

---

# CHAMPAIGN POLICE DEPARTMENT

## POLICY and PROCEDURE

POLICY NUMBER: 41.19

SUBJECT: UNMANNED AIRCRAFT SYSTEMS

EFFECTIVE DATE: 02/05/24

REVISED DATE:

---

REFERENCE ILEAP:

REFERENCE CALEA:

INDEX AS:

- 41.19.1 PROGRAM COORDINATOR
- 41.19.2 TRAINING PRIOR TO UAS USE
- 41.19.3 DEPARTMENT UAS USE
- 41.19.4 ACCIDENT REPORTING
- 41.19.5 RESTRICTIONS
- 41.19.6 PRIVACY CONSIDERATIONS
- 41.19.7 INSPECTION AND EQUIPMENT CARE
- 41.19.8 SECURITY RECORDINGS
- 41.19.9 RECORDS RETENTION
- 41.19.10 REPORTING
- 41.19.11 INFORMATION FROM PRIVATE UASs

### PURPOSE:

The purpose of this policy is to establish guidelines under which an unmanned aircraft system, hereinafter referred to as UAS, may be utilized and the storage, retrieval, and dissemination of images and data captured by such systems.

### POLICY STATEMENT:

It is the policy of the Champaign Police Department to enhance the mission of protecting lives and property when other means and resources are not available or are less effective. Any use of the UAS will be in strict compliance with relevant statutes, privacy rights, the FAA, and 14 CFR 107 requirements.

### DEFINITIONS:

**Commander:** Deputy Chief or Lieutenant assigned as the direct supervisor of the Program Coordinator. The Commander is responsible for ensuring that all UAS usage by the department under this program complies with all applicable state and federal laws and regulations as well as internal policy.

**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 725 ILCS 167, any evidence, images, sounds, data, or other information gathered by the unmanned aircraft.

**Program Coordinator:** Supervisor responsible for the day-to-day management and usage of unmanned aircraft.

**Public Safety Answering Point (PSAP):** As defined in 50 ILCS 750, the Emergency Telephone System Act 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:** The person directly responsible for and is the final authority as to the inflight operation of the unmanned aircraft.

**Routed Event:** A parade, walk, or race that is (1) hosted by the State of Illinois or a county, municipality, township, or park district, (2) is outdoors and open to the public, and (3) has an estimated attendance of more than 50 people. A routed event does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.

**Special Event:** A concert or food festival that (1) is hosted by the State of Illinois or a county, municipality, township, or park district, (2) is outdoors and open to the public, and (3) has an estimated attendance of 150 or more people in a unit of local government with a population that is less than 50,000, 250 or more people in a unit of local government with a population that is greater than or equal to 50,000 but less than 100,000, 350 or more people in a unit of local government with a population that is greater than or equal to 100,000 but less than 500,000, or 500 or more people in a unit of local government with a population that is 500,000 or more. A special event does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.

**Unmanned Aircraft System (UAS):** An unmanned aircraft, commonly referred to as a drone, that does not carry a human operator and is capable of sustaining directed flight, whether programmed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording, other means.

**Visual Observer:** A person designated by the remote pilot in command to assist the remote pilot in command and the person manipulating the aircraft's flight controls to see and avoid other air traffic or objects aloft or on the ground.

### 41.19.1 PROGRAM COORDINATOR

The commander assigned to the UAS program appoints a program coordinator responsible for managing the Department's 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:

- A. Coordinate the FAA Certification of Authorization (COA) and/or the 14 CFR 107 application process; ensure all certifications are current.
- B. Ensure authorized remote pilots in command have completed the required FAA and 14 CFR 107 training

and Department approved training in the operation, applicable laws, policies, and procedures regarding UAS use.

- C. Develop a uniform protocol for submitting and evaluating requests to deploy the UAS, including urgent requests made during ongoing or emerging incidents.
- D. Develop a protocol for conducting criminal investigations involving the UAS, including documentation of time spent monitoring a subject.
- E. Implement a system for notification to the public and media outlets regarding UAS deployment when appropriate.
- F. Develop an operational protocol governing the safe deployment and operation of a UAS, along with documenting all missions.
- G. Develop UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- H. 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 the 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.
- I. Develop a protocol to ensure retention and purge periods are maintained in accordance with established records retention schedules.
- J. Facilitate law enforcement access to images and data captured by the UAS.
- K. Recommend program enhancements, especially regarding safety and information security.
- L. Conduct a documented annual year-end review of the program to determine its overall success and provide recommendations for any improvements. The report shall be forwarded to the commander responsible for program oversight.

