

SMALL UNMANNED AIRCRAFT SYSTEMS (sUAS)

PREAMBLE:

As part of the Omaha Police Department's (OPD's) mission to enhance public safety, the Department has established a Small Unmanned Aircraft System (sUAS) Program. The use of sUAS's is intended to enhance OPD's ability to effectively conduct pre-planned missions and events, and to respond to, survey, and document certain emergency situations, exigent circumstances, and crime scenes by providing an aerial view. Public trust concerning sUAS deployments is important to the Department. In order to promote transparency, prevent unnecessary government intrusion, and provide guidelines for sUAS use and operation, policies and procedures have been established.

The Federal Aviation Administration (FAA) has the exclusive control and regulation of air space as well as the certification and registration of all sUAS's. This regulation includes personal, commercial, or government use of sUAS's. The OPD has applied for and received a Certificate of Authority from the FAA allowing OPD to operate sUAS's below 400 feet within Douglas County. This certification is valid for two years and the program will be recertified periodically in accordance with 49 USC §40102(a)(41), §40125, and 14 CFR § 91.

POLICY:

It is the policy of the Omaha Police Department (OPD) to maintain a small Unmanned Aircraft System (sUAS) Program in order to produce fully trained, competent, and qualified Remote Pilots in Command (RPIC) and Visual Observers (VO). The Department may utilize sUAS for law enforcement missions and to support public safety. OPD shall adhere to the Federal Aviation Administration (FAA) rules and regulations. The OPD sUAS Program operates under the FAA rules and regulations using both an FAA [Certificate of Waiver or Authorization](#) (COA) and individual [Part 107 Pilot Certificates](#).

Violations of this policy may result in discipline, up to and including termination.

DEFINITIONS:

Camera/Sensor Operator: An employee specially trained to operate the sensor/camera installed on a sUAS.

Certificates of Waiver or Authorization (COA): An authorization issued by the FAA to a public operator for specific Unmanned Aircraft (UA) activities.

Part 107: A set of rules in the Code of Federal Regulations (CFR) Title 14 Part 107 for operating sUAS.

Pre-Planned Mission: For the purposes of this policy, a Pre-Planned Mission is an operation or event that involves the deployment of an OPD sUAS that is planned with the assistance of the sUAS Program.

Recorded Media: Audio-video signals recorded as part of an overall recording system (as defined in the OPD ["Body Worn Camera \(BWC\)"](#) policy).

Remote Pilot in Command (RPIC): An employee exercising control over a sUAS operation.

Small Unmanned Aircraft System (sUAS): A small unmanned aircraft that can be flown without the possibility of direct human intervention from within or on the aircraft. The systems are commonly referred to as "drones." The system consists of the small unmanned aircraft and its associated elements (including communication links and the components that control the small unmanned aircraft) that are required for the safe and efficient operation of the small unmanned aircraft. (Federal Aviation Administration).

Small Unmanned Aircraft System (sUAS) Program Manager: An OPD employee assigned by the Chief of Police to oversee the OPD sUAS Program. The sUAS Program Manager will monitor and help ensure compliance aspects of the Program, such as FAA certifications, ongoing training and policy needs/

requirements, adherence to deployment and usage criteria, Recorded Media management and storage, and other matters related to the Program.

Visual Observers (VO): An employee specially trained to assist the Remote Pilot in Command (RPIC) to see and avoid other objects in the air and on the ground.

PROCEDURE:

I. OPD sUAS General Operational Guidelines

- A. OPD sUAS shall only be operated by employees who have been trained and certified in the operation of the system.

NOTE: RPIC's shall fulfill mission/training requirements to remain active in the sUAS Program.

- B. All sUAS deployments shall comply with all federal, state, and local laws and regulations.
- C. A sUAS may be deployed to provide an aerial view for pre-planned assignments and when responding to emergency situations and exigent circumstances, with the following objectives:
 - 1. Situational awareness and visual perspective.
 - 2. Search and rescue.
 - 3. Tactical deployment.
 - 4. Criminal investigation and scene documentation.
 - 5. Over-watch for large scale events.
 - 6. Other situations deemed necessary by a command officer of the rank of lieutenant or higher or by the Forensic Investigations Unit (FIU) Manager.
- D. Refer to the "OPD sUAS Field Guide" for additional deployment information and guidelines.

II. Prohibitions

- A. Personally owned sUAS shall not be used in any capacity while on-duty or acting on behalf of the OPD.
- B. Unauthorized use of a sUAS may result in discipline.
- C. The sUAS shall not be used for any of the following purposes:
 - 1. Traffic law enforcement.
 - 2. To harass, intimidate, or discriminate against any individual or group.
 - 3. To target a person for group of individuals for reasons related to their race, creed, color, ethnicity and/or national origin, religion, political affiliation, age, gender, gender identity, marital status, disability, economic status, cultural group, sexual orientation or any other protected class or status.
 - 4. To conduct any type of personal matters or business.
- D. The sUAS shall not be operated in an unsafe manner.

