
Small Unmanned Aerial System sUAS Operations

607.1 PURPOSE AND SCOPE

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

607.2 POLICY

It is the policy of the Oak Lawn Police Department to utilize small Unmanned Aircraft Systems (sUAS) to enhance law enforcement and emergency response operations while exercising the utmost care to preserve the privacy and civil liberties of the public.

All operations shall adhere to Federal Aviation Administration (FAA) regulations and the Illinois Drones as First Responders Act (725 ILCS 167).

Any use of the sUAS will be in strict compliance with the applicable provisions of Title 14 of the Code of Federal Regulations (14 CFR) Parts 107 and 91, the terms and conditions of any Certificate of Waiver or Authorization (COA) issued to the Oak Lawn Police Department, and any Beyond Visual Line of Sight (BVLOS) operational waivers approved by the FAA.

607.3 DEFINITIONS

Certificate of Waiver or Authorization - An authorization issued by the FAA Air Traffic Organization to a public operator for a specific UA activity.

Federal Aviation Administration - The federal government agency tasked with regulating civil aviation and U.S. commercial space transportation, maintaining and operating air traffic control and navigation systems for both civil and military aircrafts, and developing and administering programs relating to aviation safety and the National Airspace System.

Information - Any evidence, images, sounds, data, or other information gathered by a drone, or small unmanned aircraft system.

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.

Remote Pilot in Command - The person directly responsible for and is the final authority as to the operation of the small unmanned aircraft system.

Routed Event - A parade, walk, or race that is hosted by the State of Illinois or a county, municipality, township, or park district; is outdoors and open to the public; and has an estimated

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attendance of more than 50 people. A routed event does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.

Small Unmanned Aircraft System - 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.

Special Event - A concert or food festival that is hosted by the State of Illinois or a county, municipality, township, or park district; is outdoors and open to the public; and has an estimated attendance of: 150 or more people in a unit of local government with a population that is less than 50,000; 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; 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 people or more. A special event does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.

Visual Observer - A person who is designated by the remote pilot in command to assist the remote pilot in command and the person manipulating the flight controls of the small UAS to see and avoid other air traffic or objects aloft or on the ground.

607.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the overall management of the sUAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and current practices. Additional responsibilities include:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and subsequent renewal process for any current and approved COAs.
- Ensuring all authorized operators and visual observers have completed all applicable required FAA and department-approved training in the operation, applicable laws, and department guidelines regarding the use of the sUAS.
- Establishing a team of department personnel trained and certified to operate sUAS in compliance with current laws and regulations.
- Ensuring completion of the reporting requirements established in OLPD Policy 607.10
- Developing sUAS inspection, maintenance, and record keeping procedures to ensure continuing airworthiness of the sUAS(s). A qualified team member shall be designated to assist with these procedures, including documentation of all inspections, maintenance actions, and component replacements in accordance with manufacturer recommendations and FAA requirements.
- Reviewing sUAS documentation forms to ensure deployments are in compliance with FAA regulations, Illinois law, and Department policy.

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- Ensuring compliance with information retention and, in cases in which sUAS deployments gathered information and that information was designated for retention by the Remote Pilot in Command, uploading the information to Evidence.com or otherwise ensuring the information's retention in compliance with Illinois Law and Department Policy.
- Developing a training curriculum
- Registering all UASs with the FAA.

607.5 TRAINING

Police personnel assigned to the sUAS team shall complete an agency-approved training program to ensure proper understanding of the applicable laws and regulations governing sUAS use and safe operation of the system.

Additional training shall be required at periodic intervals to ensure continued compliance with FAA regulations, maintenance of certifications, and safe operational proficiency.

Personnel assigned to Drone as First Responder (DFR) operations shall complete DFR-specific training approved by the Program Coordinator and consistent with the department's FAA Certificate of Waiver or Authorization (COA) and any Beyond Visual Line of Sight (BVLOS) waiver requirements.

This training shall include but not limited to procedures for remote dispatch coordination, emergency flight termination, system redundancy protocols, and safety-of-flight responsibilities for Remote Pilots in Command (RPICs) and Visual Observers (VOs) and reporting requirements.

All operators and program administrators shall also complete any manufacturer-approved or manufacturer-provided training applicable to the department's sUAS platforms (e.g., Skydio Operator or Administrator Certification), and maintain current proficiency as recommended by the manufacturer.

The Program Coordinator shall ensure that records of all training, certifications, manufacturer courses, and recurrency checks are maintained as part of the sUAS program documentation.

607.6 USE OF SUAS

The sUAS shall be operated within the guidelines of the applicable Certificate of Authorization (COA) issued to this department by the FAA, within the applicable regulations established in 14 CFR 91 or 14 CFR 107, and the Illinois Drones as First Responders Act (725 ILCS 167). 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 Oak Lawn Police Department 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 that there is that risk.

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- (b) If a law enforcement agency first obtains a search warrant based on probable cause issued 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 the judge upon a showing of good cause for subsequent periods of 45 days.
- (c) 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.
- (d) If a law enforcement agency is 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 be safely reached.
- (e) If a law enforcement agency is using a drone solely for crime scene and traffic crash scene photography. Crime scene and traffic crash photography must be conducted in a geographically confined and time-limited manner to document specific occurrences. The use of a drone under this paragraph (5) on private property requires either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search. The use of a drone under this paragraph (5) on lands, highways, roadways, or areas belonging to this State or political subdivisions of this State does not require a search warrant or consent to search. Any law enforcement agency operating a drone under this paragraph (5) shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.
- (f) If a law enforcement agency is using a drone during a disaster or public health emergency, as defined by Section 4 of the Illinois Emergency Management Agency Act. The use of a drone under this paragraph (6) does not require an official declaration of a disaster or public health emergency prior to use. A law enforcement agency may use a drone under this paragraph (6) to obtain information necessary for the determination of whether or not a disaster or public health emergency should be declared, to monitor weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. The use of a drone under this paragraph (6) is permissible during the disaster or public health emergency and during subsequent response and recovery efforts.
- (g) To conduct an infrastructure inspection of a designated building or structure at the express request of a local government agency. Any law enforcement agency operating a drone under this paragraph (7) shall make every reasonable attempt to photograph only the building or structure and to avoid other areas.
- (h) To demonstrate the capabilities and functionality of a police drone for public relations purposes, provided that no information is collected or recorded by the drone during such demonstration.
- (i) 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

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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 (9), "Public Safety Answering Point" and "PSAP" have the meaning given to those terms in Section 2 of the Emergency Telephone System Act.

- (j) If a law enforcement agency is using a drone at a routed event or special event. The use of a drone under this paragraph (10) requires that:
 - (A) notice is posted at the event location for at least 24 hours before the event and clearly communicates that drone may be used at the upcoming event for the purpose of real-time monitoring of participant safety.
 - (B) notice is posted, if practical, at major entry points to the event clearly informing the attendees that a drone may be used for the purpose of real-time monitoring of participant safety; and
 - (C) the drone is flown in accordance with Federal Aviation Administration safety regulations. Under this paragraph (10), a law enforcement agency may use the drone:
 - (i) in advance of an event, before event participants have begun to assemble, for the sole purpose of creating maps and determining appropriate access routes, staging areas, and traffic routes, provided that no personal identifying information is recorded and provided further that no recorded information is used in any criminal prosecution; or
 - (ii) during the event to proactively support public safety personnel by monitoring the event footprint in real time:
 - (a) to detect a breach of event space, including a breach by an unauthorized vehicle, an interruption of a parade route, or a breach of an event barricade or fencing;
 - (b) to evaluate crowd size and density;
 - (c) to identify activity that could present a public safety issue for the crowd as a whole, including crowd movement;
 - (d) to assist in the response of public safety personnel to a real-time public safety incident at the event; and
 - (e) to assess the traffic and pedestrian flow around the event in real time

607.7 PROHIBITED USE OF SUAS

The sUAS shall not be equipped with any firearm, weaponized laser, kinetic impact projectile, chemical agent or irritant, or any other lethal or non-lethal weapon, as prohibited by 725 ILCS 167/18.

The sUAS shall not be operated in an unsafe manner or in violation of FAA regulations. The sUAS, or images and data produced by its use, shall not be used to conduct personal business of any type.

The sUAS shall not be utilized to:

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- Conduct random surveillance activities
- Target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, disability, gender, or sexual orientation
- Harass, intimidate, or discriminate against any individual or group

607.8 DEPLOYMENT PROCEDURE

- It is the Remote Pilot in Command's responsibility to evaluate each situation and determine whether the deployment of a sUAS is appropriate and reasonable. The Remote Pilot in Command shall have the authority to decline the use of the sUAS whenever he/she deems deployment is unsuitable.
- Prior to deployment, the remote pilot in command should conduct a preflight inspection including checking airspace and flight restrictions, confirming weather conditions for a safe flight, identifying potential hazards in the deployment area, briefing an applicable visual observer, and ensuring the remote and sUAS are linked.
- Upon completion of a sUAS deployment pursuant to 725 ILCS 167/15, the Remote Pilot in Command shall complete a supplemental report.
- All uses of the sUAS shall be documented on the approved sUAS deployment form.