#### **41.19.2 TRAINING PRIOR TO UAS USE**

- A. Prior to authorization to operate a UAS, assigned personnel must complete mandatory training provided by the Department to understand how to use the UAS and the procedures outlined in this policy.
- B. Annually, assigned officers will undergo refresher training on the equipment to ensure continued effective use and operation and to incorporate changes, updates, or other revisions to the FAA and/or 14 CFR 107 requirements, statutes, or department policy. Additional training may be provided periodically for personnel displaying substandard performance using UAS equipment.

#### **41.19.3 DEPARTMENT UAS USE**

- A. The Department must obtain applicable authorizations, permits, or certificates as required by the FAA prior to deploying or operating the UAS and ensure these documents are current.
- B. Pursuant to the Freedom from Drone Surveillance Act, 725 ILCS 167/15, the UAS may not be used to gather information except during the following types of situations:
  - 1. To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates there is a risk.
  - 2. Pursuant to a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963. The warrant must be limited to a period of 45 days, renewable by a judge upon showing good cause for subsequent periods of 45 days.
  - 3. Upon a reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall the imminent escape of a suspect, or prevent the destruction of evidence. The use of the UAS under this paragraph is limited to a period of 48 hours. Within 24 hours of the UAS initiation under this paragraph, the chief of police must report its use, in writing, to the state's attorney.
  - 4. To locate a missing person while not undertaking a criminal investigation.
  - 5. To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner.
    - a. Using the UAS under this paragraph on private property requires either a search warrant or lawful consent to search.
    - b. Regarding lands, highways, roadways, or areas belonging to the state, a search warrant or consent to search is not required.
    - c. The Department shall make every reasonable attempt only to photograph the crime scene or traffic crash scene and to avoid other areas.
  - 6. To obtain information necessary for determining whether a disaster or public health emergency should be declared, to manage a disaster by monitoring weather or emergency conditions, to survey damage, or to coordinate response and recovery efforts. There is no requirement for an official declaration of disaster or public health emergency prior to use.
  - 7. To conduct an infrastructure inspection of a designated building or structure at the express request of a local government agency. Any law enforcement agency operating a drone under this paragraph shall make every reasonable attempt to

photograph only the building or structure and to avoid other areas.

breach of an event barricade or fencing.

8. To demonstrate the capabilities and functionality of a police drone for public relations purposes, provided that no information is collected or recorded by the drone during such demonstration.
9. In response to Public Safety Answering Point (PSAP) dispatched calls for service, when the sole purpose for using a drone is for one or more first responders to locate victims, to assist with immediate victim health or safety needs, or to coordinate the response of emergency vehicles and personnel to an emergency. As used in this paragraph (9), "Public Safety Answering Point" and "PSAP" have the meaning given to those terms in Section 2 of the Emergency Telephone System Act.
10. The Special Events Sergeant shall consult with the UAS program coordinator to determine if a UAS should be utilized during a special event, parade, or routed event to prepare for or observe crowd size, density, and movement, assess public safety staffing, or oversee the general safety of the participants. If the Department is going to use a UAS at a routed event or special event, the use of a UAS under this paragraph requires that:
  - a. A notice is posted at the event location for at least 24 hours before the event and clearly communicates that a UAS may be used at the upcoming event for the purposes of real-time monitoring of participant safety. The Special Event Sergeant is responsible for ensuring the posting of the signs.
  - b. A notice is posted, if practical, at major entry points to the event and clearly communicates to the participants that a UAS may be used for the purpose of real-time monitoring of participant safety.
  - c. The UAS is flown in accordance with Federal Aviation Administration safety regulations. The Department can use the UAS for the following:
    - i. In advance of an event, before event participants have begun to assemble, for the sole purpose of creating maps and determining appropriate access routes, staging areas, and traffic routes, provided that no personal identifying information is recorded and provided further than no recording information is used in any criminal prosecution.
    - ii. During the event to proactively support public safety personnel by monitoring the event footprint in real-time:
      - 1) To detect a breach of event space, including a breach by an unauthorized vehicle, an interruption of a parade route, or a

- 2) To evaluate crowd size and density.
- 3) To identify activity that could present a public safety issue for the crowd, including crowd movement.
- 4) To assist in the response of public safety personnel to a real-time public safety incident at the event.
- 5) To assess the traffic and pedestrian flow around the event in real-time.

- C. Requests to deploy a UAS shall be made to a supervisor. All UAS deployments will be reported to the program coordinator and commander.
- D. Whenever possible, if the UAS is 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.
- E. When appropriate, notification of the UAS deployment shall be made to the public and/or media outlets.
- F. After each deployment, the recordings shall be securely downloaded, and proper evidence procedures shall be followed.
- G. All uses of the UAS will be documented on a spreadsheet maintained by the program coordinator. The information documented shall include the following:
  1. The reason for the flight.
  2. The date, time, and location.
  3. The person who approved of the deployment.
  4. Assigned staff.
  5. A summary of the activities covered, actions taken, and deployment outcome.

