

P.O. 248 Small Unmanned Aircraft Systems (sUAS)

Effective From:	02-23-2024	Effective To:	Current
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VV. P.O. 248 – Small Unmanned Aircraft Systems (sUAS)

1. POLICY

- i) This policy is intended to provide personnel who are assigned responsibilities associated with the deployment and use of small Unmanned Aerial Systems (sUAS) 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.

2. MISSION

- i) The mission of the sUAS/Drone Unit is to enhance statewide public safety and aerial support to the Louisiana State Police and all law enforcement agencies in Louisiana. The sUAS unit was created to utilize unmanned aircraft vehicles in supporting criminal investigations and public safety matters. The Unit will provide air support to all local, state, tribal, and federal law enforcement agencies in compliance with all federal and state laws. The sUAS systems uniquely provide the safety of rapid response and operating in challenging places inaccessible to traditional aircraft at less risk and cost to the general public.

3. GENERAL

i) Definitions

- a) Unmanned Aircraft (UA) - Any aircraft operated without the possibility of direct human intervention from within or on the aircraft.
- b) Small Unmanned Aircraft (sUA) - A UA weighing less than 55 pounds, including everything onboard or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft.
- c) Small Unmanned Aircraft System (sUAS) - A small UA and its associated elements (including communication links and the components that control the small UA) that are required for the safe and efficient operation of the small UA in the National Air Space.
- d) Control Station (CS) - An interface used by the Pilot in Command or the person manipulating the controls to direct the flight path of the sUAS.
- e) Program Coordinator (PC) - Employee of the Department of Public Safety, under the direction of the LA-SAFE Deputy Director, to oversee the training and certification of all Pilots in Command (PICs) and to serve as an adviser to all sections utilizing sUAS equipment.
- f) Pilot in Command (PIC) - A person who holds a remote pilot certificate with a sUAS rating and has the final authority and responsibility for the operation and safety of a sUAS operation conducted under Federal Aviation Administration (FAA) Regulations, Part 107.
- g) Person Manipulating the Controls - A person other than the PIC who is controlling the flight of an sUAS under the supervision of the PIC.
- h) Visual Observer (VO) - A person acting as an aircrew member who assists the small UA PIC and the person manipulating the controls to see and avoid other air traffic or objects aloft or on the ground.
- i) Digital Media Evidence (DME) - Digital recordings of images, sounds, and associated data captured by the sUAS.

4. PRIVACY

- i) LSP has adopted internal policies to ensure it complies with applicable laws protecting privacy, civil rights, and civil liberties for the use, analysis, retention, destruction, sharing, and disclosure of records collected by LSP. LSP/LA-SAFE and its personnel will comply

with the Code of Federal Regulations (28 CFR Part 23), Louisiana Constitution Article 1, Section 5, Louisiana Constitution Article 12, Section 3 and Louisiana Revised Statute 44:1 et seq., governing the collection of protected information. Additionally, LSP personnel will adhere to criminal intelligence collection guidelines established under the National Criminal Intelligence Sharing Plan (NCISP). Stakeholder agencies are also responsible for ensuring the legal validity of gathered information.

**Protected Information includes information about individuals and organizations that is subject to information privacy or other legal protections by law, including the U.S. Constitution; applicable federal statutes and regulations, such as civil rights laws and 28 CFR Part 23; applicable state and tribal constitutions; and applicable state, local, tribal, and territorial laws, ordinances, and codes.*

Furthermore, all drone operations will be conducted in accordance with all laws and regulations, including federal, state, and local laws. Information is not to be collected on a person because of race, religion, national origin, political affiliation, support of unpopular causes, social views or activities, participation in a particular noncriminal organization or lawful event, citizenship, age, ethnicity, place of origin, disability, gender, or sexual orientation. Unless directly related to criminal activity, a group or individual's personal tendencies and orientation are not a law enforcement concern.

