shall report to the Illinois Criminal Justice Information Authority the number of drones owned by the police department, 725 ILCS 167/35.

See attachment: UAS SAO NOTIFICATION.pdf

See attachment: UAS FLIGHT REPORT.pdf

606.10 PROVIDING SUAS ASSISTANCE

The Village of Lakewood Police Department sUAS Unit is authorized to assist other law enforcement agencies with sUAS deployment, provided all of the aforementioned criteria is met. The determination as to whether or not a member or members of the sUAS Unit will be dispatched to assist will be made by the on-duty shift supervisor. The on-duty supervisor is make their determination based on the availability of Unit personnel and the severity of the incident for which assistance is requested. In the event that a member of the Unit is available at the time of the request, that member is to be consulted regarding the current weather conditions and the status of the sUAS equipment and will provide a recommendation as to whether or not a deployment is feasible.

The Village of Lakewood Police Department will retain footage of recorded flights that are requested by another law enforcement agency and will follow the aforementioned retention schedule for those recordings. Copies of the recordings may be released to the agency requesting assistance, with those copies becoming the property of the receiving agency.

Attachments

UAS SAO NOTIFICATION.pdf



VILLAGE OF LAKEWOOD POLICE DEPARTMENT



Attention: _____ Date: _____

Attention: County State's Attorney's Office The following is a notification from the Village of Lakewood Police Department on behalf of Chief Mike Roth pursuant to the Illinois Drone Surveillance Act, specifically 725 ILCS 167/15(3), which states that the act does not prohibit the use of a drone by a law enforcement agency: If a law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence. The use of a drone under this paragraph (3) is limited to a period of 48 hours. Within 24 hours of the initiation of the use of a drone under this paragraph (3), the chief executive officer of the law enforcement agency must report in writing the use of a drone to the local State's Attorney. Below are the details of a recent deployment that was conducted, as authorized in 725 ILCS 167/15(3):

Date of Deployment: _____ Time of Deployment: _____

Length of Deployment: _____ # of drones deployed: _____

Location of deployment: _____

Purpose:

- Prevent harm to life Forestall escape of a suspect Prevent destruction of evidence

Video footage recorded (yes/no): _____ Is the video being kept as evidence (yes/no): _____

Was any drone video footage obtained from a private third party (yes/no): _____

Lakewood Report # _____ Title of Report _____

Other Agency Report # _____

Charges authorized (indicate if Misd. or Felony): _____

Drone pilots who conducted the deployment: _____

Supervisor authorizing the deployment:

Summary of reasonable suspicion (attach additional pages if necessary):

UAS FLIGHT REPORT.pdf



**LAKWOOD POLICE DEPT.
UAS FLIGHT DOCUMENTATION**

REPORT # LW -

REASON FOR FLIGHT (Check All That Apply)				SAO NOTIFICATION REQUIRED									
<input type="checkbox"/> Missing Person	<input type="checkbox"/> Search Warrant	<input type="checkbox"/> Special / Routed Event	<input type="checkbox"/> Crime Scene Photography	<input type="checkbox"/> Demonstration	<input type="checkbox"/> Assist Other Agency	<input type="checkbox"/> Infrastructure Inspection	<input type="checkbox"/> Disaster / Public Health	<input type="checkbox"/> Terrorist Attack	<input type="checkbox"/> Training	<input type="checkbox"/> Other	<input type="checkbox"/> Harm to Life	<input type="checkbox"/> Forestall Escape	<input type="checkbox"/> Destruction of Evidence
GENERAL INFORMATION													
DATE		TIME		REQUESTING SUPERVISOR OR AGENCY			OUTSIDE AGENCY CASE NUMBER		VIDEO/STILL FOOTAGE WAS: <input type="checkbox"/> Deleted <input type="checkbox"/> Evidence <input type="checkbox"/> Training Purposes				
LOCATION				REPORT TITLE				MAX ALT. TO BE FLOWN					
REMOTE PILOT IN COMMAND				VISUAL OBSERVER				TARGET LOCATED <input type="checkbox"/> YES <input type="checkbox"/> NO					
UAS USED FOR FLIGHT <input type="checkbox"/> M30T <input type="checkbox"/> Other:													
DRONE SIGNS PLACED <input type="checkbox"/> Yes <input type="checkbox"/> Yes, 24 Hrs Prior <input type="checkbox"/> No				DISPATCH NOTIFIED <input type="checkbox"/> Yes <input type="checkbox"/> No		LAANC AUTHORIZATION NUMBER (When Required)							
DEPLOYED FROM				TIME DEPLOYED		TIME LANDED							
REQUIRED/COURTESY NOTIFICATIONS													
<input type="checkbox"/> Huntley Northwestern Hospital (224)654-0000				<input type="checkbox"/> Mercy Crystal Lake (779) 220-5500									
<input type="checkbox"/> Lake in the Hills Airport 3CK (815)479-7960				<input type="checkbox"/> Other:									
<input type="checkbox"/> Special Government Interest (SGI) for exigent waiver if needed 202-267-8276													
WEATHER CONDITIONS													
Max Wind: 27mph Min Visibility: 3 miles Min/Max Temp: -4°F/113°F Ceiling: 500 ft below clouds													
SOURCE		METAR LOCATION (If Applicable)			TIME RECORDED			TEMPERATURE					
WIND DIRECTION		WIND SPEED			VISIBILITY			CLOUD CEILING/STATUS					
DRONE SET-UP						OPTIONAL ATTACHMENT ASSEMBLY							
YES	NO	DNA				YES	NO	DNA					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Extend Arms		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Install Search Lights					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Inspect Propellers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Install Loudspeaker					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Inspect UAS for Damage		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Install/Secure Drop Device					
PRE-FLIGHT CHECKS						POST FLIGHT							
YES	NO	DNA				YES	NO	DNA					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Check Airspace and Flight Restrictions		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notify dispatch flight ended					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Scan for People and Other Hazards		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Complete report					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Brief Visual Observer/Flight Crew		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Send SAO notification as required					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ensure Remote and UAS Are Linked										
FLIGHT NOTES/EQUIPMENT ISSUES													