

Small Unmanned Aircraft System (sUAS)

473.1 PURPOSE

The following procedures are intended to promote the safe, efficient and lawful operation of the West Sacramento Police Department (WSPD) small Unmanned Aircraft System (sUAS). Safety, above all else, is the primary concern in each and every operation, regardless of the nature of the mission.

473.2 POLICY

It shall be the mission of those personnel of the WSPD who are trained in the use of the sUAS to use this resource to protect the lives and property of citizens and first responders in full compliance with applicable laws and regulations, including but not limited to applicable State and Federal Constitution and Federal Aviation Administration (FAA) regulations. The use of a sUAS can support first responders in situations which would benefit from an aerial perspective and enable responders to detect dangers that could otherwise not be seen. The sUAS can also be utilized for approved training missions.

473.3 OVERVIEW

The FAA Modernization and Reform Act of 2012 provides for the integration of civil unmanned aircraft systems into national airspace by September 1, 2015.

473.4 DEFINITION

A. **Small Unmanned Aircraft System (sUAS):** Consists of the small unmanned aircraft weighing under 55 lbs., the command system, a secure control link, and other related safety support equipment.

B. **Unmanned Aircraft (UA):** An aircraft that is intended to navigate in the air without an on-board pilot.

C. **UA Flight Crewmember:** A pilot, visual observer, or other persons assigned duties for a sUAS for the purpose of flight.

D. **Remote Pilot in Command:** A person exercising control over unmanned aircraft during flight. The pilot will be ultimately responsible for the operation and solely responsible for the input of commands/piloting during flight. The pilot will be trained in and demonstrate proficiency in the operation of the sUAS. The pilot must meet standards set forth in the COA or possess a valid Remote Pilots License as defined in Part 107 of the FAA guidelines. Pilots are authorized to evaluate and accept or decline any mission or portion thereof due to safety concerns.

E. **Certificate of Authorization:** (Certificate of Authorization) given by the FAA which grants permission to fly within specific boundaries and perimeters. The WSPD will maintain current COA's consistent with FAA regulations.

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F. Visual Observer: The visual observer is responsible for the visual observation of the sUAS while in flight. The visual observer will maintain a visual observation of the sUAS while in flight and alert the pilot of any conditions (obstructions, terrain, structures, air traffic, weather, etc.) which affect the safety of flight. The visual observer will be responsible for all aviation related communications required by the FAA. To accomplish this, at least one visual observer will be in close proximity to the Remote Pilot in Command to ensure instant relaying of information. The visual observer should be a sUAS pilot or have been provided instruction in the function of a visual observer.

473.5 ORDER

WSPD will obtain all applicable COA's and or Part 107 Waivers from the FAA in order to conduct operational or training missions. Requests for deployment of the sUAS will be made through the sUAS Supervisor or designee. The Watch Commander, Investigations Commander, SWAT Commander, Traffic Commander, EOD Commander, or EOD Supervisor can request a sUAS deployment.

In the absence of those management personnel or when extenuating circumstances exist, the on-duty Patrol Sergeant or Investigations Sergeant can request a sUAS deployment. Requests for a sUAS deployment should be made to the sUAS Supervisor. The requesting person shall contact the sUAS Supervisor with the available information regarding the request. The sUAS Supervisor will gather the information pertaining to the request. The sUAS Supervisor will contact the sUAS pilot and notify him/her of the mission. The pilot will determine if the sUAS can be deployed safely and practically.

An sUAS Pilot working in the field can be authorized to deploy an sUAS for appropriate in progress calls and for approved missions listed below with the authorization of the Patrol Sergeant or Watch Commander. The sUAS Supervisor or the sUAS Commander will be notified of the deployment as soon as practical. If the request comes from an outside public safety agency the request will be directed to Dispatch at (916) 372-3375 and directed to the Watch Commander for approval.