- ii) The LSP-sUAS Unit will collect, evaluate, analyze, and disseminate information and intelligence data (records) regarding criminal and terrorist activity in Louisiana while protecting privacy, civil rights, civil liberties, and other protected interests. This includes implementing appropriate privacy and civil liberties safeguards as outlined in the principles of the Privacy Act of 1974, as amended, to ensure that the information privacy and other legal rights of individuals and organizations are protected by “Fair Information Practice Principles” and “Protected Information.”
- iii) The purpose of this privacy, civil rights, and civil liberties (P/CRCL) protection policy is to promote the LSP-sUAS Unit and user conduct that complies with applicable federal, state, local, tribal, and territorial law and assists the center and its users in:
 - a) Increasing public safety and improving national security.
 - b) Minimizing the threat and risk of injury to specific individuals.
 - c) Minimizing the threat and risk of physical and financial injury to law enforcement and others responsible for public protection, safety, or health.
 - d) Minimizing the threat and risk of damage to real or personal property.
 - e) Protecting individual privacy, civil rights, civil liberties, and other protected interests.
 - f) Protecting the integrity of the criminal investigatory, criminal intelligence, and justice system processes and information.
 - g) Minimizing the reluctance of individuals or groups to use or cooperate with the justice system
 - h) Supporting the role of the justice system in society.
 - i) Promoting governmental legitimacy and accountability.
 - j) Not unduly burdening the ongoing business of the justice system.
 - k) Making the most effective use of public resources allocated to public safety agencies

5. SCOPE/APPLICABILITY

- i) sUAS/Drones may be utilized to enhance the department’s mission of protecting lives, property, and investigations when other means and resources are unavailable. Any additions or redactions to the sUAS policy must go through the proper chain of command and approval

by the section commander before implementation. The policy will be reviewed and updated annually; however, the LSP sUAS Section Commander reserves the right to edit any policy so long as the edit(s) do not violate any federal, state, local, or tribal laws. The purpose is to ensure the UAS unit continues operating with optimum success within laws established by the Federal Aviation Authority and policies set forth by LSP.

6. USE OF sUAS/DRONES

i) Flight Authorization

- a) Each section's Officer in Charge (OIC), or Incident Commander, shall be responsible for authorizing a sUAS flight.
- b) Louisiana State Police sUASs will be operated in accordance with applicable FAA Regulations Part 107 and in accordance with the Certificate of Authorization. Small UASs will be operated per the operators' manual.
- c) Any aircrew member has the authority to terminate/cancel a flight at any time due to concerns of safety/situational related issues (weather, crowds, etc.)

7. DEPLOYMENTS

- i) A flight log shall be completed following every UAS flight, including maintenance checks and training flights. If the situation of the mission does not allow for immediate entry of the flight data, then the information shall be recorded within five (5) days. All applicable missions shall have a report number attached to them. If the mission is for another section within DPS, the section's report number being used shall be utilized.
- ii) All aircrew members, including the PIC, Persons Manipulating the Controls, and Visual Observer (if utilized), must be briefed and fit for duty in accordance with FAA Regulations, Part 107.
- iii) During a mission, the OIC shall be whoever has requested the drones. Officer safety and protection should be paramount when making this decision. Commissioned law enforcement personnel, or Visual Observer (VO), is recommended to be with the pilot during a mission. These are examples of missions but not limited to aiding in search and rescue operations, crime scene photography, surveillance, crash reconstruction, hazmat scene deployment, major disaster scenes, storm damage, fire scenes, tactical situations, communications tower inspections, public affairs events, demonstrations (public safety concerns are present), maintenance and training. Other case-by-case deployments may be approved by the Section / Troop Commander or their designee if they are immediately necessary to preserve the health, safety, and welfare of people or property within the State of Louisiana. In the event a warrant is required, the Case Officer shall provide a copy of the case-specific warrant to the sUAS pilot before deploying

8. DAILY FLIGHT LOG

- i) All UAS training and mission flight(s) shall be documented by completing an entry on the sUAS SharePoint Flight Log. If SharePoint is not attainable, you may use DPSSP 6751 to submit to the PC. At a minimum, the entries shall include the date, time, location, PIC's name, Observer's name, flight time, and the purpose of the flight.
 - a) If the flight is a mission, a report number shall be created and attached to the information.
 - b) If the mission is from a non-DPS agency, the requesting agency's name and an item # associated with the mission shall be entered.

