

**CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES**

DATE: May 15, 2020

HISTORY: August 22, 2019

SUBJECT: Unmanned Aerial System (UAS) - Drone

POLICY NUMBER: 19-090

I. PURPOSE

The purpose of this policy is to establish guidelines and protocol for the deployment and use of the Unmanned Aerial System (UAS) including retrieval and dissemination of images and data captured by the UAS.

II. POLICY

It is the policy of the City of Oconomowoc Police Department to utilize UAS to enhance the department's ability to save lives, protect property, document crime scenes, drug interdiction, and collision scenes. Any application of the UAS will be in accordance with Federal, State and City laws, to include constitutional privacy rights, search and seizure regulations and Federal Aviation Administration regulations.

III. DEFINITIONS

- A. Unmanned Aerial System (USA): Is an unmanned aircraft of any type that is capable of sustaining flight whether remotely controlled or pre-programmed, and all the supporting or attached hardware designed for gathering information through photograph, video recording, or any other means.
- B. Unmanned Aerial Vehicles (UAV): Is another name for a "UAS" or "DRONE".
- C. Pilot in Command (PIC): Someone who is capable of effectively operating a drone. This remote pilot in command involves the ability to have a drone safely take off and land.
- D. Visual Observer (VO): Mandatory crew member for a flight mission who serves as a second set of eyes, monitoring the drone in flight in order to support the remote pilot in command.

IV. USE OF UAS

- A. The Chief of Police, Captain, Lieutenant, or Sergeant may authorize the deployment of the UAS under the following circumstances:
 - 1. Public safety and life preservation missions including barricaded suspects, hostage situations, active shooters, apprehension of armed and dangerous fleeing suspects, and high risk search warrants.
 - 2. Mass casualty events
 - 3. Lost of missing persons
 - 4. Rescue events
 - 5. Disaster response and recover

6. Suspected explosive devices
7. Fire suppression or investigation
8. Hazardous material release
9. Post incident crime scene preservation and documentation
10. Special events with prior approval of the Chief of Police or designee
11. Training missions
12. Mutual aid
13. Designated city department requests (DPW) all other departments require approval from the Chief of Police or designee

B. Prohibited Use

1. The UAS shall not be weaponized, nor shall it be used to:
 - a. Conduct random surveillance activities
 - b. Target a person based solely on individual characteristics, such as race, ethnicity, national origin, religion, disability, gender, or sexual orientation
 - c. Conduct any business other than official department business
 - d. Used to follow moving automobiles

C. Privacy/Legal Considerations

1. Personnel operating the UAS shall be mindful of privacy rights and absent a warrant or exigent circumstances, shall not intentionally record or transmit images in any location where a person would have a reasonable expectation of privacy (e.g. inside house, fenced yard, enclosed area only visible from an elevated position). Operators and observers will take reasonable precautions to avoid inadvertently recording or transmitting images in violation of privacy.
2. Legal: City of Oconomowoc can regulate locations on ground from which drones are landed, landing and operated. Flights over correctional facilities and using a drone to hunt/fish/trapping.

D. Authorized Operator

1. Only personnel who have successfully completed the required training shall be permitted to operate the UAS.

E. Training will include:

1. The City of Oconomowoc remote PIC's will train two times each month. The training will include familiarizing themselves with remote controls, checking software updates, setting the drone up and flying the drone.
2. OPD drone operators will also go to WI Drone Network for training. Training on this website will be substituted for monthly trainings.

F. Flight Logs

1. Each authorized UAS operator will maintain a flight log when conducting a mission or training. Operators will log the date, flight time and locations of all UAS deployments. They will also

note case number, training purposes, incident type, and whether photo images or video images were captured during the flight.

G. Photographs and Video Recording

1. All photographs and video recording collected by the UAS will be copied to a USB, DVD, or CD and entered into evidence.
 - a. Categories and retention schedule:
 - 1) Criminal: 102 days
 - 2) Non-criminal: 102 days
 - 3) Training: 102 days

H. Roles and Responsibilities

1. Program coordinator SHALL manage and ensure the program operates in accordance with all Federal, State, and local laws, and within department policy and guidelines. In addition, the program coordinator will:
 - a. Maintain training flight and maintenance records for each operator
 - b. Ensure operator and observers stay current with their training and certifications
 - c. Maintain contact with FAA and familiarity with the pertinent FAA regulations
 - d. Evaluate airframes based on mission needs
 - e. Remain up to date with current UAS case law, best practices, and industry standards
 - f. Develop and maintain the UAS Operation Guidelines Manual
2. The operator's role is to safely operate the UAS in accordance with all applicable law and policy.
 - a. The operator may reject a flight based on personal safety or violation of FAA regulations
 - b. The operator shall be responsive to requests and input from the observer in order to accomplish the safe and effective deployment of the UAS.
 - c. Operators are responsible for mission documentation and updating the flight book.
3. The observer's role is to assist in the safe and effective operation of the UAS.
 - a. Assist the operator in avoiding obstacles
 - b. Operate any attachments to the UAS
 - c. Remain alert for safety issues surrounding the operator and observer
 - d. Handle radio communications

I. Accident Notification and Investigation

1. The UAS operator must report to the FAA within 10 days of any operation that results in serious injury, loss of consciousness, or property damage of at least \$500 (not including the unmanned aircraft). All in-flight accidents and incidents involving fatalities, injuries, property damage, and lost link shall be reported to the Captain immediately for appropriate assistance with guidance. If FAA regulations require the FAA to be notified within 24 hours the same notification and reporting protocols will be followed as the 10 day notification process.

J. Mutual Aid

1. OPD members must receive a teletype from agency before responding to another jurisdiction
2. As well as from the WI Drone Network.

V. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict