

# Small Unmanned Aerial System (sUAS) Operations

## 604.1 PURPOSE AND SCOPE

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

### 604.1.1 DEFINITIONS

Definitions related to this policy include:

**Federal Aviation Administration (FAA)** - A national authority with powers to regulate all aspects of civil aviation. The FAA regulates 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.

**Remote Pilot In Command (PIC)** - A person directly responsible for the operation of small unmanned aircraft.

**Small Unmanned Aerial System (sUAS)** - Commonly referred to as a drone, a small unmanned aircraft that does not carry a human operator, weighs less than 55 pounds on takeoff, with its associated elements, which includes communication links and the components that control the aircraft which are required for the safe and efficient operation of the aircraft. An sUAS is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)). An sUAS may be equipped with supporting or attached systems designed for gathering information through imaging, recording or any other means.

**Visual Observer** - A person designated by the PIC to assist in observing and avoiding other air traffic and objects aloft or on the ground.

## 604.2 POLICY

sUAS's 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.

## 604.3 PRIVACY

The use of the sUAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, PIC's 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). PIC's 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 sUAS operations.

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### **604.4 DRONE COORDINATOR**

The Chief of Police will appoint a Drone Coordinator who will be responsible for the management of the sUAS program. The Drone 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.
- Ensuring that all authorized PIC's and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the sUAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a sUAS, including urgent requests made during ongoing or emerging incidents. Deployment of a sUAS shall require authorization of the on-duty Shift Commander or other authorized designee, depending on the type of mission.
- Where applicable, implementing a system for public notification of sUAS deployment.
- 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.
- Ensuring that all missions are documented in a case or supplemental report.
- Developing a sUAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a sUAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence is processed and maintained in accordance with established department evidence protocols.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the sUAS.
- Recommending program enhancements, especially regarding safety and information security.
- Ensuring that established protocols are followed by program monitoring and providing an annual program report to the Chief of Police.

### **604.5 USE OF SUAS**

Only authorized PIC's who have successfully completed the required training and the required FAA license shall be permitted to operate the sUAS.

All sUAS flights will be documented on a Libertyville Police Department Flight Report Form. [See attachment: LPD Flight Report Form.pdf](#)

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

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this department shall require the express authorization of the Chief of Police or their authorized designee. The transfer or download of any images and data must contain evidence of criminal activity, or the information must be relevant to an ongoing investigation or pending criminal trial ([725 ILCS 167/20](#)).

The Libertyville 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 a sUAS under this paragraph is limited to a period of 48 hours. Under this paragraph, the Drone Coordinator must report the agency's use of an sUAS within 24 hours of sUAS initiation, in writing, to the State's Attorney using the LPD Drone Use State's Attorney Notification Form. [See attachment: LPD Drone Use States Attorney Notification Form.pdf](#)
- (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.

Drone operations will be conducted in accordance with [14 C.F.R. Part 107](#), unless a Certificate of Waiver or authorization (COA) is obtained from the FAA. Only the Chief of Police or their designee may authorize the COA request through the FAA.

### 604.5.1 PRIVATE SUAS OWNERS

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

### 604.5.2 SUAS ACCIDENT REPORTING

The FAA requires notification of certain sUAS accidents. Pursuant to [14 C.F.R. Part 107](#) Drone Operation and Certification Regulations, the PIC must report accidents to the FAA within 10 days of the accident in the following situations:

- (a) Serious injury to any person, or loss of consciousness

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- (b) Damage to any property, other than the sUAS, unless one of the following conditions is satisfied:
1. The cost of repair, including materials and labor does not exceed \$500.00
  2. The fair market value of the property does not exceed \$500.00 in the event of a total loss

The PIC 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
- (e) A detailed account of the incident
- (f) Evidence collection such as photos, video and device confiscation, if necessary

In the event of an accident involving an sUAS, the PIC shall provide notification to the FAA through the [FAA's Drone Zone Portal](#).

### **604.6 PROHIBITED USE**

The sUAS 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 sUAS shall not be weaponized.

### **604.7 DEPARTMENT REQUESTS FOR DRONE TEAM ASSISTANCE**

Requests for assistance from outside agencies or task forces for additional drone teams may be made by the on-duty Shift Commander. Requested drone teams may provide assistance with search and rescue operations, situational awareness, incident scene documentation or other deployments that may be needed to assist LPD operations. If a task force or outside agency provides drone assistance, the Drone Coordinator will work with the agency or task force to ensure that all appropriate documentation and reporting requirements are fulfilled.

### **604.8 CALL OUT PROCEDURES**

On-duty PIC's should be the first option for departmental drone operations.

If a PIC must be called in for a drone operation, it shall be done by the on-duty shift commander.

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A PIC may assist any jurisdiction or task force within Lake County as long as the request is made through, and approved by, the on-duty Shift Commander.

- (a) Requests for an on-duty PIC will be reviewed by the Shift Commander and the PIC. Consideration will be given to the circumstances involved in each case and current staffing levels.
- (b) Requests for an off-duty PIC will be reviewed by the Shift Commander. The shift commander will contact the PIC and review the circumstances involved in the case and a determination will be made.

The PIC who assists any outside agency or task force will work with LPD's Drone Coordinator and the outside agency or task force to ensure that all appropriate documentation and reporting requirements are fulfilled.

### **604.9 INSPECTION AND MAINTENANCE REQUIREMENTS**

The PIC shall conduct a preflight inspection of the sUAS and all related equipment prior to each use. The PIC shall document any preflight inspection on a Libertyville Police Department Flight Checklist Form. [See attachment: LPD Drone Flight Checklist.pdf](#)

Assigned officers shall be responsible for ensuring that the sUAS and related equipment is maintained in a state of operational readiness.

