



**Subject:** Small Unmanned Aircraft Systems (sUAS)

**Issued:** August 2, 2024

**Effective Date:** August 2, 2024

**Termination Date:** N/A

**General Order:** 24-119

**Section Code:** M-17

**Rescinds:**

**Reference CALEA Standards:**

**Amended Date:**

This order supersedes all previous written and unwritten guidelines and policies of the Mundelein Police Department on the above written topics.

**TO:** All Personnel

**PURPOSE:** The purpose of this general order is to establish guidelines under which a small, unmanned aircraft may be utilized. The general order will also provide guidelines for the storage, retrieval, dissemination of images or data captured by such systems.

**POLICY:** The policy is to ensure authorized personnel are trained on the use of small, unmanned aircraft systems, hereinafter referred to as sUAS, to enhance the mission of protecting lives and property when other means and resources are not available or are less effective. Any use of the sUAS will be in strict compliance to relevant statutes, privacy rights, the Federal Aviation Administration, and 14 CFR 107 requirements.

I. Definitions

- A. Drone Team Leader is defined as a sworn supervisor responsible for management of the small, unmanned aircraft program.
- B. Federal Aviation Administration (FAA) is defined as 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.
- C. Information is defined in 725 ILCS 167 as any evidence, images, sounds, data, or other information gathered by the unmanned aircraft.
- D. Parade is defined as 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. The parade does not include a political protest, march, or demonstration, or other assembly protected by the First Amendment.
- E. Remote Pilot in Command is defined as a person directly responsible for and is the final authority as to the operation of the small, unmanned aircraft.
- F. Routed Event is defined as a parade, walk, or race that is hosted by the State of Illinois or a county, municipality, township, or park district which is outdoors and open to the public and has an estimated attendance of more than 50 people. Routed event does not include a political protest, march, or demonstration, or other assembly protected by the First Amendment.
- G. Small Unmanned Aircraft System (sUAS) is defined as 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

- H. that control the aircraft that are required for the safe and efficient operation of the aircraft.
- I. Special Event is defined as a concert or food festival that is hosted by the state of Illinois or a county, municipality, township, or park district which is outdoors and open to the public and has an estimated attendance of 150 or more people in a unity of local government with a population that is less than 50,000; 250 or more people in a unity of local government with a population that is greater than or equal to 50,000 but less than 100,000; 350 or more people in a unit of local government with a population that is greater than or equal to 100,000 but less than 500,000; or 500 or more people in a unit of local government with a population that is 500,000 or more. Special events do not include a political protest, march, or demonstration, or other assembly protected by the First Amendment.
- J. Visual Observer is defined as 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.

## II. Privacy

- A. The use of the sUAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, the Remote Pilot in Command and Visual Observer shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have reasonable expectation of privacy.

## III. Drone Team Leader

- A. The Drone Team Leader is assigned by the sUAS Commander and will be responsible for the management of the sUAS program. The Drone Team Leader will ensure that policies and procedures confirm current laws, regulations, best practices, and will have the following responsibilities:
  1. Coordinate the FAA Certification of Authorization (COA) and/or the 14 CFR 107 application process; ensure all certifications are current.
  2. Ensure authorized Remote Pilots in Command 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.
  3. Maintain uniform protocol for submission and evaluation of requests to deploy the sUAS, including urgent requests made during on-going or emerging incidents.
  4. Maintain protocol for conducting criminal investigations involving the sUAS, including documentation of time spent monitoring a subject.
  5. Ensure notification to the public and media outlets regarding sUAS deployment, when appropriate.
  6. Maintain an operational protocol governing the safe deployment and operation of a sUAS, along with documenting all missions.

7. Maintain sUAS inspection, maintenance and record keeping protocol to ensure continuing airworthiness of a sUAS, up to and including its overhaul or life limits.
8. Ensure 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.
9. Ensure retention and purge periods are maintained in accordance with established records retention schedules
10. Facilitate law enforcement access to images and data captured by the sUAS.
11. Recommend program enhancements, especially regarding safety and information security.
12. Ensure established protocols are followed by monitoring and providing quarterly program reports to the sUAS Commander responsible for the program.
13. Conduct a documented annual audit of the program and flight documentation.
14. Coordinate and implement a regular training curriculum to maintain proficiencies and stay apprised of current trends.

#### IV. Training and Performance Evaluation of the sUAS

- A. Officers who are authorized to operate a sUAS shall be permitted to do so after successfully completing the initial department approved training and successful completion of the FAA 14 CFR 107 licensing process.
- B. Proficiency training for authorized officers 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 Team Leader.
- C. Training will consist of practical use of the sUAS, operational standards, updates or other revisions of the FAA and/or 14 CFR 107 requirements, statutes or department policy, and any other applicable training approved by the Drone Team Leader or their designee.