9. DIGITAL MEDIA EVIDENCE (DME)

- i) Any documentation (mapping, video, pictures, and/or audio) used by an LSP-issued UAS or personal UAS used by certified LSP personnel in any event, training included, that may be used for evidentiary purposes. Video recordings and photographs utilized in criminal investigations or events when criminal charges will be considered shall be treated as evidence, documented, and stored according to LSP Policy and Procedure. DME will only

be taken during deployments where there is a reasonable expectation that the data will contain an evidentiary value or situations that may provide situational awareness. If no crime or civil unrest is known, DME will be deleted 180 days after completing a mission. Refer to the LSP Record Retention Schedule for destroying evidence timeline.

- ii) DME shall not be released outside the Department unless specific authorization states otherwise or as LSP policy dictates. If any non-DPS is allowed access to evidence, it will complete an Evidence Property Receipt (DPSSP 4731) upon receiving the evidence.
- iii) Video Conferencing platforms may be utilized in many instances. In the case of non-law enforcement missions, non-DPS personnel may observe a mission via the Video Conferencing platform. In all Law Enforcement investigations and public safety concerns, permission must be given by the sUAS command or their designee for non-DPS personnel to observe the incident through live streaming.
 - a) Note: All media and video conferencing platform recordings, including attendees, are and may be subject to public record requests

10. DRONE PURCHASES

- i) Any drone purchases and equipment (i.e., props, batteries, controllers, etc.) shall be approved by ISS. Any section wishing to purchase a drone shall coordinate with the ISS-sUAS unit for which Drone is applicable for their section. A list of Drones that may be purchased shall be maintained by the ISS-sUAS Command and updated annually.

11. PILOT QUALIFICATIONS

- i) Be an employee or contracted employee of the Louisiana Department of Public Safety in good standing with the Department may join. A letter from the section/troop commander or designee expressing permission addressed to the Program Coordinator and sUAS command.
- ii) Possess a current FAA remote pilot certificate with a sUAS rating.
- iii) Prior to becoming a PIC, log a minimum of eight (8) hours of training, to include classroom instruction and flight time in an approved sUAS as a Person Manipulating the Controls. Under the direction of the LA-SAFE Deputy Director, the Program Coordinator will be the final authority on PIC certification and training standards.
- iv) Must adhere to the current requirements per FAA regulations, Part 107.
 - a) PICs shall complete renewal of their FAA remote pilot certificate with sUAS rating every two years
 - b) Operators (PIC) shall maintain a current LSP certification maintained by the State Coordinator. This will be maintained by completing quarterly sUAS training offered at various locations throughout the state. Failure to maintain a current LSP certification may result in temporarily being suspended from LSP drone missions until an 8-hour re-certification is completed

12. PILOT RE-CERTIFICATION/TRAINING

- i) Training shall be completed quarterly and consist of one 4-hour training session. Each session will include operating a department-issued/certified drone as well as legal, policy, and technology updates that assist the Pilot in Command (i.e., Video Conferencing platforms, Capture Cards, etc.). Pilots must attend three of the four scheduled training sessions. If a scheduling conflict arises, it is the pilot's responsibility to schedule a make-up time and date. Failure to comply may result in the de-activation of LSP certification.

13. REQUIREMENTS FOR USE

- i) Only authorized operators who have completed and stayed current with the required training (FAA Part 107 and LSP Drone Certification Class) shall be permitted to operate departmental drones in authorized departmental missions.
 - a) Non-certified team members may operate drones for training purposes under the

supervision of a certified team member.

- b) Departmental drones may be used for authorized departmental use only. No exceptions. Drones shall only be operated in accordance with Part 107 regulations.

14. STORAGE OF THE sUAS

- i) Drones shall be stored following the manufacturer's guidelines and at the respective Executive Officer's discretion. Drones should be located in a place that is safely secured and where any currently certified sUAS LSP pilot may have easy logistical access.

15. INSPECTIONS

- i) sUAS maintenance is the responsibility of the PC in accordance with manufacturer recommendations. All maintenance sUAS records will be maintained by the Program Coordinator. A test flight shall be conducted and documented before any training flights or missions. Each PIC should inspect the sUAS under their control before and after every deployment. The PC or their designee shall review and document the inspection of all LSP sUAS equipment annually.