Assigned officers shall ensure that the sUAS and related equipment is not stored in an environment subject to extreme temperatures.

If the sUAS or related equipment is found to be defective or experiences a malfunction, the assigned officer shall report the defective or malfunctioning equipment to the Drone Coordinator as soon as practicable.

### **604.10 TRAINING**

Officers who are authorized to operate a sUAS shall be permitted to do so after successfully completing the initial department-approved training and the required FAA license.

Proficiency training for PIC's will be conducted annually. A reassessment of an officer's knowledge and/or practical skills may be required at any time if deemed appropriate by the Drone Coordinator. All training will be documented by the Drone Coordinator and submitted to the Training Coordinator.

The Drone Coordinator is responsible for ensuring that all PIC's have received initial and annual proficiency training.

The Drone Coordinator should ensure that all training includes:

- (a) A review of applicable policies
- (b) A review of applicable FAA regulations, Federal and state laws, and associated case law

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### **604.11 RETENTION AND DISCLOSURE OF UAS INFORMATION**

Within 30 days of sUAS use, the Drone Coordinator shall ensure that any information gathered by the UAS is destroyed, 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](#)).

### **604.12 REPORTING**

The Drone Coordinator shall report annually, by April 1, to the Illinois Criminal Justice Information Authority the number of sUAS's owned by the Libertyville Police Department([725 ILCS 167/35](#)). The Drone Coordinator shall also be responsible for fulfilling any additional reporting requirements.

## **Attachments**

## **LPD Flight Report Form.pdf**



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## Flight Report



CASE INFORMATION			
Location of flight:	Case Report #	Date of incident	Time of Incident
PILOT INFORMATION			
Remote Pilot in Command/Licensed:	Visual Observers:	Private Property Consent/By:	
Name of pilot	Visual observers	Person consenting or DNA	
WEATHER INFORMATION			
Date and Time of Flight:	Day/Night Flight:	Weather Notes:	Temperature:
Date and time of actual flight	Choose an item.	Clear, rain, etc...	Degrees°F
Winds:	Visibility:	Cloud Cover:	Precipitation:
Wind speed, directions, gusts	Visibility in miles	Percent cloud cover	Percent of precipitation
ADDITIONAL INFORMATION			
Flight Purpose (Crash/Crime Scene, Crush, Search/Rescue, etc.):		Waiver(s) Required (Visibility, Controlled Airspace, etc.):	
Click or tap here to enter text.		Click or tap here to enter text.	
CP1 to CP2:	CP 1 to CP3:	CP2 to CP3:	Approximate duration of flight:
## feet	## feet	## feet	## minutes
Did any unusual circumstances occur during the flight? <input type="checkbox"/> Yes <input type="checkbox"/> No (If yes please explain in comments.)		Is the sUAS in need of service or maintenance? <input type="checkbox"/> Yes <input type="checkbox"/> No (If yes please explain in comments.)	
Additional Comments Click or tap here to enter text.			
REPORTING DETAILS			
Reporting Officer:			
Your name			

## **LPD Drone Use States Attorney Notification Form.pdf**

**Date:**

**To:** Lake County State's Attorney's Office

**From:** Chief Ed Roncone

**Reference:** Drone Usage

Pursuant to the "Freedom from Drone Surveillance Act" 725 ILCS 167/15(3):

- (3) 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.

notification is hereby made of the use of a drone by law enforcement as follows:

**Reason(s) (check one or more):**

- To prevent imminent harm to life;
- To forestall the imminent escape of a suspect;
- To forestall the destruction of evidence.

**Synopsis of Circumstances:**

## **LPD Drone Flight Checklist.pdf**



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## Flight Checklist



CONDITIONS	
WEATHER	
Visibility (3+ SM)	Winds (<30 mph), Temperature (Evaluated)
Cloud Cover (500' Vertical, 2,000' Horizontal)	Record weather data from UAV Forecast
AIRSPACE	
Unrestricted airspace or clearance from tower	Class D waiver check
TFR and NOTAM check	Obstruction and hazard check
FLIGHT AREA EXAM	
Identify Perimeter and Flight Path-Hazards	Identify Higher Detail Area, Verify Evidence Marking
Establish take-off location – 20' + radius/no overhead obstructions	Check for hazards along planned flight path
CREW BRIEFING	
Verify license and waivers	Brief visual observer and flight crew (if applicable)
Verify insurance is purchased	Verify calibration and check measurements are marked
Notify bystanders of flight	

MAVIC
PRE-FLIGHT
Inspect structure, propellers, battery, iPad, and controller
Check if memory card is inserted properly
Attach iPad to controller
Power on controller and sUAS, check battery levels
Launch DJI application on iPad
Confirm JPG capture mode and camera transmission
Confirm GPS mode activated
POST-FLIGHT
Land and shut down sUAS
Review images
Inspect structure, propellers, battery
Remove battery and secure in case

INSPIRE
PRE-FLIGHT
Inspect structure, propellers, battery, iPad, and controller
Check if memory card is inserted properly
Attach iPad to controller
Power up controller and sUAS, check battery levels
Exit travel mode (4x switch) and power down
Attach camera and ensure it is secure
Attach propellers
Attach camera and ensure it is secure
Launch DJI application on iPad
Power on sUAS
Confirm JPG capture mode and camera transmission
Confirm GPS mode activated
POST-FLIGHT
Lower landing gear
Land and shut down sUAS
Review images
Inspect structure, propellers, battery
Remove propellers
Remove and secure camera
Enter travel mode (4x switch) and power down
Remove battery and secure in case