

9.08.000 SMALL UNCREWED AIRCRAFT SYSTEM (SUAS) OPERATIONS

9.08.005

PURPOSE AND SCOPE: 06/24

Establishes guidelines and procedures for deployment of small uncrewed aircraft systems (sUAS). This policy governs all employees who use a department-approved sUAS or have a supporting function related to the use of the system, including those who supervise these employees.

9.08.010

DEFINITIONS: 06/24

Flight Crewmember: A pilot, visual observer, payload operator, or other person assigned duties directly related to the operation of an sUAS.

Certificate of Authorization (COA): Authorization issued by the FAA to a public operator (government entity) for a specific sUAS activity. COAs allow public safety sUAS operations outside of the restrictions established for private or commercial sUAS operations.

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

Remote Pilot in Command (RPIC): An RPIC is a person who holds a remote pilot certificate with an sUAS rating and has the final authority and responsibility for the operation and safety of an sUAS.

Visual Observer: A person, acting as a flight crew member, who helps the RPIC and the person manipulating the aircraft controls see and avoid other air traffic and objects aloft or on the ground.

Uncrewed Aircraft (UA) or Uncrewed Aerial Vehicle (UAV): An aircraft operated without the possibility of direct human intervention from within or on the aircraft.

Small Uncrewed Aircraft / Small Uncrewed Aerial Vehicle: A UAV weighing less than 55 pounds, including everything that is on-board or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft.

Small Uncrewed Aircraft System (sUAS): A small UAV and its associated elements (including communications links and the components that control the small UAV) that are required for the safe and efficient operation of the small UAV in the National Airspace System.

9.08.015

POLICY: 06/24

It is the intent of the King County Sheriff's Office to protect the safety of all community members. To that end, the King County Sheriff's Office may deploy small uncrewed aircraft systems to support specific law enforcement operations. Any use of an sUAS will be in strict accordance with the United States Constitution, The Washington State Constitution, federal and state law, and Federal Aviation Administration (FAA) regulations.

Small uncrewed aircraft systems can provide law enforcement incident commanders with essential information to help manage and resolve critical incidents while reducing risk to community members and deputies. The King County Sheriff's Office recognizes the public's concern for privacy and other constitutionally protected rights should these systems be misused.

Any complaints of misuse regarding sUAS, or sUAS-recorded data, will be investigated in accordance with GOM 3.03.000 Investigation of Personnel Misconduct. Community members can file a complaint via the procedures listed on the King County Sheriff's Office public website (King County Sheriff's Office >> About KCSO >> Contact Us >> Tell Us How We're Doing).

9.08.020

AUTHORIZED DEPLOYMENT: 06/24

Only trained and authorized KCSO personnel and King County Search & Rescue volunteers may deploy an sUAS. Systems shall be deployed only when such use is appropriate in the performance of official law enforcement duties, during public safety missions, or for department-sanctioned training. Any use, including the collection and use of electronic recordings or other data generated by the sUAS, shall comply with the policy provisions provided herein and with applicable law.

1. Small uncrewed aircraft systems may be deployed during unplanned emergency incidents or during planned operations for the following purposes:
 - a. Situational Awareness – to assist incident commanders and other decision-makers with understanding the nature, scale, and scope of a public safety incident, and for planning and coordinating an effective response. This includes the use of sUAS to assist with the assessment of potential government-owned property or critical infrastructure damage following manmade or natural disasters.
 - b. Search and Rescue – to assist with missing person investigations, AMBER Alerts, Silver Alerts, and other search & rescue operations, and other community caretaking functions.
 - c. Tactical Deployment during Emergencies – to support the deployment of deputies and resources during emergency situations (e.g., incidents involving hostages, barricaded subjects, active shooters, support for large-scale tactical operations, and temporary perimeter security operations for crimes in-progress or crimes just occurred).
 - d. Scene Documentation – to document a crime scene, accident scene, or other major incident scenes (e.g., disaster management, post critical incident response, large-scale forensic scene) either in a public area or, after obtaining a search warrant, in non-public areas.
 - e. High Risk Tactical Operations – to reduce the risk to deputies, civilians, and suspects by providing information about the location and disposition of suspects, uninvolved occupants, obstacles, and the layout of structures when planning and serving search warrants and during high-risk arrest operations.
 - f. Security Area Checks of Government and Public Property – to provide security area checks of government and publicly-owned property whether initiated by on-view activities or by dispatched calls for service. The sUAS should only be deployed when the property is not open to the public unless needed under one of the pre-authorized purposes listed above. Recording during security area checks is not necessary unless the rPIC believes criminal activity is occurring, has occurred or is about to occur. When reasonable suspicion of criminal activity exists, the rPIC shall commence recording with the sUAS.
2. All deployments of sUAS not falling under the circumstances outlined above must be specifically authorized by a Division Chief or their designee.
 - a. Preplanned sUAS deployments that do not disclose specific tactics or confidential operations shall be made public via the public KCSO website.
 - b. Most KCSO sUAS operations will be in response to emergency public safety needs.

3. Department-operated sUAS can be deployed anywhere that the RPIC is operating for department business.
 - a. Therefore, sUAS deployments can occur anywhere that the RPIC is fulfilling their official duties.

9.08.025

PROHIBITED USE: 06/24

1. The sUAS shall not be used to conduct random surveillance in situations other than those specified in the "Deployment" section of this policy.
2. sUAS-recorded data will not be collected, disseminated, or retained solely for the purpose of monitoring activities protected by the U.S. Constitution, such as the First Amendment's protections of religion, speech, press, assembly, and the redress of grievances (e.g., protests, demonstrations).
3. The use of sUAS and the collection, use, dissemination, or retention of sUAS-recorded data shall not be solely based on individual characteristics (e.g., race, ethnicity, national origin, sexual orientation, gender identity, religion, age, or gender), which is a violation of the law.
4. Remote pilots shall only collect information using an sUAS, or use sUAS-collected information, to the extent that such collection or use is consistent with and relevant to an authorized purpose.
5. The sUAS shall not be equipped with:
 - a. Lethal or non-lethal weapons.
 - b. Any device that captures or intercepts personal electronic information or communications transmitted via cell phone or any other electronic means unless specifically authorized under [RCW 9.73](#).
 - i. This does not include King County Search & Rescue UAVs equipped with devices to locate cell phones of missing or lost persons
 - c. Facial recognition technology which can be used to identify specific people.
 - i. This does not include technology in which the sUAS recognizes the face of the operator as a security measure.
 - ii. This does not include technology which can be used to identify an image as a non-specific human being vs. another object (i.e., an algorithm that recognizes a human form in a forest).

9.08.030

QUALIFICATIONS AND TRAINING: 06/24

1. The sUAS shall be operated only by personnel who have been trained and certified in the operation of the system and are FAA-Certified Remote Pilots. Pilots in training may operate an sUAS while under the direct supervision of a KCSO-certified sUAS pilot.
 - a. sUAS operators and flight crewmembers must be certified in the operation of the sUAS by successfully completing a department-approved training course conducted by King County Sheriff's Office sUAS Instructor Pilots (IP).

- b. Applicants must meet the requirements for, and successfully pass, FAA certification as well as any department certifications to maintain their sUAS qualification and must keep their aeronautical knowledge up to date.
 - c. Operators must have an understanding of, and comply with, FAA and military regulations applicable to the airspace where the sUAS will operate.
 - d. Operators must have completed training in accordance with the individual unit's SOP.
 - e. Operators must comply with [Title 14 CFR 67.107](#) Code of Federal Regulations and FAA Regulation [14 CFR 91.17](#) related to mental health and drug or alcohol use.
 - f. The KCSO sUAS Program Manager is responsible for drafting initial and recurring training requirements for all KCSO sUAS operators.
2. Operators shall complete the following initial certification and training:
 - a. The FAA part 107 test for sUAS.
 - b. The KCSO Remote Pilot-in-Command (RPIC) certification course.
 - c. 24 hours of flight training with sUAS instructors and demonstrate safe operation of the sUAS during practical flight exercises.
3. Observers must complete KCSO observer training prior to acting as an sUAS observer. This training shall include at a minimum:
 - a. [14 CFR 91.111](#) *Operating Near Other Aircraft*
 - b. [14 CFR 91.113](#) *Right-of-Way Rules: Except Water Operations*
 - c. [14 CFR 91.155](#) *Basic VFR Weather Minimums*
4. Recurrent Training - KCSO sUAS operators shall maintain proficiency in operator/observer skills and adhere to the following:
 - a. Members who do not have any documented training or flight time within a span of 120 days will have to demonstrate proficiency before acting as an operator/observer during a deployment or exercise.
 - b. sUAS remote pilots-in-command and observers shall complete annual recertification training.
 - c. Operators must keep their FAA Part 107 certificate active by passing the FAA recurrent knowledge test once every 24 months.

9.08.030

SAFETY OF OPERATIONS: 06/24

1. Safety of sUAS operations is the responsibility of the entire team.
2. sUAS team members shall bring to the attention of the other members any condition they feel is a safety concern.
3. The piloting area selected by the sUAS team shall be located within a secure perimeter when practicable.

- a. The area should be evaluated for adequate space and clearances to safely assemble, launch, and recover the sUAS.
 - b. Attention should be given to overhead obstacles and obstructions that may pose a risk to the sUAS during operation.
 - c. Access to the piloting area should be controlled and access granted to personnel for operational purposes only.
4. Except as required by the mission, all sUAS team members shall ensure that no people or aircraft are in the vicinity of the sUAS during operations.
 - a. Operators should avoid flying over or near people, vehicles, or other aircraft.
5. Manned law enforcement aircraft and sUAS may be deployed simultaneously during an incident under the following criteria:
 - a. The sUAS operates between the surface and 400 feet above ground level.
 - b. Any manned LE aircraft operates more than 600 feet above ground level.
 - c. The sUAS RPIC and the manned LE aircraft crew have direct communications.
 - d. In the event of a conflict between aircraft operations, the sUAS shall yield to the manned LE aircraft.
6. The sUAS should not be flown directly over large gatherings of people and shall not be used as a chase vehicle during a motor vehicle pursuit.
7. sUAS team members will comply with the sUAS manufacturer's operator's manual, warnings, limitations, placards, and/or checklists at all times unless an emergency dictates otherwise.
8. Remote pilots-in-command are authorized to evaluate and accept or decline any mission or portions thereof. The operator shall not be subject to discipline for declining a mission or any portion thereof due to safety concerns. The remote pilot-in-command is ultimately responsible for the safe deployment and operation of the sUAS.

9.08.035

RETENTION AND DISSEMINATION OF SUAS VIDEO: 06/24

1. sUAS pilots shall record video during deployments in support of any active public safety operations.
2. Video recording during other sUAS operations (training, demonstration flights, etc.) shall be at the discretion of the sUAS pilot or incident commander.
3. sUAS pilots shall adhere to the KCSO policy for Submission & Storage of Photographic and Video Evidence GOM 16.01.020.
4. The following guidelines govern the collection of video and/or pictures during sUAS operations:
 - a. Prior to flight operations, operators shall insert a newly formatted micro SD card into the sUAS.
 - b. At the conclusion of routine sUAS operations in which there is no unusual occurrence, the video shall be uploaded to evidence.com and the micro SD card formatted for future use.

- c. If the sUAS recorded an unusual event, such as a particularly sensitive crime scene or significant use of force by an officer and/or against an officer, then the micro SD card shall be turned over to the lead investigator after the sUAS pilot uploads the video to evidence.com.
5. Any video, audio, or still photos recorded during sUAS operations shall be retained in accordance with GOM 8.00.020, all applicable records retention schedules, and state public records retention laws.
6. All data collected during sUAS operations will be stored, maintained, and disseminated in accordance with the GOM 15.04.000.
7. Personal information collected during the operation of a sUAS that is not directly related to the emergency response and/or criminal investigation or not maintained in a system of records covered by the Privacy Act of 1974 (5 U.S.C. 552a) may not be used, copied, disclosed, or disseminated for any purpose after the conclusion of the operation, unless there is probable cause that the personal information is evidence of criminal activity or otherwise required by law.
8. Personal information not directly related to the emergency response and/or criminal investigation shall be deleted after 30 days unless required to be retained for a longer period by any other applicable law or regulation.

9.08.040

SUAS PROGRAM REVIEWS, AUDITS, AND PUBLIC NOTICE: 06/24

1. This policy and associated training needs shall be reviewed and documented annually by the sUAS Program Manager, ASU Sergeant, and the commanders and supervisors of individual units maintaining a sUAS program.
2. The ASU Sergeant shall provide recommendations and feedback to the Special Operations Division Chief.
3. sUAS policies and procedures shall be posted on the public KCSO website.
4. The ASU sergeant or their designee shall audit the program, at least annually, for adherence to the sUAS policy, records retention, and privacy.
 - a. Results of the audit shall be provided to the Special Operations Division Chief and made available to the public by posting the audit results on the public KCSO website.
5. If violations of this policy are identified, the RPIC's supervisor or commander shall take corrective action according to G.O.M. 3.03.000 Investigation of Personnel Misconduct.
6. The Air Support Unit sergeant shall ensure that mission data from each sUAS flight is compiled and posted annually to the public KCSO website.
 - a. Mission data shall include categories of missions flown and a listing of any outside agencies that received KCSO sUAS resource assistance.
7. The Sheriff's Office shall, prior to deployment of new sUAS technology and at least every three years, examine the existing sUAS policy and procedures relating to the collection, use, retention, and dissemination of information obtained by sUAS, to ensure that privacy, civil rights, and civil liberties are protected.

9.08.045

UNIT COMMANDERS & SUPERVISORS RESPONSIBILITIES: 06/24

With approval from the Undersheriff, KCSO units may operate an sUAS program in accordance with this policy. Individual unit commanders and supervisors are responsible for managing their unit's deployments and uses of an sUAS to ensure that the devices are used in accordance with this policy. Individual unit commanders and supervisors are also responsible for ensuring proper flight documentation is completed and for conducting periodic audits of sUAS use and operations under their command.

9.08.050

SUAS PROGRAM COMMANDER & PROGRAM MANAGER RESPONSIBILITIES: 06/24

The Chief of the Special Operations Division shall act as the sUAS Program Commander and is responsible for the management and oversight of the KCSO sUAS program. The sUAS Program Commander shall appoint an sUAS Program Manager. The sUAS Program Manager will report to the ASU Sergeant and fall under the SOD chain of command. In the absence of a sUAS program manager, the ASU Sergeant is the manager. The Program Commander and the Program Manager will oversee the overall direction and performance of KCSO units operating an sUAS program and shall:

1. Ensure that policies and procedures conform to current law, regulations, and best practices.
2. Coordinate the FAA Certificate of Waiver or Authorization (COA) application process and ensure that the COA is current.
3. Collect required FAA reporting data from KCSO units operating an sUAS / UAV program.
4. Conduct periodic audits of KCSO sUAS usage to ensure compliance with this department policy.
5. Assist KCSO units operating an sUAS with the development of sUAS SOPs.
6. Disseminate updates of FAA regulations to KCSO units operating an sUAS program.
7. Evaluate sUAS equipment proposals for reliability, safety, maintenance, and ongoing manufacturer support.
8. Approve equipment requests from KCSO units operating sUAS programs.
9. Ensure that all operators and observers have completed the required FAA and department training.
10. Develop and manage a uniform protocol for submission and evaluation of requests to deploy an sUAS, including urgent requests made during ongoing or emerging incidents.
11. Develop and manage protocols for documenting missions.
12. Develop and manage a system for public notification of planned sUAS deployment to public events or exercises and notification of policy changes that affect privacy. The notification may be via media release, department social media, and/or posting the KCSO sUAS policy online.
13. Develop and manage an sUAS inspection, maintenance, and record-keeping protocol to ensure the continued airworthiness of the sUAS, including the system's overhaul or life limits.
14. Evaluate, control, and monitor access to personal information and other data collected by sUAS and ensure any dissemination of sUAS-recorded images and data are in accordance with applicable law, policy, and procedures.
15. Recommend program enhancements including safety and information security procedures.

16. Provide periodic reports to the Sheriff and Undersheriff regarding sUAS usage, complaints, successes, maintenance, costs, and other relevant program information.
17. Publish an annual report to the public summarizing KCSO sUAS operations. The report shall include a brief description of the types or categories of missions flown and how sUAS was used to respond to mutual aid requests.

9.08.055

REMOTE PILOT-IN-COMMAND (RPIC) RESPONSIBILITIES: 06/24

The RPIC will function as the team leader and operator of the sUAS. The RPIC is ultimately responsible for the operation and solely responsible for piloting the sUAS during flight. The Observer will be appointed by the RPIC at their discretion.

9.08.060

OBSERVER RESPONSIBILITIES: 06/24

The observer's primary duty is to operate the sUAS auxiliary equipment such as cameras, FLIR, radio communications with other units and observe for anything that may interfere with, or pose a risk to, the operator or aircraft. The observer is also responsible for all aviation-related communications required by FAA Regulations.

9.08.065

DEPLOYMENT AND CALL-OUT PROCEDURES: 06/24

sUAS may be issued to individual deputies or stored at a central location (i.e., police precinct or sub-station) for RPICs to retrieve and respond to an incident or other authorized use. This determination will be made by commanders & supervisors of units maintaining a sUAS program.

1. sUAS are available to support all KCSO units for on-duty deployment or call-outs.
2. Units that maintain an sUAS program may establish their own call-out procedures and criteria.
3. The procedures listed below are for units that do not maintain an sUAS program.
 - a. The field supervisor shall determine the need for on-duty deployment or a call-out.
 - b. The communications center shall notify the Air Support Unit (ASU) which shall have the first opportunity to respond.
 - c. If ASU is not available to respond, the communications center shall request an on-duty deployment or call-out to sUAS-equipped units. On-duty sUAS pilots shall have priority for responding to sUAS missions.
 - d. Responding sUAS personnel shall make the final determination if it is safe to deploy the sUAS for a particular incident. sUAS personnel shall consider:
 - i. Ability of the sUAS team to operate in a secure area.
 - ii. Terrain and other features of the operational area.
 - iii. Potential obstructions to flight and airspace restrictions.
 - iv. Weather.

9.08.070

MUTUAL AID REQUESTS: 06/24

KCSO sUAS pilots may respond to other local, state, tribal, and federal agencies' requests for assistance provided the scope of the request complies with KCSO policy and the uses outlined in this policy. All mutual aid operations shall be conducted in accordance with this policy and individual unit standard operating procedures.