

Uncrewed Aircraft System (UAS)

613.1 PREFACE AND PURPOSE

The following policy and procedure manual is intended to provide personnel who are assigned responsibilities associated with the deployment and use of Uncrewed Aircraft System (UAS) with instructions on when and how this technology and the information it provides may be used for law enforcement and public safety purposes in accordance with law. This policy is established to provide for the safe, efficient, and lawful use of a UAS and to provide the following guidelines:

1. Protection of rights and privacy
2. Policy on limitations and purpose of use
3. Data retention
4. Documentation of operations
5. Adherence to FAA regulations and training
6. Policy management

613.2 POLICY

The Uncrewed Aircraft System (UAS) Unit is established to provide a safe and efficient aerial observation perspective during incidents which will further public safety and the law enforcement capabilities. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

613.3 DEFINITIONS

14 CFR Part 107 (Part 107): Federal Aviation Administration (FAA) regulations regarding Small Uncrewed Aircraft Systems. The certificate for 14 CFR Part 107 is also called a "remote pilot certificate".

Aircrew Member: Department personnel designated and selected as either Pilot in Command "PIC;" a "Student Operator;" "Visual Operator" "Tactical Flight Officer" or any personnel operating, observing as a crewmember or maintaining an UAS.

Certificate of Waiver or Authorization (COA): - A Certificate of Waiver or Authorization is issued by the FAA to grant permission to law enforcement agencies to fly within specific boundaries and parameters. The Vancouver Police Department will maintain all COA's consistent with FAA regulations.

FAR: Federal Aviation Regulations are rules published by the FAA that govern the use of any airspace above the ground within the United States of America.

Hazard: Something that has the potential to cause harm.

Mission: A mission is defined as a flight that is not a training flight and has an official public safety or law enforcement purpose.

Uncrewed Aircraft System (UAS)

Occurrence: An unplanned safety-related incident, including accidents or damage to aircraft or property.

Pilot in Command (PIC): The PIC is a Vancouver Police Employee who has obtained and maintains a valid remote pilot certificate in compliance with all Federal Aviation Regulations. The PIC is responsible for the complete and overall operation of any UAS flight they command.

Student Operator: An individual who has not yet earned a remote pilot certificate but is authorized to operate an UAS by the UAS Sergeant under the direct supervision of a PIC.

Tactical Flight Officer (TFO): Is an aircrew member who takes on the responsibility of operating the payload (camera) of the UAS, as well as coordinating and communicating with dispatch and resources on the ground during an incident.

Visual Observer (VO): The Visual Observer is an employee who is trained to assist with the visual observation of a UAS during deployment.

Uncrewed Aircraft System (UAS): Any aerial system that does not carry an on-board operator and uses aerodynamic forces to provide system lift. A UAS can fly autonomously or be piloted remotely. UAS's can be expandable and/or recoverable. UAS's have the capability to digitally photograph or record incidents. All UAS's will be registered with the FAA, as required by federal law, and each UAS will be assigned a Unique ID number.

613.4 UAS LEADERSHIP STRUCTURE

1. **UAS Lieutenant:** The Special Operations Lieutenant will be tasked with the overall direction and performance of the UAS Unit. The UAS Lieutenant will supervise sergeants appointed to manage the responsibilities of the UAS Unit.
2. **UAS Sergeants:** The UAS Sergeant is responsible for the day-to-day personnel, administrative and operational management, and supervision of the UAS Unit. The Special Operations Lieutenant may assign additional sergeants within VPD to assist the UAS sergeant in these duties.
3. **Pilots in Command (PIC):** The PIC is a Vancouver Police Employee who has obtained and maintains a valid remote pilot certificate in compliance with all Federal Aviation Regulations. The PIC is responsible for the complete and overall operation of any UAS flight they command.
4. **Tactical Flight Officer (TFO):** Is an aircrew member who takes on the responsibility of operating the payload (camera) of the UAS, as well as coordinating and communicating with dispatch and resources on the ground during an incident.

613.5 PROTECTION OF RIGHTS AND PRIVACY

UAS 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 UAS. Each UAS personnel will ensure that operations of the UAS are consistent with local,

Uncrewed Aircraft System (UAS)

state, and federal law, and that the UAS be used only for the amount of time that is reasonably necessary to complete the mission.

613.6 ADMINISTRATION

The policies and procedures outlined here are issued by the Vancouver Police Department. This policy is not intended to be all-inclusive. In addition to this policy, UAS Operators shall know and understand FAA Regulations, Certificate of Authorization (COA), and the UAS manufacturer's flight manual.

A copy of this policy shall be issued to each UAS member. This policy shall be reviewed, at a minimum, annually to ensure it is up to date. Any changes to the policy will be updated and communicated to all Department members.

