



**UNMANNED AERIAL SYSTEM (UAS)**

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<b>REVIEWED BY:</b>	MURPHY #500	<b>REVIEWED DATE:</b>	09/04/2020

**PURPOSE**

Unmanned Aerial Systems (UAS), commonly referred to as “drones”, are becoming a more commonly accepted force multiplier within law enforcement. UAS are capable of being deployed across a wide variety of calls for service. These calls include but are not limited to missing person calls, offender searches, stationary surveillance, active killer incidents, hazardous materials (HAZMAT) calls, water calls (distressed boater / swimmer), barricaded subject calls, natural disaster assessment, and crime scene / traffic crash photography to name a few. The purpose of this policy is to establish a UAS Program and define its role and operational objectives.

**POLICY**

It is the policy of the Wilmette Police Department to utilize the UAS to enhance law enforcement operations while also protecting lives and property. While doing so, department members will exercise care to preserve the privacy and civil liberties of the public while also adhering to applicable local, state, and Federal Aviation Administration (FAA) guidelines and regulations.

**PROCEDURE**

**I. Definitions**

The following definitions apply throughout this policy:

- A. **Unmanned Aerial System (UAS)** - An unmanned aircraft and associated equipment that can be controlled remotely. Commonly referred to as a drone.
- B. **Pilot in Command (PIC)** - A person who holds a valid FAA Part 107 Commercial Pilot’s License and is designated by the Wilmette Police Department. During an authorized flight mission, the PIC is directly responsible for and is the final authority as to the operation of the UAS and the flight mission.
- C. **Visual Observer (VO)** - A person who is designated by the PIC to assist the PIC and the person manipulating the flight controls of the UAS to see and avoid other air traffic or objects aloft or on the ground.
- D. **UAS Program Coordinator (UPC)** - A sworn supervisor of the rank of Sergeant or higher who is appointed by the Chief of Police or his authorized designee that shall be responsible for the overall management of the UAS program.
- E. **Preflight Briefing** - A mandatory process that is conducted by the PIC prior to a UAS flight mission which includes but is not limited to:
  - 1. Review of the flight mission, flight mission area, flight mission objectives, safety issues and issues of concern;

2. Review of current and forecasted weather conditions;
  3. Review of operating limitations and safety issues such as battery charge, GPS strength and potential radio interference;
  4. Review of crew coordination and communication procedures;
  5. Review of emergency/contingency procedures including aircraft system failure, flight termination, divert and lost link procedures;
  6. Execution of all checklists; and
- F. **Preflight Inspection** - A mandatory process that is conducted by the PIC before every UAS flight utilizing the checklist included in Appendix A of this policy. The inspection is intended to ensure that the UAS is operational and ready for flight and that the control unit is functioning properly and has sufficient charge.
- G. **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.
- H. **Routed event** - A parade, walk, or race that:
1. is hosted by the State of Illinois or a county, municipality, township, or park district;
  2. is outdoors and open to the public; and
  3. has an estimated attendance of more than 50 people.
- "Routed event" does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.
- I. **Special event** - A concert or food festival that:
1. is hosted by the State of Illinois or a county, municipality, township, or park district;
  2. is outdoors and open to the public; and
  3. has an estimated attendance of:
    - i. 150 or more people in a unit of local government with a population that is less than 50,000;
    - ii. 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;
    - iii. 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
    - iv. 500 or more people in a unit of local government with a population that is 500,000 or more.
- "Special event" does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.

## II. Privacy

- A. The use of a UAS may involve privacy considerations. Absent a warrant signed by a judge or exigent circumstances, pilots and observers shall adhere to FAA regulations and shall not purposefully transmit or record images of any location where a person would have a reasonable expectation of

privacy. Pilots and observers shall take reasonable precautions to avoid inadvertently transmitting or recording images of areas where there is a reasonable expectation of privacy.