#### V. Procedure

- A. Requests to deploy the sUAS flight shall be made to the Drone Team Leader who will confer with the commander as to the status of the proposed flight. The Drone Team Leader or designee must also be notified of any sUAS deployment.
- B. The police department must obtain applicable authorizations, permits, or certificates as required by FAA prior to deploying or operating the sUAS, and ensure these documents are current.

- C. The Drone Team Leader 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.
- D. 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:
  - 1. Conduct a pre-flight check to ensure safe operation of the sUAS.
  - 2. Keep the sUAS in visual line of sight, except when tactical beyond visual line of sight operations (BVLOS) applies in accordance with the Village of Mundelein's FAA authorized Certificate of Waiver or Authorization (COA).
  - 3. Fly during daylight hours or at night per requirements defined in 14 CFR 107.29.
  - 4. Fly at or below 400 feet above ground level or up to 400 feet above a structure.
  - 5. Fly at or below 100 mph.
  - 6. Yield right of way to manned aircraft.
  - 7. Must not fly over people, unless the operation meets the requirements defined in 14 CFR 107.39 & 107.105.
  - 8. Must not fly over moving vehicles, unless the operation meets the requirements defined in 14 CFR 107.145.
  - 9. During an emergency, deviations from the policy are permitted.
- E. 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 protected privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.
- F. Whenever possible, if the sUAS will be flying within close proximity to an airport or hospital heliport, which could create a hazardous situation for a manned aircraft, notification shall be made to the respective airport management or hospital's security office.
- G. When appropriate, notification of the sUAS deployment shall be made to the public and/or media outlets.
- H. At the conclusion of each deployment, the recordings shall be securely downloaded, and proper evidence procedures shall be followed. Unless the deployment was at a special event or routed event, in which case the recordings shall be deleted within 24 hours of the conclusion of the event.
- I. All uses of the sUAS will be documented on the Mundelein Police Department's sUAS Flight Documentation Form (Addendum A). Information shall include the reason for the flight, date, time, location, and the outcome of the deployment.

## VI. Department use of sUAS

- A. Pursuant to 725 ILCS 167/15, the sUAS may not be used to gather information, except during the following situations.
1. 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.
  2. 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.
  3. 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 the sUAS under this paragraph is limited to a period of 48 hours. Within 24 hours of the sUAS initiation under this paragraph, the Drone Team Leader or designee must report its use, in writing, on the Mundelein Police Department's Drone Use by First Responders State's Attorney Notification Form (Addendum B), to the applicable State's Attorney's Office.
  4. If not undertaking a criminal investigation, but is attempting to locate a missing person, engaging in search and rescue operations, or aiding a person who cannot otherwise safely be reached.
  5. 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.
  6. 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 was issued.
  7. To conduct an infrastructure inspection of a designated building or structure at the express request of a local government agency. Operating a sUAS under this paragraph, this department shall make every reasonable attempt to photograph only the building or structure and to avoid other areas.
  8. To demonstrate the capabilities and functionality of a police sUAS for public relations purposes, provided that no information is collected or recorded by the sUAS during such demonstration.
  9. In response to Public Safety Answering Point (PSAP) dispatched calls for service, when the sole purpose for using a drone is for one or more first responders to locate victims, to assist with immediate victim health or safety needs, or to coordinate the response of emergency vehicles and personnel to an emergency. As used in this paragraph, "Public Safety

Answering Point” and “PSAP” have the meaning given to those terms in Section 2 of the Emergency Telephone System Act 50 ILCS 750.

10. Prior to, and during, a routed event or special event.

VII. Accident Reporting

- A. The FAA requires notification of certain sUAS accidents. Pursuant to 14 CFR 107 Drone Operations & Certification Regulations, within 10 days after the accident, the Remote Pilot in Command must report accidents to the FAA in the following situations:
  1. Serious injury to any person or loss of consciousness.
  2. Damage to any property, other than the sUAS, unless one of the following conditions is satisfied (a) the cost of the repair including materials and labor does not exceed \$500.00 (b) the fair market value of the property does not exceed \$500.00 in the event of a total loss.
- B. The Remote Pilot in Command is required to immediately notify a supervisor of any accident involving the sUAS. The supervisor and/or Drone Team Leader will determine the appropriate reporting requirements pursuant to statute, FAA rules, or the Mundelein Police Department internal procedures.
- C. When the accident meets the criteria listed under Section IV, the Remote Pilot in Command shall provide notification to the FAA by using the FAA’s DroneZone portal.

VIII. Prohibited Use

- A. The sUAS will not be used to:
  1. Conduct random surveillance activities or for information gathering, unless a search warrant has been issued.
  2. Target a person based solely on individual characteristics such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
  3. Harass, intimidate or discriminate against any individual group.
  4. Conduct personal business of any type.
  5. Any situation outside of what is specified in Section III.
- B. Personnel shall notify the Drone Team Leader 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.
- C. Use of facial recognition. The Mundelein Police Department while operating a sUAS, is prohibited from using during flight, onboard facial recognition software that works in conjunction with the sUAS. Moreover, this department is prohibited from using any information gathered by an sUAS with any facial recognition software, unless either:
  1. The department is using the sUAS to counter a high-risk terrorist attack by a specific individual or organization and the United States Secretary

of Homeland Security has determined that credible intelligence indicated that there is such risk or

2. The department 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.

D. Use of weapons. The Mundelein Police Department is prohibited from equipping or using on a sUAS any firearm, weaponized laser, kinetic impact projectile, chemical agent or irritant, or any other lethal or non-lethal weapon.

#### IX. Security of Recordings

A. Personnel should be aware that recordings may contain sensitive information and are responsible for ensuring compliance with the information 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.

B. All recordings are considered investigative property of the Mundelein Police Department. The utmost care and caution shall be taken to ensure the recordings are not mishandled or misused.

C. Employees shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner recordings without written authorization by the Drone Team Leader.

D. Any violations related to unauthorized edits, alterations, and dissemination of this data shall be cause for disciplinary action.

E. 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.

#### X. Inspections and Care of Equipment

A. The sUAS and related equipment shall be maintained in the state of operational readiness. Assigned officers shall use reasonable care to ensure proper functioning of the sUAS equipment. Malfunctions shall be brought to the attention of the Drone Team Leader as soon as possible. Extra caution must be taken to ensure the equipment is not stored in extreme temperatures.

B. Prior to use, assigned officers shall:

1. Inspect the sUAS and related equipment to verify proper functioning and ensure the battery is fully charged in accordance with the manufacture's recommendations.

2. Inspect the body of the sUAS, the charging, and camera cables to look for signs of visible damage. Ensure the propeller blades are in flight worth condition.

- VIII. Private sUAS Owners
- A. The department may utilize information from private sUAS's only for the purpose of undertaking tasks outlined in Section V.
  - B. Private parties may voluntarily submit information acquired by the privately owned sUAS's to the police department.
  - C. The department shall not disclose any information gathered by the private sUAS. However, a supervisor may disclose information to another government agency when there is reasonable suspicion that the information contains evidence of criminal activity, or the information is relevant to an on-going investigation or pending trial.
- IX. Records Retention and Disclosure of sUAS Information
- A. The Drone Team Leader shall ensure that any 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 is destroyed pursuant to the statutory guidelines set forth in 725 ILCS 167/20.
  - B. 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.
  - C. The Drone Team Leader may retain particular information if it is relevant to an ongoing investigation or pending criminal trial. If the Drone Team Leader, or other supervisor deems that the information will be used exclusively for training purposes, provided that such information shall not contain any personally identifiable information, or the information consists of only flight path data, metadata, or telemetry information of the drone. This policy will be available to the public on the Village of Mundelein's website.
- X. Department Requests for sUAS Assistance
- A. Requests for assistance from outside agencies or task forces may be made to the on-duty supervisor. All assistance shall be documented in a case report and sUAS flight documentation. In addition, the Drone Team Leader shall be notified of any outside agency assistance.
- XI. Violations
- A. The Mundelein Police Department will handle violations of this policy, applicable FAA regulations, Federal, and state laws in accordance with 720 ILCS 167/45.
  - B. If any member of this department becomes aware of a possible violation of this policy, applicable FAA regulations, and Federal or state laws, they shall notify their supervisor immediately. The supervisor shall forward the information of the possible violation to both the Drone Team Leader and the Deputy Chief of Police. The Drone Team Leader shall review the reported violation to determine whether a violation occurred. If the Drone Team Leader determines that no violation occurred, they shall document such in a memorandum to the Chief

of Police. If the Drone Team Leader determines that a violation occurred, they shall do the following.

1. Document the date, time, location, Remote Pilot in Command, Visual Observer, and any other department personnel present when the violation(s) occurred.
  2. Document the specific violation(s).
  3. Identify the events that lead to the violation(s).
  4. Provide a training plan to the Deputy Chief of Police to include a review of department policy, applicable FAA regulations, Federal and state laws, associated case law, and remedial training on the use of sUAS.
- C. Once the training plan is approved, the Drone Team Leader will oversee the remedial training to ensure the involved employees are in compliance with this policy, applicable FAA regulations, Federal and state laws.
- D. If it is determined that disciplinary measures are appropriate, the Mundelein Police Department will act in accordance with Disciplinary Procedures General Order 15-42R.

**XII. Reporting**

- A. Annually, by April 1, the sUAS Commander, or designee, shall report to the Illinois Criminal Justice Information Authority the number of sUAS owned by the police department, the number of times a sUAS was used pursuant to each paragraph of Section III, including the date of use, time of use, reason for use, location, whether video was recorded, and whether the video is designated for retention for training purposes. The report shall include the most recent copy of this policy.

**BY ORDER OF:**



Jason Seeley  
Chief of Police  
Village of Mundelein

# MUNDELEIN POLICE DEPARTMENT

## sUAS FLIGHT DOCUMENTATION

REPORT #
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REASON FOR FLIGHT (check all that apply)				SAO NOTIFICATION REQUIRED	
<input type="checkbox"/> Call for Service	<input type="checkbox"/> Search Warrant	<input type="checkbox"/> Harm to Life			
<input type="checkbox"/> Missing Person	<input type="checkbox"/> Crime Scene Photographs	<input type="checkbox"/> Forestall Escape			
<input type="checkbox"/> Traffic Accident	<input type="checkbox"/> Other	<input type="checkbox"/> Destruction of Evidence			
GENERAL INFORMATION					
DATE	TIME	SUPERVISOR AUTH. FLIGHT	VIDEO/STILL IMAGES <input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, VIDEO/STILL IMAGES <input type="checkbox"/> Deleted <input type="checkbox"/> Entered Into Evidence	
LOCATION		REPORT TITLE		MAX ALT TO BE FLOWN	
PILOT		VISUAL OBSERVER		LENGTH OF FLIGHT (minutes)	
sUAS USED FOR FLIGHT <input type="checkbox"/> Blue <input type="checkbox"/> Red			CAMERA(S) USED DURING FLIGHT <input type="checkbox"/> Wide (standard) <input type="checkbox"/> Zoom <input type="checkbox"/> Thermal		
DRONE SIGNS PLACED <input type="checkbox"/> YES <input type="checkbox"/> NO		DISPATCH NOTIFICATION <input type="checkbox"/> YES <input type="checkbox"/> NO		LAANC AUTHORIZATION NUMBER (when required)	
LAND AUTHORIZATION – LIST ALL (include name, location, type of consent obtained)					
REQUIRED/COURTESY NOTIFICATIONS					
<input type="checkbox"/> Condell Medical Center 847-362-2900					
<input type="checkbox"/> Special Government Interest (SGI) for exigent waiver if needed 202-267-8276					
<input type="checkbox"/> Federal Aviation Administration (FAA) Drop Zone Notification					
<input type="checkbox"/> Other:					
WEATHER CONDITIONS					
Max Wind: 27mph Min Visibility: 3 miles Min/Max Temp: -4°F/113°F Ceiling: 500 ft below clouds					
SOURCE	METAR LOCATION	TIME RECORDED		TEMPERATURE	
WIND DIRECTION		WIND SPEED	VISIBILITY	CLOUD CEILING/STATUS	
REQUIRED ASSEMBLY			OPTIONAL ATTACHMENT ASSEMBLY		
YES	NO	DNA	YES	NO	DNA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attach legs/extend arms & secure			Install search lights		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attach and secure camera to gimbal			Install/activate anti-collision lights		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inspect and install propellers			Install/secure drop device		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Inspect sUAS for damage					
PRE-FLIGHT CHECKS			POST FLIGHT		
YES	NO	DNA	YES	NO	DNA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Check airspace and flight restrictions			Notify dispatch flight ended		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scan for people and other hazards			Complete report		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brief visual observer/flight crew			Send SAO notification as required		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Ensure remote and sUAS are linked					
FLIGHT NOTES/EQUIPMENT ISSUES					

## DRONE USE BY FIRST RESPONDERS – STATE’S ATTORNEY NOTIFICATION

The following is a notification from the Mundelein Police Department on behalf of the Chief of Police, pursuant to The Freedom from Drone Surveillance Act, specifically 725 LICS 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.”

Use of a drone was authorized by Click or tap here to enter text. of the Mundelein Police Department on Click or tap here to enter text. at Click or tap here to enter text.

### PURPOSE

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

Pilot in Command Click or tap here to enter text.

Report# Click or tap here to enter text.

### SYNOPSIS

Click or tap here to enter text.