The UAS Unit leadership will be responsible for maintaining a standard operating procedures manual as a guide for the UAS Unit. Any changes to FAA regulations, local, state, or federal laws, and/or any changes to the Vancouver Police Department's procedures governing UAS operation will be updated in this manual and approved by the UAS chain of command.

613.7 PROCEDURES FOR USE

The Vancouver Police Department must obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration (FAA) prior to deploying or operating the UAS, and these authorizations, permits, and certificates shall be maintained and current.

613.8 UAS OPERATION

Outside of training, the UAS will be operated only by personnel who have been trained and certified in the operation of the UAS and are FAA Certified Remote Pilots. PIC's and TFO's shall operate the UAS pursuant to the procedure manual and current policy. Student pilots may only operate the UAS when in a training environment and under the direct supervision of an FAA Certified Remote Pilot.

613.9 UAS DATA COLLECTION AND RETENTION

Each UAS deployed will be capable of digital recording and photography during each deployment. All recordings captured by a UAS must be retained for a minimum of 90 days. Upon completion of each UAS mission, the recorded data shall be reviewed and evaluated for evidentiary value; recordings which are known to have captured an incident from which criminal prosecution or civil litigation may arise shall be submitted to evidence so it can be retained until the exhaustion of any appeals process.

Data of identifiable individuals captured during a UAS mission shall not be retained longer than the minimum 90 days unless there is reasonable suspicion that evidence of criminal activity is present. All retained data shall be maintained or destroyed pursuant to Vancouver Police Department records retention and evidence policies and in compliance with applicable laws and regulations.

Uncrewed Aircraft System (UAS)

Any video or photographs obtained by the UAS operation may be submitted by the PIC as evidence in accordance with Vancouver Police Department's policies and procedures.

The UAS Unit is responsible for the installation and maintenance of cameras used on the uncrewed aircraft. The UAS Unit is not responsible for monitoring or uploading video deemed as evidence by any other unit or investigator. However, evidentiary videos captured on behalf of an outside agency must still be retained by VPD. In such cases, in addition to supplying a copy of the footage to the outside agency, the UAS operator must also author a police report and submit the original video to VPD evidence.

613.10 UAS REQUESTS

Any supervisor may request UAS assistance from a UAS Unit member.

- Immediate requests should be handled by on-duty UAS personnel.
- It is the PIC's responsibility to evaluate each situation and determine whether the use of a UAS is appropriate and reasonable. Both the on-duty supervisor and PIC have the authority to order that the UAS team disengage. It is not necessary that the supervisor and PIC agree. The PIC shall have the authority to decline the use of a UAS whenever he/she deems deployment is unsuitable.
- UAS Unit pilots should notify an on-duty supervisor prior to deployment. The on-duty supervisor may decline the use of a UAS based on the circumstances.
- If no UAS Unit pilots are working when an exigent need arises, any supervisor may request the services of an outside agency UAS unit to provide for quick response.
- If no other UAS Units are available, a supervisor may request a UAS Unit callout. The requesting supervisor will contact a UAS sergeant to discuss the situation and determine if the UAS Unit should be called out.
- Preplanned UAS missions will be coordinated by the requesting unit through a UAS sergeant.

613.10.1 EXIGENT DEPLOYMENTS

During exigent deployments, the PIC will continually weigh the exigency of a deployment against the requirement to obtain a search warrant when feasible. The PIC is responsible for the continual assessment of the mission and if it remains exigent, or if a warrant is required.

If the exigency of a mission appears to be diminishing, the PIC will assess whether to land the aircraft or to keep the point of observation while designating a warrant writer to begin the search warrant application process (based upon the circumstances of the case).

613.11 RESTRICTIONS

The UAS systems shall be deployed and used only to support official law enforcement and public safety missions, as well as for training and public awareness purposes.

The UAS systems shall not be operated in an unsafe manner or in violation of FAA rules.

The UAS system shall not be equipped with weapons of any kind.

Uncrewed Aircraft System (UAS)

The UAS system shall not be used for the purpose of random surveillance.

613.12 TRAINING

All PICs will be certified under FAA Part 107 and National Institute Standards and Technology (NIST) certification course. PICs will complete the agency-approved training to ensure the proper and safe operation of their assigned UAS. Additional training shall be required to ensure the continued effective and proper operation of the UAS.

All UAS Unit members will maintain proficiency with the unit UAS platforms, and will maintain knowledge of all pertinent FAA regulations, local, state, and federal laws, and any VPD policies and /or procedures for UAS operation. All UAS Unit members will be trained pursuant to VPD UAS Unit SOP.

Training flights consist of any time spent operating a UAS outside of a documented mission. Training flight will be documented by the PIC and will be logged for retention. Training flights must follow all guidelines within the UAS Unit SOP manual.