1. When the sUAS is being flown, operators will take steps to ensure the camera is focused on the areas necessary to the mission and to minimize the inadvertent collection of data about uninvolved persons or places.
2. WSPD will maintain a website for public input to address citizens' concerns, recommendations and provide access to the WSPD sUAS police and flight log information consisting of the date, area of flight and synopsis.
3. The use of the sUAS will be limited to the authorized missions described herein.
4. The sUAS will not be equipped with any weapons.
5. The authorized missions for the WSPD sUAS are:
 - a. Explosive Ordnance Disposal (EOD)/ Bomb Squad missions

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- b. Post-incident crime scene and traffic collision investigation preservation and documentation
 - c. Response to hazardous materials incidents
 - d. Search and Rescue (SAR) missions as defined in California Government Code Section 26614
 - e. Public safety and life preservation missions to include barricaded suspects, hostage situations, active shooters, apprehension of armed and dangerous and/or violent fleeing suspects, perimeter searches for wanted persons, arrest/ bench warrant service and high-risk search warrant service.
 - f. Disaster response and recovery to include natural or human caused disasters including a full overview of a disaster area for post incident analysis and documentation
 - g. Training missions as authorized by the Training Certificate of Authorization or conducted in compliance with Part 107.
 - h. In response to specific requests from local, state or federal fire authorities for fire response and prevention
 - i. Special Events which require the protection of the public and or dignitaries.
 - j. When there is probable cause to believe that
 - (1) the sUAS will record images of a place, thing, condition, or event; and
 - (2) that those images would be relevant in proving that a certain felony had occurred or is occurring, or that a particular person committed or is committing a certain felony and use of the sUAS does not infringe upon the reasonable expectation of privacy
 - k. Pursuant to a search warrant
 - l. The assessment of public health and environmental related issues in public areas which due to their geographical location, pose an operational or safety challenge to assess.
 - m. For departmental and city public relations, outreach and recruiting activities. These missions will be conducted under Part 107.
6. Annually, all procedures, laws and regulations on sUAS usage, shall be reviewed as follows: The Office of Operations Deputy Chief, WSPD sUAS Commander, WSPD sUAS Supervisor, and others as designated by the Chief of Police shall meet quarterly on the use of the sUAS to include an audit review, flight documentation review and provide an annual report to the Chief of Police.

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473.6 PROCEDURES

1. A sUAS operation requires a Certificate of Authorization (COA) from the FAA or the Remote Pilot in Command must possess a valid Remote Pilots License as defined by Part 107 under FAA guidelines.
2. A sUAS will only be operated by personnel who have been trained and demonstrate proficiency in the operation of the system. All agency personnel with sUAS responsibilities, including command officers, will be provided training in the policies and procedures governing sUAS use.
3. The WSPD sUAS and all related equipment will be available and issued by the sUAS Supervisor.
5. Agency owned sUAS's will be the primary aircraft used by the agency. When not available, out of service for mechanical reasons or agency aircraft does not meet the needs of the mission, non-agency aircraft may be used. Upon approval of the Chief of Police or his/her designee, non-WSPD owned sUAS' s can be utilized for training and operational purposes if the aircraft is approved for training and operational use by the sUAS Supervisor and comply with the WSPD Airworthiness Certificate.
5. All flights will be documented in electronic flight records and shall include reason for the flight, type of mission as specified above and name of the command staff member and/or supervisor approving the operation.
6. Prior to each sUAS flight the Remote Pilot in Command shall determine if the flight will be in controlled or restricted airspace. If so, the Remote Pilot in Command shall ensure appropriate approval is obtained prior to the flight.
7. The administration, safety policy, training requirements, general operating procedures and pre/post flight actions are contained within the WSPD sUAS Operations Manual.

473.7 DATA RETENTION AND PROCESSING

Upon completion of each sUAS mission the recorded data shall be reviewed and evaluated for evidentiary value. Data of identifiable individuals captured during a sUAS mission shall not be retained unless there is reasonable suspicion that evidence of criminal activity is present. All retained data shall be maintained or destroyed pursuant to department records retention and evidence policies and in compliance with applicable laws and regulations. Pursuant to Government Code section 6254 California Public Records Act-) all sUAS data is considered a "law enforcement investigatory file" and is exempt from disclosure under the CPRA.

473.8 PROTECTION OF RIGHTS AND PRIVACY CONCERNS

sUAS Commanders, operators and observers 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 sUAS. Each sUAS operator and observer will ensure that operations of the sUAS are consistent with local, state, and federal law.