#### **41.19.4 ACCIDENT REPORTING**

- A. The FAA requires notification of certain UAS accidents. Pursuant to 14 CFR 107 Drone Operation & Certification Regulations, within ten 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 UAS, unless one of the following conditions is satisfied:
    - a. The cost of repair, including materials and labor, does not exceed \$500.00, or,
    - b. The property's fair market value 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 UAS. 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/#/>

**41.19.5 RESTRICTIONS**

- A. The UAS 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.
  5. Any situation outside what is specified in Section 41.19.3 (B).
- B. UAS deployments 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 UAS is in condition for safe operation as outlined in Section 41.19.7.
  2. Keep the UAS in the visual line of sight unless it is being operated within a structure, and/or officer safety would be jeopardized.
  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 policy are permitted.

- C. The program coordinator shall request a certificate waiver from the FAA, which authorizes deviation from specific regulations. The certificate waiver will be granted when the FAA determines that the UAS operation can be safely conducted under the terms of the certificate waiver.
- D. No person may manipulate the flight controls of a UAS or act as a remote pilot in command, visual observer, or direct participant in the operation of a UAS if he or she knows or has reason to know that he or she has a physical or mental condition that would interfere with the safe operation of the UAS.
  1. 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 UAS.

**41.19.6 PRIVACY CONSIDERATIONS**

- A. Use of the UAS 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 UAS will collect evidence of criminal wrongdoing and/or if the UAS 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.

**41.19.7 INSPECTION AND EQUIPMENT CARE**

- A. The UAS 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 UAS 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.
- B. Prior to UAS use, barring urgency due to exigent circumstances, prior to UAS use, assigned officers shall:
  1. Using an equipment checklist, inspect the UAS and related equipment to verify proper functioning and ensure the battery is fully charged in accordance with the manufacturer's recommendations.
  2. Inspect the body of the UAS, the charging, and camera cables to look for signs of visible damage. Ensure the propeller blades are in flight-worthy condition.
  3. If the aforementioned pre-deployment inspections are unable to be completed because of exigent

circumstances, they shall be completed post-deployment.

#### **41.19.8 SECURITY RECORDINGS**

- A. Personnel should be aware that recordings may contain sensitive information and are responsible for ensuring compliance with 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.
- B. 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.
- C. Employees shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute recordings in any manner without authorization by the program coordinator.
- D. Any violations related to unauthorized edits, alterations, and dissemination of this data shall be cause for disciplinary action.
- E. 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.

#### **41.19.9 RECORDS RETENTION AND INFORMATION DISCLOSURE**

- A. UAS recordings will be maintained pursuant to 725 ILCS 167/20, and within 30 days of the recording, the Department shall destroy all information, except when there is reasonable suspicion that the information contains evidence of criminal activity, the information is relevant to an ongoing investigation or pending criminal trial, the information is required to be retained to comply with local records commission retention schedules, or the information will be used exclusively for training purposes. The program coordinator is responsible for ensuring this is accomplished.
- B. When the recording does not fall under the statutory exemptions, documentation pertaining to the use of the UAS, such as location, date, time, and scope of the mission, is not subject to being destroyed within 30 days of a recording.
- C. The retention of recordings that are exempt from the 30-day requirement is determined by the program coordinator or determined by the completion of the criminal investigation or criminal trial.
- D. Information gathered by a UAS is subject to the Freedom of Information Act.

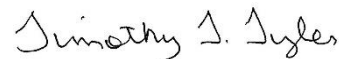
#### **41.19.10 REPORTING**

- A. Annually, by April 1, the program coordinator shall report Department UAS program information to the Illinois Criminal Justice Information Authority (ICJIA), as required by 725 ILCS 167/35.
- B. Information required to be reported to the ICJIA is:
  - 1. The number of UASs owned by the Department.
  - 2. The number of UAS deployments, including:
    - a. Date and time of deployment;
    - b. Reason for deployment;
    - c. Location of deployment;
    - d. Whether video was recorded; and,
    - e. Whether the video was designed for retention for training purposes.
  - 3. A copy of the Department's most recent UAS policy as of April 1 of the current year.

#### **41.19.11 INFORMATION FROM PRIVATE UASs**

- A. The Department may utilize information from private UAS only to undertake the tasks outlined in Section 41.19.3.
- B. Private parties may voluntarily submit information acquired by a privately-owned UAS to the Department.
- C. The Department shall not disclose any information gathered by the private UAS. 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.

#### **ISSUING AUTHORITY**



Timothy T. Tyler  
Police Chief  
Champaign Police Department