- E. The sUAS shall not be weaponized.
- F. When OPD employees operate a sUAS, they shall adhere to the following privacy-related prohibitions:
 - 1. To respect the dignity of others, employees will attempt to avoid recording images in places where a reasonable expectation of privacy exists, unless the employees are present in the location in an official capacity.
 - 2. Employees shall use care to record only the parties involved in the event being investigated/documented.
 - 3. Employees shall not record non-law enforcement-related, personal activity.

III. Training

- A. OPD has developed a training program that complies with Title 14 CFR § 107. All OPD employees with responsibilities in the sUAS Program shall successfully complete the Department-approved training prior to participating in sUAS assignments.
 - 1. Training governing the deployment and use of sUAS will include, but is not limited to, the following topics:
 - a. Review of applicable local and federal laws and regulations.
 - b. Review of applicable OPD policies and procedures.
 - c. Review of the OPD Aircrew Training Manual.
 - d. Review of the OPD sUAS Field Guide.
 - e. Operational proficiency training for sUAS pilots, in accordance with Program and other applicable guidelines and/or laws.
 - 2. Training will be documented per OPD policy and procedures.

IV. sUAS Deployment Requests

- A. When possible, sUAS assignments shall require advanced notice and approval of the sUAS Program Manager.

EXAMPLE: For example, for large-scale events where planning occurs in advance such as the College World Series, a large outdoor concert, parade, etc., the sUAS Program Manager shall be contacted in advance to coordinate the sUAS operation(s).

- 1. The coordinating officer will make a request in advance by contacting the sUAS Program Manager (See [Appendix A](#) or the OPD Resources webpage for contact information).
- B. Requests for sUAS support/response at an emergent incident/scene for non-forensic investigation purposes, or requests for a mutual aid/inter-agency operation shall be approved by either the sUAS Program Manager (or designee) or a command officer of the rank of sergeant or above.

1. A command officer of the rank of sergeant or above shall be contacted to consider the request. If they approve the request, they shall then consult with the sUAS Program Manager (or designee) or, if unavailable, a RPIC regarding the request.

NOTE: If a command officer of the rank of sergeant or above determines it is necessary to call-in a RPIC, they shall contact the sUAS Program Manager or designee to discuss. The sUAS Program Manager would complete the call-in, if approved.

2. The RPIC will consult the “Authorized Missions” section of the “OPD sUAS Field Guide” when considering requests and will consult the sUAS Program Manager for requests that are outside the scope of the pre-approved list.
- C. sUAS deployments for forensic investigation purposes may be authorized by the Forensic Investigations Unit (FIU) Manager.
 - D. The Traffic Unit is authorized by the sUAS Program Manager to deploy sUAS for routine traffic crash mapping purposes.
 - E. Qualified Emergency Response Unit (ERU) officers are authorized by the sUAS Program Manager to deploy as needed for tactical operations without command approval.
 - F. The sUAS Program Manager, or designee, may be contacted with any questions regarding RPIC deployment decisions or other issues.
 - G. The requesting command officer will work with the RPIC to discuss what recording, if any, will take place during a mission.
 - H. Requests for sUAS demonstrations must be approved by the sUAS Program Manager and undergo a risk mitigation process.
 - I. During deployments, in accordance with FAA regulations, the RPIC always has the final authority on whether the flight will begin and/or continue.

V. sUAS Data and Recorded Media Duplication, Dissemination, Review

- A. All sUAS's and all Recorded Media, images, audio recordings, and metadata captured by the sUAS's are the property of OPD. Dissemination outside the Department is strictly prohibited without specific written authorization of the Chief of Police or designee. Violators will be subject to discipline up to and including termination.

EXCEPTION: The FIU Manager or sUAS Program Manager may need to share data occasionally with vendors in order to receive technical support or troubleshoot.

- B. Employees shall not erase, alter, reuse, edit, copy, share, modify, or tamper with sUAS data or Recorded Media without prior written authorization and approval of the Chief of Police or designee.
- C. Employees will label all Recorded Media and include any applicable RB numbers or citation numbers.
- D. Employees shall not record, download, or otherwise transfer sUAS Recorded Media onto any type of personal recording devices, including, but not limited to, personal cellular phones, video recorders, tablets, etc.