16. ACCOUNTABILITY

- i) All sUAS flights shall be documented by each PIC on the sUAS SharePoint flight log, "sUAS Flight Log", and shall include the following information:
 - a) Mission Start Date / Time
 - b) Person / Agency Requesting
 - c) Case #
 - d) Purpose of Flight
 - e) Location
 - f) Troop Area
 - g) Pilot in Command
 - h) OIC approving flight
 - i) UAS
 - j) Flight Duration (listed in minutes)
- ii) Upon completion of each sUAS deployment, the LSP sUAS PIC shall fill out the flight log on the LSP sUAS SharePoint. The LSP PIC shall fill out the flight log immediately following their sUAS operation but may delay this for no more than five (5) days following the sUAS flight.
- iii) The PC or his designee shall provide an annual report to the LA-SAFE Director and/or Director, outlining the operational status for the fleet, any scheduled or unscheduled maintenance performed, the operating total time of each UAV, number of deployments in the field, locations of the incidents, and any unusual circumstances surrounding the deployments during the preceding calendar year.
- iv) In the event an LSP-issued drone is no longer needed for service, it shall be turned in to the LSP-sUAS program coordinator. The PC shall ensure the drone is wiped clean or reset to factory settings, remove all external memory devices, and withdraw the drone from risk management and QEP (Qualified Entities Program); this is only applicable to DJI drones.

17. LOSS OF DRONE/IN-FLIGHT CRASHES

- i) In the event a drone is lost (fly-away) or an inflight crash that results in any damage to the LSP drone, a letter from the operator to the coordinator and LSP sUAS command shall be sent notifying them of the incident. If a crash occurs and is over the \$500 threshold to other property, contact the sUAS Unit, and they will work in conjunction to follow FAA reporting

requirements. For a serious injury or fatality crash, the pilot shall immediately notify the Troop area where the crash occurred and the FAA.

18. VENDORS

- i) Any signed/unsigned agreements, in addition to signed contracts with private companies that conduct business with the Department, shall be approved by the appropriate LSP/DPS personnel.

19. SECONDARY USE/EMPLOYMENT

- i) No DPS-issued drones shall be utilized for personal use or outside of an LSP/DPS-sanctioned event. No personally owned drones will be used for any LSP/DPS-sanctioned event. No personally owned drones will be utilized for any LSP/DPS-sanctioned event unless prior approval is granted from the sUAS Section Commander or designee.

20. PAYLOADS

- i) The UAS commander or designee shall approve any payload used on a UAS. Weapons will not be used.

21. UNIFORMS

- i) A professional appearance shall be maintained when representing the department by wearing Class A, B, or C uniforms. No Jeans or shorts are allowed unless specified by the OIC. Refer to LSP Policy for specific policy information.

22. REGISTRATION

- i) The sUAS Unit will register all LSP-purchased drones with the FAA and have the proper visible markings.
 - a) Registration will be in the name of “Louisiana State Police” and not registered to an individual.
 - b) The Program Coordinator shall maintain the registration on all departmental sUAS.
 - c) The Program Coordinator or his designee shall ensure all sUAS information is kept up to date with the Office of Risk Management.

23. WEATHER

- i) sUAS will not operate in sustained winds over 25 mph, nor shall they be operated in rain, snow, and/or sleet conditions unless the manufacturer states the drone is capable.

24. TRANSPARENCY

- i) To promote transparency about LSP-sUAS activities, LSP shall, while not revealing information that could reasonably be expected to compromise law enforcement or national security:
 - a) Provide notice to the public regarding where LSP-sUAS are authorized to operate
 - b) Keep the public informed about the LSP-sUAS program as well as changes that would significantly affect privacy, civil rights, or civil liberties; and
 - c) Make available to the public, on an annual basis, a general summary of LSP-sUAS operations during the previous fiscal year, including a brief description of types or categories of missions flown and the number of times the agency provided assistance to other law enforcement agencies or State, local, tribal, or territorial governments.

25. AIRCREW MEMBERS

- i) All aircrew members, including the PIC, Persons Manipulating the Controls, and Visual Observer (if utilized), must be briefed and fit for duty in accordance with FAA Regulations, Part 107.