607.9 EVIDENCE COLLECTION, RETENTION AND DISCLOSURE OF SUAS INFORMATION

Activation of video recording during sUAS operations is at the discretion of the Remote Pilot in Command (RPIC) or as directed by a supervisor, based on the nature and purpose of the mission.

When recording is utilized, all collected information shall be retained or destroyed in accordance with the applicable retention timeframes established in 725 ILCS 167/20 and this policy.

Nothing in this section shall be construed to require video recording for all sUAS operations.

Any information gathered by use of the sUAS by the Oak Lawn Police Department under 725 ILCS 167/15 shall be destroyed within the following timeframes:

- A. All information gathered pursuant to paragraph (1), (2), (3), (4), (5), (6), or (9) of Section 15 of 725 ILCS 167 shall be destroyed within 30 days after being gathered.
- B. All information gathered pursuant to paragraph (10) of Section 15 of 725 ILCS 167 shall be destroyed within 24 hours after being gathered.
- C. All information gathered pursuant to paragraph (7) of Section 15 of 725 ILCS 167 shall be turned over to the requesting local government agency as soon as practicable, and all gathered information shall be destroyed immediately after the information has been turned over.
- D. Notwithstanding the above, a supervisor at a law enforcement agency may retain particular information if:

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- (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) a supervisor at the agency deems that the information will be used exclusively for training purposes, provided that any such information shall not contain any personally identifiable information; or
- (d) the information consists of only flight path data, metadata, or telemetry information of the drone.

Any Information gathered by use of the sUAS by the Oak Lawn Police Department under 725 ILCS 167/15 shall not be disclosed, except that a supervisor of the Oak Lawn Police Department may disclose particular information to another governmental agency if 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. Oak Lawn Police Department records of sUAS usage, including flight path data, metadata, or telemetry information of specific flights, if available, may be disclosed subject to the Freedom of Information Act and rules adopted under that Act. The Oak Lawn Police Department shall neither sell any information gathered by a sUAS nor disclose any information gathered by the sUAS to any person to whom disclosure is not authorized according to 725 ILCS 167/25. Nothing in this policy or 725 ILCS 167/25 prevents the disclosure of information through a court order or subpoena in connection with a criminal proceeding or if the disclosure is in regard to a completed traffic crash investigation.

607.10 REPORTING

The Program Coordinator shall be responsible for the following reporting requirements:

- (a) Annually, by April 1, to the Illinois Criminal Justice Information Authority the number of sUAS owned by the Oak Lawn Police Department, the number of times a sUAS was used pursuant to each paragraph of 725 ILCS 167/15, including the date of use, time of use, reason for use, location, whether video was recorded, and whether the video was designated for retention for training purposes. The report shall contain a copy of the Oak Lawn Police Department's latest policy concerning sUAS as of the most recent April 1.
- (b) Ensuring that, if required under paragraph (3) of 725 ILCS 167/15, notification is made to the Cook County State's Attorney within 24 hours of deployment of a sUAS under paragraph (3) of 725 ILCS 167/15.
- (c) During the active period of any Certificate of Waiver or Authorization for this Department, submitting to the FAA the number of flights on a monthly basis through the COA Application Processing System (CAPS). The Remote Pilot in Command shall be responsible for reporting to the FAA within 10 calendar days of an accident of a sUAS involving serious injury to any person or any loss of consciousness or damage to any property, other than the sUAS, unless the cost of repair including materials and labor does not exceed \$500 or the fair market value of the property does not exceed \$500 in the event of a total loss. In the event of an accident involving a sUAS,

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the Remote Pilot in Command shall promptly notify a supervisor and complete any required incident report

607.11 DRONE AS FIRST RESPONDER (DFR) OPERATIONS

The DFR program allows pre-positioned drones to provide immediate aerial situational awareness during emergencies. DFR operations shall comply with FAA Certificate of Waiver or Authorization (COA) conditions, Beyond Visual Line of Sight (BVLOS) waiver requirements, and all applicable provisions of 14 CFR Parts 91 and 107. Operations shall adhere to DFR-specific training, manufacturer operating limitations, and established geofencing boundaries. Only trained Remote Pilots in Command (RPICs) or authorized Real-Time Crime Center (RTCC) personnel may conduct DFR missions.

607.12 VIOLATIONS

When it is learned or discovered that the conduct of a member of the Oak Lawn Police Department violated 725 ILCS 167, the Department shall take immediate actions to prevent future violations of 725 ILCS 167 through any one or more of the following means:

- Training
- Discipline (including progressive discipline for repeat violations)
- Other means that will prevent repeated violations of 725 ILCS 167 by members of the Oak Lawn Police Department If the Department learns of willful and wanton violations of 725 ILCS 167, the Department shall immediately remove the member from its sUAS program and take action to prevent future willful and wanton violations of 725 ILCS 167