



# TIVERTON POLICE DEPARTMENT

## GENERAL ORDERS

<b>Subject:</b> Unmanned Aircraft Systems (UAS)		<b>General Order Number:</b> 820.10
<b>Section:</b> 800- Special Operations		<b>Subsection:</b> 20- Technology
<b>Amends/Supersedes:</b>		
<b>Effective Date:</b> 01/31/2024	<b>Revised Date:</b>	<b>Review Date:</b> As Needed
<b>Per Order Of:</b> Patrick W. Jones, Chief of Police		
<b>RIPAC:</b>		
<b>Distribution:</b> Sworn Department Members		

NOTE: This written directive is for the internal governance of the Tiverton Police Department, and is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

### I. PURPOSE

It is the purpose of this policy to establish guidelines on the use and oversight of Unmanned Aircraft Systems (UAS) by the Tiverton Police Department UAS / Drone Unit.

### II. DEFINITIONS

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

Remote Pilot in Command (RPIC): The individual with the final authority and responsibility for operation and safety of a UAS operation.

Remote Pilot Certificate: A person acting as a RPIC of a UAS under 14 CFR Part 107 must obtain a remote pilot certificate with a UAS rating issued by the Federal Aviation Administration (FAA) prior to UAS operation.

Small Unmanned Aircraft System (SUAS): UAS systems that utilize UAVs weighing less than 55 pounds and are consistent with Federal Aviation Administration (FAA) regulations.

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

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

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

Visual Observer (VO): If used, a UAS flight crewmember designated by the RPIC to assist with the responsibility to identify and avoid other air traffic or objects in the air or on the ground.

### III. POLICY

It is the policy of the Tiverton Police Department that Unmanned Aircraft Systems (UAS) shall be deployed by trained and authorized agency personnel, in the performance of their official duties, for the purpose of public safety operations, in compliance with all applicable laws.

The Tiverton Police Department's UAS will be used to provide aerial support for the organization in an investigative, tactical, and administrative capacity during incidents, operations, or events where this technology may be suitable. All operation of the Department's UAS will be conducted in such a manner that no infringement occurs upon the statutory and/or constitutional rights of any individual.

This policy is intended to provide personnel who are assigned responsibilities associated with the deployment and use of UAS with instructions on when and how this technology and the information it provides may be used for law enforcement and public safety purposes in a lawful manner in accordance with Federal Law, State Law, Federal Aviation Administration Regulations and Tiverton Police Department Policies and Directives.

### IV. USE OF UNMANNED AIRCRAFT SYSTEMS

The Tiverton Police Department has adopted the use of UAS to provide an aerial visual perspective to support objectives that may include, but are not limited to:

- A. **Situational Awareness:** To assist decision makers (e.g., incident command staff; first responders; federal, state, and county officials) in understanding the nature, scale, and scope of an incident or potential incident, and for planning and coordinating an effective response.
- B. **Criminal Investigations:** To assist officers in the furtherance of a criminal investigation.
- C. **Search and Rescue:** To assist with missing person investigations, Amber Alerts, Silver Alerts, and other search and rescue missions.
- D. **Tactical Deployment:** To support the tactical deployment of officers and equipment in emergency situations (e.g., incidents involving hostages and barricaded subjects, support for large-scale tactical operations, and other temporary perimeter security situations).
- E. **Visual Perspective:** To provide an aerial visual perspective to assist officers in providing direction for crowd control, traffic incident management, special circumstances, and temporary perimeter security.
- F. **Scene Documentation:** To document a crime scene, traffic collision scene, or other major incident scene (e.g., disaster management, incident response, large-scale forensic scene investigation).
- G. **Mutual Aid:** To provide assistance to other law enforcement or fire department agencies in the furtherance of their authorized duties.
- H. **Training:** To assist officers in training for future use of UAS.

### V. PROCEDURES

- A. The agency must obtain applicable authorizations, permits, or certificates required by the FAA prior to deploying or operating the UAS, and these authorizations, permits, and certificates shall be maintained and current.
- B. The UAS will be operated only by personnel (pilots and crew members) who have been trained and certified in the operation of the system. All UAS pilots will obtain and maintain a Remote Pilot Airman Certificate as listed in FAA Part 107. The pilot has the sole authority to determine if a flight should be conducted.

- C. The UAS-certified personnel shall inspect UAS equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the aircraft and its associated payloads. Equipment malfunctions shall be brought to the attention of the Patrol Division Commander as soon as possible so an appropriate repair can be made, or a replacement can be procured.
- D. Prior to deploying a UAS, all RPICs will ensure that weather and atmospheric conditions allow for the safe operation of the equipment.
- E. During mission operations, the UAS crew will exercise extreme vigilance to ensure safe flight operations.
- F. When multiple UAS are required to complete a mission, each aircraft will have a flight crew specifically assigned to that equipment for that mission. No single RPIC may operate as RPIC for more than one UAS at a time. No VO may operate as VO for more than one UAS at a time.
- G. A UAS shall not be intentionally used for viewing, recording, or transmitting images and/or video in a criminal investigation at a location or private property where a person or persons has a reasonable expectation of privacy unless:
  - 1. A warrant or court order has been approved for the search of the private property.
  - 2. Consent by the owner or person responsible for the property is obtained.
  - 3. Exigent circumstances exist, including, but not limited to: search and rescue missions, tactical and security missions, crash investigations, crime scenes, fire scenes, hazmat scenes, immediate threats to public safety, natural disasters.
- H. The UAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Tiverton Police Department and shall be disclosed or released only as allowed by law.
- I. All flights will be documented in a manner designed for that purpose, and all flight time shall be accurately recorded. In addition, each deployment of the UAS shall include information regarding the reason for the flight; the time, date, and location of the flight; the staff assigned to the flight; and a summary of the activities covered, actions taken, and / or outcomes from the deployment.