- E. When a Critical Incident occurs (i.e., serious crime scenes, employee-involved incidents, etc.) that requires immediate retrieval of sUAS Recorded Media, the sUAS Program Manager shall be notified as soon as feasible.
- F. Access to sUAS Recorded Media is subject to the following provisions:
 - 1. Employees may view their own Recorded Media, with the exception of those classified as “LOCKED,” when preparing written reports of events to help make certain of the accuracy and consistency of accounts.
 - 2. Detectives and Accident Investigators can view all Recorded Media labeled as “Evidence,” with the exception of those classified as “LOCKED.”
 - 3. Command can view all Recorded Media, with the exception of those classified as “LOCKED.”

VI. sUAS Flight Data and Recorded Media Retention

- A. All sUAS flight data will be retained for a minimum of five (5) years.
- B. All sUAS Recorded Media will be retained as follows:
 - 1. Uncategorized (default) or non-evidence Recorded Media will be retained for 120 days.
 - 2. Misdemeanor evidence Recorded Media will be retained for 18 months.
 - 3. Felony evidence Recorded Media will be retained for three (3) years.
 - 4. “LOCKED” Recorded Media will be retained indefinitely.
 - a. The classification category “LOCKED” will be used to classify serious incidents including, but not limited to, officer-involved shootings and cruiser crashes.
 - b. Recorded Media classified as “LOCKED” are restricted to specific authorized employees only.
 - 5. sUAS Program Recorded Media will be preserved only in the digital management systems as directed by the FIU Manager and/or the sUAS Program Manager.
 - a. sUAS Recorded Media that is produced by FIU will be preserved in the system mandated by the FIU Manager.

VII. sUAS Program Manager Responsibilities

- A. The sUAS Program Manager is responsible for the following:
 - 1. Plan and coordinate sUAS Program training in accordance with applicable policies, guidelines, and/or any applicable laws.
 - 2. Conduct and document regular audits of sUAS missions/assignments.
 - 3. Maintain flight logbook records regarding use of the sUAS system. Flight logs will include, at a minimum:
 - a. Date and time.

- b. Location.
- c. Duration.
- d. Pilot name and supporting personnel/employees.
- e. Person authorizing the sUAS flight.
- f. Summary of activity performed.
- g. The outcome of the mission.
- 4. sUAS maintenance, to include:
 - a. Monitoring compliance of routine scheduled maintenance.
 - b. Reviewing records for incidents of unscheduled maintenance.
- 5. Long-term storage of Recorded Media of evidentiary value consistent with the Department's evidence storage protocols and classification/retention schedule.
- 6. Deletion of Recorded Media pursuant to a court order.
- 7. Periodically reviewing sUAS best-practices.

VIII. sUAS Flight Crewmember Responsibilities

- A. The Remote Pilot in Command (RPIC) is responsible for the following, among other assigned duties:

- 1. Obtain and maintain Part 107 certificate issued by the FAA.
- 2. Fulfill program training requirements.
- 3. Visually inspect the sUAS pre- and post-flight and complete all associated checklists.

NOTE: The sUAS and its associated elements are the responsibility of the individual employees operating the sUAS and will be used with reasonable care to ensure proper functioning.

Equipment malfunctions shall be brought to the attention of the lead pilot or sUAS Program Manager as soon as possible so that an appropriate repair can be made or a replacement unit can be procured.

- 4. Operate the sUAS in accordance with the manufacturer's recommended guidelines and OPD training and policies.
- 5. Complete a flight logbook entry and all other required documentation for each flight operation or mission.
- B. Lead RPIC's may be designated by the sUAS Program Manager. Units with a RPIC assigned may provide input on the selection of the Lead Pilot. Lead RPIC's shall have the additional following responsibilities:
 - 1. Act as a liaison to the sUAS Program Manager.
 - 2. Assist in monitoring sUAS activity compliance within their unit.

3. Assist in assessing RPIC training needs within their unit.
 4. Complete additional tasks or responsibilities as determined by the sUAS Program Manager.
- C. Visual Observers (VO) have the following responsibilities:
1. Fulfill and maintain program training requirements.
 2. Ensure the sUAS does not operate in unsafe proximity to any manned air traffic or other hazards.
 3. Complete all required documentation for each flight operation.

NOTE: A minimum of one Visual Observer is required for every mission, unless waived by the sUAS Program Manager.

- D. Sensor/Camera Operators have the following responsibilities:
1. Fulfill and maintain program training requirements.
 2. Operate the sensor/camera installed on the sUAS.

NOTE: A Sensor/Camera Operator is optional for missions.

REFERENCES:

I. Laws

- A. [Small Unmanned Aircraft Systems](#), 14 C.F.R. §107 is relevant to this policy.

II. Previous OPD Orders

- A. Previous OPD General Orders include the following: #17-21, 17-21 Supplement #1, and #051-23.

III. Accreditation Standards

- A. Accreditation standard 41.1.3 is relevant to this policy.

IV. Other

- A. PPM Monthly Updates: #4-2021.