

UNMANNED AIRCRAFT SYSTEM (UAS) OPERATIONS

436.1 PURPOSE

The purpose of this policy is to establish guidelines and protocol for the deployment and use of the Unmanned Aircraft System (UAS) including the retention and/or destruction of media obtained using the UAS in accordance with applicable Federal law, State law, and City of Plano regulations.

436.2 DEFINITIONS

Certificate of Authorization (COA): Given by the Federal Aviation Administration (FAA) granting permission to fly the UAS within specific boundaries and perimeters.

Pilot: A member of the Plano Police Department who is trained, certified and authorized to control a UAS during flight.

Observer: A member of the Plano Police Department who is trained and/or authorized to maintain visual observation of the UAS while in flight.

Unmanned Aircraft System (UAS): Consists of the small, unmanned aircraft weighing less than 55 lbs., the command system, a secure control link and other safety and support systems for operation of the UAS.

436.3 POLICY

Unmanned Aircraft Systems may be utilized to enhance the department's mission of protecting lives and property. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations, and department policy. Safety, above all else, is the primary concern in every operation, regardless of the nature of the mission.

436.4 PRIVACY

The use of the UAS potentially involves privacy considerations. Personnel will consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the UAS. Pilots will take reasonable precautions to avoid inadvertently recording or transmitting images that infringe upon an individual's right to privacy.

436.5 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS 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:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.

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- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.

- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions with a report.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- 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 to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- 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 UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

436.6 TRAINING NEEDS ASSESSMENT

The UAS Program Coordinator shall conduct an annual needs assessment to ensure that training is conducted within unit capabilities, department policy, and training guidelines as established by the FAA.

436.7 DEPLOYMENT PROCEDURE

Requests to deploy Unmanned Aircraft Systems shall be forwarded to the Sergeant of Investigations or their designee for approval.

436.8 USE OF UAS

Unmanned Aircraft Systems may be authorized for deployment under the following circumstances:

- (a) Public safety and life preservation missions including, but not limited to, barricade situations, active shooters, apprehension of armed and dangerous fleeing suspects, and high-risk search warrants
- (b) Investigative scenes
- (c) Missing persons incidents

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- (d) Search and rescue operations
- (e) Disaster scene incidents
- (f) Hazmat incidents
- (g) Suspected explosive devices
- (h) Pursuant to a warrant (search or arrest)
- (i) Special events
- (j) Outside public agency assists
- (k) Training missions
- (l) Mutual aid support when the underlying missions meets the uses outlined in this policy
- (m) Any other use as directed by Program Coordinator

436.9 PROHIBITED USE

The UAS 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 UAS shall not be weaponized.

436.10 EVIDENCE COLLECTION AND RETENTION

To avoid missing critical evidence during UAS operations, all UAS video will be recorded during flight. The pilot will manually activate the record feature on the UAS before take-off and will stop recording after landing. Data collected by the UAS shall be retained as provided in the established records retention schedule. Video and live feeds activated during training missions need not be stored as evidence.