### **III. Authorized Use of UAS**

- A. Only authorized operator(s) who have completed the required training in the use and application of the UAS shall be permitted to operate the UAS. All UAS flight missions must be in strict accordance with current local, state, and FAA regulations and guidelines.
- B. The UAS, or images and data produced by its use, shall not be used for personal business of any type. Any use of the UAS that is not specifically related to the operation or mission of the Wilmette Police Department shall require the express authorization of the Chief of Police or his authorized designee.
- C. The Wilmette Police Department may not utilize the UAS to gather information except as authorized in 725 ILCS 167 Drones as First Responders Act:
  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. 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 a UAS under this paragraph is limited to a period of 48 hours. Within 24 hours of UAS initiation under this paragraph, the Chief of Police or authorized designee must report its use, in writing, to the Cook County State's Attorney's Office. (See Appendix B: Report to Cook County State's Attorney's Office of Small Unmanned Aerial System Flight Operations).
  4. To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner. The use of the UAS under this paragraph on private property requires either a search warrant or lawful consent to search.
  5. Attempting to locate a missing person, engaging in search and rescue operations, or aiding a person who cannot otherwise be safely reached while not also undertaking a criminal investigation.
  6. Use during a disaster or public health emergency. The UAS may be used in order to see if a disaster or health emergency should be declared, to monitor weather or emergency conditions, and to survey damage or otherwise coordinate response and recovery efforts.
  7. 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.
  8. 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.
  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.

10. At a routed event or special event. The use of a drone under this paragraph requires that:
  - i. notice is posted at the event location for at least 24 hours before the event and clearly communicates that drones may be used at the upcoming event for the purpose of real-time monitoring of participant safety;
  - ii. 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
  - iii. the drone is flown in accordance with Federal Aviation Administration safety regulations.
  - iv. Under this paragraph (10), a law enforcement agency may use the drone:
    1. 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
    2. during the event to proactively support public safety personnel by monitoring the event footprint in real time:
    3. 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;
    4. to evaluate crowd size and density;
    5. to identify activity that could present a public safety issue for the crowd as a whole, including crowd movement;
    6. to assist in the response of public safety personnel to a real-time public safety incident at the event; and
    7. to assess the traffic and pedestrian flow around the event in real time.

#### **IV Prohibited Uses**

- A. The UAS shall not:
  - a. Be used to conduct random surveillance activities.
  - b. Be used to target a person or group of people solely based on characteristics such as but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation.
  - c. Be used to harass, intimidate, or discriminate against any individual or group of individuals.
  - d. Be used to conduct private and / or personal business.
  - e. Make use of facial recognition technology, except when used to counter a high-risk of terrorist attack. To qualify for this exception, the United States Secretary of Homeland Security must have indicated that such a risk exists or law enforcement must have a reasonable suspicion that swift action is needed to prevent imminent harm to life.
  - f. Be weaponized.

## **V UAS Deployment Procedures**

- A. Prior to conducting a UAS flight mission in compliance with the "Authorized Use of UAS" section referenced in this policy, authorization must be obtained by a sworn supervisor or an authorized designee. Once a flight mission is authorized, procedures including but not limited to the following shall be followed:
  - a. A PIC for the authorized flight mission shall be established;
  - b. A preflight briefing (referenced in this policy) shall be completed by the PIC;
  - c. A preflight inspection (referenced in this policy) of the UAS shall be completed by the PIC;
  - d. As soon as feasible, Wilmette Communications personnel shall be notified of the location of the anticipated flight mission by the PIC or designee via the police radio;
  - e. As soon as feasible, Wilmette Communications personnel shall be notified via the police radio by the PIC or designee once the UAS has taken flight;
  - f. As soon as feasible, Wilmette Communications personnel shall be notified via the police radio by the PIC or designee once the UAS flight mission has been terminated; and
  - g. At the conclusion of each UAS flight mission, the PIC shall make proper notification of the flight mission to the UAS Program Coordinator and submit a UAS flight report. When applicable, the PIC shall also complete a case supplemental report.

## **VI. UAS Program Coordinator (UPC)**

- A. The Chief of Police or his designee will appoint a UPC who shall be a sworn supervisor of the rank of Sergeant or higher. The UPC will be responsible for the overall management of the UAS program. The UPC will ensure that Wilmette Police Department UAS policies and procedures conform to current laws, regulations, and best practices. The UPC will also have additional responsibilities that include but are not limited to:
  - a. Maintaining a record of authorized member(s) in the Wilmette Police Department's UAS Program who have a valid FAA Part 107 Commercial Pilot's License and ensuring that licenses are renewed prior to expiration.
  - b. Ensuring that all authorized operator(s) have completed current department approved training in UAS operation, applicable laws, and policies.
  - c. Facilitating law enforcement access to images and data captured by the UAS.
  - d. Developing operational protocols such as but not limited to maintenance protocol, pre-deployment information requirements, flight log requirements, and after-action documentation.
  - e. Ensuring that established protocols are followed by monitoring UAS use and providing periodic program reports to the Chief of Police.
  - f. Within 30 days of UAS use, destroying all information gathered by the UAS 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).
  - g. Within 24 hours of use, destroy all information gathered at a parade, routed event, or special event.
  - h. Prohibiting the disclosure of information gathered by the UAS, 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).