## **VI. RESTRICTIONS ON USE OF UNMANNED AIRCRAFT SYSTEMS**

- A. The UAS shall be deployed and used only to support official law enforcement missions, public safety missions, or training missions and must comply with Federal Law, State Law, Federal Aviation Administration Regulations and Tiverton Police Department Policies and Directives.
- B. The UAS shall not be operated in an unsafe manner or in violation of FAA Regulations.

## **VII. DIGITAL MULTIMEDIA EVIDENCE RETENTION AND MANAGEMENT**

- A. All DME acquired by or on the UAS shall be handled in accordance with existing policy on evidence, data, and record retention, where applicable.
- B. All DME shall be securely downloaded at the completion of each mission. Any DME will then be given to the investigating or requesting officer.
- C. All access within the Department to UAS DME must be specifically authorized, and all access is subject to internal audit to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
- D. Files should be securely stored via Axon Evidence Management in accordance with state records retention laws and retained no longer than necessary for purposes of use in an investigation, prosecution, or training.

- E. A UAS Flight Crewmember may share live streamed or recorded DME footage with other sworn law enforcement officers during the course of a UAS deployment when deemed appropriate for the mission by the crewmember or at the direction of the highest-ranking officer. This crewmember should ensure that only public safety personnel are viewing the footage.

## **VIII. UNMANNED AIRCRAFT SYSTEM SUPERVISION AND REPORTING**

- A. UAS supervisory personnel shall manage all deployments and uses of UAS to ensure that UAS devices are utilized in accordance with policy and procedures defined herein.
- B. An authorized UAS supervisor or administrator will audit flight documentation at regular intervals.
- C. Flight data / mission reports will be documented via Axon Air / Drone Sense.

## **IX. PERSONNEL QUALIFICATIONS AND TRAINING**

- A. All UAS personnel will complete agency-approved training, initial and recurrent, to ensure proper use and operation. Additional training may be implemented at periodic intervals to ensure the continued effective use and operation, and the performance of the equipment, and to incorporate changes, updates, or other revisions in policy and equipment.
- B. All UAS personnel shall be trained in the local and federal laws and regulations, as well as policies and procedures governing the deployment and use of UAS.
- C. All RPICs shall hold the appropriate Remote Pilot Certificate credentials issued by the FAA.

## **X. FLIGHT OPERATIONS AND FLIGHT CREW DUTIES**

- A. The RPIC has direct authority over the operation of the UAS per FAA regulations. The RPIC will comply with the requirements of 14 CFR Part 107 with respect to all pre-flight, during flight, and post-flight requirements.
- B. The RPIC is the only person authorized to have direct communications with Air Traffic Control, except in case of an emergency.
- C. The RPIC is responsible for taking any corrective actions necessary to prevent injury, accident, or damage to equipment, property or persons.
- D. The RPIC will conduct an inventory of all UAS mission equipment at the conclusion of the missions. Any damaged or missing equipment must be reported to the UAS supervisory personnel and / or the Patrol Division Commander.
- E. A VO, if utilized, will be responsible for maintaining line of sight, visual contact with the UAS during all phases of flight.
- F. The VO must notify the RPIC immediately upon identifying any hazard to flight. This includes but is not limited to other aircraft in the immediate vicinity, unauthorized personnel beneath the UAS, structures or obstacles in the vicinity. The VO must clearly communicate necessary evasive action required for the RPIC to avoid hazards to flight safety.
- G. The VO must maintain an open line of communication with the RPIC during all phases of flight for the UAS. The VO must also maintain an open line of communication with the Incident Commander to obtain any mission information that should be relayed to the RPIC regarding mission objectives.

## **XI. ACCIDENT PROCEDURES**

- A. In the event of a crash or other incident regarding the UAS involving fatality, injury, property damage, and / or damage to the UAS, or in the case of a UAS fly-away, the RPIC shall immediately report the crash / incident to UAS supervisory personnel and / or the Patrol Division Commander.
- B. The RPIC must report and make notification to the FAA within 10 days of any operation that results in at least serious injury, loss of consciousness, or property damage of at least \$500 (not including the unmanned aircraft).

## **XII. MAINTENANCE**

- A. Each UAS shall be inspected on a regular basis to determine if maintenance is necessary in accordance with the manufacturer's recommendations.