



# WOODSTOCK POLICE DEPARTMENT

## GENERAL ORDER #20-057



**SUBJECT: SMALL UNMANNED AERIAL SYSTEMS (sUAS)**

**SUPERSEDES: NEW**

**EFFECTIVE DATE: 08-28-2023**

**ILEAP REF #:**

**PURPOSE:**

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

**POLICY:**

It is the policy of the Woodstock Police Department to ensure authorized personnel are trained on the use of small unmanned aircraft systems, hereinafter referred to as sUAS, 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 the sUAS will be in strict compliance with relevant statutes, privacy rights, the Federal Aviation Administration, and [14 CFR 107](#) requirements.

**DEFINITIONS:**

**Federal Aviation Administration (FAA)** – 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.

**Information** – As defined in the Freedom From Drone Surveillance Act, [725 ILCS 167](#), any evidence, images, sounds, data, or other information gathered by the unmanned aircraft.

**Program Coordinator** – Sworn supervisor responsible for the day-to-day management and usage of the small unmanned aircraft.

**Public Safety Answering Point (PSAP)** - means the primary answering location of an emergency call that meets the appropriate standards of service and is responsible for receiving and processing those calls and events according to a specified operational policy.

**Remote Pilot in Command (PIC)** – Person directly responsible for and is the final authority as to the operation of the small unmanned aircraft.

**Small Unmanned Aircraft System (sUAS)** – 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.

**Visual Observer** – 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.



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### PROCEDURES:

#### Program Coordinator:

The Deputy Chief assigned to the sUAS program appoints a program coordinator who is responsible for the management of the department's small unmanned aircraft program. The program coordinator ensures that policies and procedures conform to current laws, regulations, and best practices. Listed below are the following additional responsibilities of the program coordinator:

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 the use of the sUAS.
3. Develop a uniform protocol for the submission and evaluation of requests to deploy the sUAS, including urgent requests made during ongoing or emerging incidents.
4. Develop a protocol for conducting criminal investigations involving the sUAS, including documentation of time spent monitoring a subject.
5. Implement a system for notification to the public and media outlets regarding sUAS deployment, when appropriate.
6. Develop an operational protocol governing the safe deployment and operation of the sUAS, along with documenting all missions.
7. Develop sUAS inspection, maintenance, and record-keeping protocol to ensure the continuing airworthiness of the sUAS, up to and including its overhaul or life limits.
8. Develop a protocol to 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. Develop a protocol to 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. Conduct a documented annual year-end review of the program to determine the overall success of the program and to provide recommendations for improvements, if any. The report shall be forwarded to the Deputy Chief responsible for oversight of the program.



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### TRAINING PRIOR TO USE OF THE sUAS

- A. Prior to authorization to operate a sUAS, assigned personnel must complete mandatory training provided by the department to obtain an understanding of how to use the sUAS and the procedures outlined in this policy.
- B. Assigned officers will fly the drones at least twice a month to ensure continued effective use and operation of the equipment and to incorporate changes, updates, or other revisions to the FAA and/or [14 CFR 107](#) requirements, statutes, or department policy.

### DEPARTMENT USE OF sUAS

- A. 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.
- B. These items shall be with the pilot in command of the drone when the drone is in use.
- C. Use of the department drone(s) will be in adherence to the Freedom from Drone Surveillance Act, [725 ILCS 167/15](#)
- D. Requests to deploy the sUAS flight shall be made to the on-duty supervisor, who will confer with a department drone pilot, based upon the drone pilot's recommendation of the conditions.
- E. Whenever possible, if the sUAS will be flying within close proximity to a hospital heliport, which could create a hazardous situation for a manned aircraft, notification shall be made to the respective hospital's security office.
- F. When appropriate, notification of the sUAS deployment shall be made to the public and/or media outlets.
- G. At the conclusion of each deployment, the recordings (if any) shall be securely downloaded and proper evidence procedures shall be followed.
- H. All use of the sUAS (training included) will be documented on the Drone Usage form by the remote Pilot in Command (PIC).

### ACCIDENT REPORTING

- A. The FAA requires notification of certain sUAS accidents. Pursuant to [14 CFR 107](#) Drone Operation & 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 repair including materials and labor does not exceed \$500.00 or



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(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 initiate a police report for any accident involving the sUAS. The police report shall include the following information:
1. Name and contact information for operators and witnesses.
  2. Type of operation.
  3. Type of device and registration number/certificate.
  4. Event location and incident details.
  5. Evidence collection such as photos, video, and device confiscation, if necessary.
- C. When the accident meets the criteria listed under Section A, the remote pilot in command shall provide notification to the FAA by using the FAA's DroneZone Portal at:  
<https://faadronezone.faa.gov/#/>

### RESTRICTIONS

- A. The sUAS will not be used to:
1. Conduct random surveillance activities or requests for information.
  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 or group.
  4. Conduct personal business of any type.
- B. The deployment of a sUAS 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 the sUAS is in condition for safe operation.
  2. Keep the sUAS in visual line of sight.
  3. Fly at or below 400 feet above ground level or structure.
  4. Fly at or below 100 mph.
  5. Yield right of way to manned aircraft.
  6. Must not fly from a moving vehicle, except in rural areas.
  7. During an emergency situation, deviations from the policy are permitted.
- C. The program coordinator shall request a certificate waiver or Certificate of Authorization from the FAA which authorizes deviation from specific regulations. Either will be granted when the FAA



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determines that the sUAS operation can be safely conducted under the terms of the certificate waiver or Certificate of Authorization.

