

Small Unmanned Aircraft Systems (sUAS)

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Policy Statement

It is the policy of the Whatcom County Sheriff's Office that properly trained and authorized agency personnel may deploy sUAS when such use is appropriate in the performance of their official duties, and where deployment and use, and the collection and use of any audio/video recordings or other data originating from or generated by the sUAS, comport with the policy provisions provided herein and applicable law.

Persons Affected

All Sheriff's Office personnel

Directives Affected

None

Definitions

Digital Multimedia Evidence (DME): Digital recording of images, sounds, and associated data.

Model Aircraft: A remote controlled aircraft used by hobbyists that is built, produced, manufactured, and operated for the purposes of sport, recreation, and/or competition.

Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV): An aircraft that is intended to navigate in the air without an on-board pilot. Also alternatively called Remotely Piloted Aircraft (RPA), Remotely Operated Vehicle (ROV), or Drone.

Unmanned Aircraft System (UAS): A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.

Small Unmanned Aircraft Systems (sUAS): UAS systems that utilize UAVs weighing less than 55 pounds and are consistent with Federal Aviation Administration (FAA) regulations governing model aircraft.

UAS Flight Crewmember: A pilot, visual observer, payload operator or other person assigned duties for a UAS for the purpose of flight or training exercise.

Unmanned Aircraft Pilot: A person exercising control over a UA/UAV/UAS during flight.

Use of Unmanned Aircraft Systems

The use of aircraft to support law enforcement has been part of the Whatcom County Sheriff's Office mission for many years. Mutual aid from other agencies that have air assets has been utilized to support tactical and investigative operations, as well as being widely used in Search and Rescue operations to locate and recover lost or injured subjects.

Policy

Until recently, the acquisition, maintenance and training to support our own air assets have been cost prohibitive. With the increase in popularity and availability of unmanned aircraft systems, the Sheriff's Office is able to own and maintain the equipment needed to support this vital resource.

Authorization and Use

All deployments of UAS must be specifically authorized by the Sheriff/Command staff or authorized supervisory personnel. UAS may be used to provide an aerial perspective during an emergency response and to document the scene as part of the investigative process. The UAS will be utilized in situations that include, but are not limited to:

- Scene documentation: To document crime scenes, accident scenes and any other major incident where an aerial perspective would enhance the investigation.
- Overhead visual perspective: To provide an overview of the area and assist first responders and supervisory personnel in making decisions and coordinating a response to an incident (e.g. special event security, crowd control, traffic control, disaster response, major crime scenes).
- Search and Rescue: To provide assistance in missing children/endangered person investigations, AMBER alerts and other search and rescue missions.
- Tactical deployment: To assist in the deployment and response of law enforcement resources during an emergency situation (K9 tracks, barricade/hostage situations, other large scale tactical operations, perimeter security).

Procedures for use of UAV

1. Prior to deployment of a UAV, the Sheriff's Office and its assigned "pilots" must obtain the necessary authorizations and certificates required by the Federal Aviation Administration (FAA) for operation of a UAV. Such authorization and certificates must be maintained and current.
2. The UAV will only be operated by Sheriff's Office personnel that have been trained and certified in the operation of UAV's.
3. UAV-certified "pilots" shall inspect and assess the UAV equipment prior to each deployment to ensure the safe and proper function of the unit.
4. UAV-certified deputies shall be responsible for and take reasonable care to ensure the proper functioning of the UAV equipment. Any safety issues or equipment malfunctions shall immediately be brought to the attention of the sergeant overseeing the CSI Unit so that necessary repairs or replacement are made.
5. All UAV equipment, data, images, video and metadata captured or recorded is the sole property of the Sheriff's Office. All recordings shall be maintained and subject to public disclosure in accordance with Sheriff's Office policy and applicable laws.
6. All UAV flights shall be documented on a UAV deployment form which will included the following

Policy

- Reason for the flight
 - Date
 - Time
 - Location
 - Name of Pilot
 - Name of Person Authorizing the Deployment
 - Summary of Activities
 - Outcome of Deployment
7. Except in situations where doing so would jeopardize officer safety or the integrity of the investigation, and when reasonable and practical, consideration should be given to notifying the public.
 8. In cases where there are specific and articulable facts to believe that evidence of a crime will be captured and/or the UAV will be used in a manner that may intrude upon reasonable expectations of privacy, a search warrant should be obtained prior to deployment of the UAV.

Restrictions on Use of UAV

1. The UAV shall only be deployed for law enforcement purposes and in the interest of public safety.
2. The UAV shall not be operated in an unsafe manner or in violation of FFA rules and requirements.
3. No weapons shall be attached to the UAV.

Retention and Management of Digital Evidence

1. All digital evidence shall be handled in accordance with department policy and applicable state laws for data storage and retention.
2. All image and/or video captured shall be securely downloaded at the completion of the mission. The UAV operators will be record the date, time, location and case number , as well as identify the UAV operator(s) involved in the mission.
3. Evidence obtained shall be stored and accessed in accordance with Sheriff's Office policy and procedure.
4. Personnel shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner sUAS DME without prior written authorization and approval of the Sheriff or his or her designee.
5. All access to sUAS DME must be specifically authorized by the Sheriff or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

Training

1. Prior to deployment, Sheriff's Office personnel designated to operate the UAV must be adequately trained in the use and operation of the aircraft, and must be familiar with the policy that governs UAV deployment.
2. All UAV deployments must be in compliance with all Federal Aviation Administration (FAA) requirements and guidelines. This includes obtaining a Certificate of Authorization (COA) for the FAA as well as other applicable requirements for UAV operation.
3. Additional training may be required, and the policy updated to remain in compliance with federal requirements.