- i. Reporting annually, by April 1, to the Illinois Criminal Justice Information Authority the number of UAS(s) owned by the Wilmette Police Department (725 ILCS 167/35).
- j. Recommending enhancements regarding safety, information security, current technology and equipment.

**VII. Information Disclosure**

- A. Records of drone 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.
- B. Information gathered by the drone shall not be sold or disclosed to any person to whom disclosure is not authorized.
- C. Nothing in this Act 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.

**CHANGE MANAGEMENT**

The below table indicates the changes made to this policy from its previous version.

Section	Changes
All	New Policy

## Appendix A

### Preflight Checklist – Unmanned Aerial System (UAS)

#### Before Flight at Location:

1. Review goals of the authorized flight mission.
2. Review current and forecasted weather conditions.
3. Review crew coordination and communication procedures.
4. Review emergency/contingency procedures.
5. Notify Wilmette Communications personnel via the police radio location of the anticipated flight mission.

#### At Location:

1. Remove the UAS from case.
2. Remove the UAS gimbal cover(s).
3. Unfold the UAS arms.
4. Check condition of the UAS propellers and confirm they are properly attached to the UAS (if nicked, cracked, or deemed unsafe, replace propeller(s) before flight).
5. Place the UAS on launch site (level surface clear of any overhead obstacles).
6. Check the UAS battery status (if bulged, dented, or deemed unsafe, discard and replace).
7. Power on Wifi hotspot.
8. Remove the DJI Smart Controller from case and power on.
9. Launch the UAS application on the DJI Smart Controller.
10. Power on the UAS.
11. Locate "Ready to Go" message on the DJI Smart Controller.
12. Confirm GPS and compass signals.
13. Confirm Return to Home (RTH) is set (50 feet / 15 meters higher than highest point in the anticipated flight mission area).
14. Clear the area for takeoff.
15. Power on the UAS motors.
16. Take off.

#### After Takeoff Checklist:

1. Hover the UAS approximately 10 feet above ground to confirm the UAS is hovering properly.
2. Confirm that both sticks on the DJI Smart Controller are operating correctly.
3. Notify Wilmette Communications personnel via the police radio that the UAS has taken flight.

#### End of Flight Mission Checklist:

1. Notify Wilmette Communications personnel via the police radio that the UAS flight mission has ended.
2. Power off the UAS.

3. Remove the UAS battery and replace with fully charged battery (if bulged, dented, or deemed unsafe, discard and replace).
4. Check condition of the UAS propellers and confirm they are properly attached to the UAS (if nicked, cracked, or deemed unsafe replace propeller(s)).
5. Attach gimbal cover(s).
6. Fold the UAS arms.
7. Return the UAS to the case.
8. Power off Wi-Fi hotspot.
9. Power off DJI Smart Controller and return to case.

**Appendix B**

**Report to Cook County State's Attorney's Office of Small Unmanned Aerial System Flight Operations**



**DATE:**

**TO:** Ms. Leturah Jackson

**FROM:** Chief Kyle Murphy, Wilmette Police Department

**SUBJECT:** Report of Law Enforcement Small Unmanned Aerial System Flight Operations

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This form is official notification that the Wilmette Police Department conducted a small Unmanned Aerial System flight in accordance with 725 ILCS 167/15(3) for the purpose of:

- Preventing imminent harm to life
- Preventing imminent escape of suspect
- Preventing the destruction of evidence

This flight was conducted on \_\_\_\_\_ from approximately \_\_\_\_\_ hours until \_\_\_\_\_ hours and was documented under Wilmette Police Department incident # \_\_\_\_\_.

Sincerely,

Chief Kyle Murphy  
Chief of Police  
Wilmette Police Department