- D. Personnel shall notify the program coordinator when he/she knows or has reason to know that he/she has a medical condition that would interfere with the safe operation of the sUAS.

### PRIVACY CONSIDERATIONS

- A. Use of the sUAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and visual 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. Operators and visual observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.
- B. When there are specific and articulable grounds to believe that the sUAS will collect evidence of criminal wrongdoing and/or if the sUAS will be used in a manner that may intrude upon a reasonable expectation of privacy, the department will obtain a search warrant prior to conducting the flight.

### INSPECTION, CARE, AND USE OF THE EQUIPMENT

- A. The sUAS and related equipment shall be maintained in a state of operational readiness. Assigned officers shall use reasonable care to ensure the proper functioning of the sUAS equipment. Malfunctions shall be brought to the attention of the program coordinator as soon as possible. Extra caution must be taken to ensure the equipment is not stored in extreme temperatures.
1. Prior to use, assigned officers shall:
    - a. Using an equipment checklist, inspect the sUAS and related equipment to verify proper functioning and ensure the battery is fully charged in accordance with the manufacturer's recommendations.
    - b. Inspect the body of the sUAS, to ensure that the propeller blades are in a flight-worthy condition and that the charging cables and the camera cables show no signs of visible damage. If damage is located, report it to the Program Coordinator.
    - c. Confirm that:
      - 1.) The weather conditions will allow for the safe operation of the sUAS.
      - 2.) There are no advisories or other conditions that would prevent the sUAS from flying.
    - d. Get approval from the on-duty supervisor/OIC.
  2. After use, assigned officers shall:



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- a. Inspect the body of the sUAS, to ensure that the propeller blades are in a flight-worthy condition and that the charging cables and the camera cables show no signs of visible damage. If damage is located, report it to the Program Coordinator.
- b. Ensure used batteries get placed onto a charger and start charging.
- c. The sUAS gets placed back into proper storage.
- d. Complete the Drone Usage form and submit it.

### SECURITY OF RECORDINGS

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.

- A. All recordings are considered investigative property of the department. The utmost care and caution shall be taken to ensure the recordings are not mishandled or misused.
- B. Employees shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner recordings without written authorization by the program coordinator.
- C. Any violations related to unauthorized edits, alterations, and dissemination of this data shall be cause for disciplinary action.
- D. 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.
- E. Pursuant to the Freedom From Drone Surveillance Act, particularly [725 ILCS 167/45](#), if the department learns of violations of this Act, the department shall immediately take actions to prevent future violations of the Act through any one or more of the following means: training, discipline, including progressive discipline for repeat violations, or other means that will prevent repeated violations of the Act by law enforcement. If the department learns of willful and wanton violations of this Act, the department shall immediately remove the pilot from its drone program and take action to prevent future willful and wanton violations of the Act.



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### INFORMATION RETENTION

- A. If the department uses a drone under [725 ILCS 167/15](#), all information gathered by the drone shall be destroyed within the following time frames:
- (1) All information gathered pursuant to paragraphs (1), (2), (3), (4), (5), (6), or (9) of [725 ILCS 167/15](#) shall be destroyed within 30 days after being gathered.
  - (2) All information gathered pursuant to paragraph (7) of [725 ILCS 167/15](#) 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.
  - (3) All information gathered pursuant to paragraph (10) of [725 ILCS 167/15](#) shall be destroyed within 24 hours after being gathered.
  - (4) **No information should be gathered pursuant to paragraph (8) of [725 ILCS 167/15](#).**
- B. Notwithstanding section (A), a supervisor at the Woodstock P.D. may retain particular information if:
- (1) There is reasonable suspicion that the information contains evidence of criminal activity;
  - (2) The information is relevant to an ongoing investigation or pending criminal trial;
  - (3) The supervisor deems that the information will be used exclusively for training purposes, provided that any such information shall not contain any personally identifiable information;  
or
  - (4) The information consists of only flight path data, metadata, or telemetry information of the drone.
- C. The program coordinator is responsible for ensuring this is accomplished.

### STATE of ILLINOIS REPORTING

Pursuant to [725 ILCS 167/35](#), annually and by April 1, the program coordinator shall report to the Illinois Criminal Justice Information Authority the number of drones owned by the police department, the number of times a drone 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 is designated for retention for training purposes. The report shall contain a copy of the agency's latest policy concerning drones as of the most recent April 1.



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### INFORMATION FROM PRIVATE DRONES

- A. The department may utilize information from private drones only for the purpose of undertaking tasks that pertain to criminal investigations.
- B. Private parties may voluntarily submit information acquired by privately-owned drones to the police department.
- C. The department shall not disclose any information gathered by the private drones. 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 ongoing investigation or pending criminal trial.
- D. Information gathered as a result of a voluntary third-party submission, whether under a request or on a private drone owner's initiative, is subject to [725 ILCS 167/20 and 167/25](#).

By Order of:

John L. Lieb  
Chief of Police