

GENERAL ORDER NUMBER: OPS-64

ISSUE DATE: October 22, 2022 **REVISED: July 15, 2023**

UNMANNED AIRCRAFT SYSTEM (UAS) OPERATIONS

PURPOSE AND SCOPE: The purpose of this policy shall be to provide officers with guidelines for the operation and management of the Sycamore Police Department's Unmanned Aircraft System (UAS) Program.

DEFINITIONS:

- **Federal Aviation Administration (FAA)** – The division of the United States Department of Transportation that inspects and rates civilian aircraft and pilots, enforces the rules of air safety, and installs and maintains air-navigation and traffic-control facilities.
- **Unmanned Aircraft System (UAS)** – A remote-controlled aircraft, commonly referred to as a drone, which does not carry a human passenger.
- **UAS Program Manager** – Designated by the Chief of Police, the UAS Program Manager shall serve as the Chief Pilot and is accountable for all UAS operations conducted by the Sycamore Police Department.
- **Parade** – A march, procession, or other similar activity consisting of persons, animals, vehicles, or things or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting of vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls.
- **Pilot in Command (PIC)** – An officer licensed and authorized to operate UAS.
- **Routed Event** – A parade, walk, or race that:
 - is hosted by a municipality, a county, a park district, or the state.
 - is outdoors and open to the public.
 - has an estimated attendance of more than 50 people.
- **Special Event** – A concert or food festival that:
 - is hosted by a municipality, a county, a park district, or the state.
 - is outdoors and open to the public.
 - has an estimated attendance of:
 - 150 or more in a unit of local government with a population less than 50,000.
 - 250 or more in a unit of local government with a population of 50,000 but less than 100,000.
 - 350 or more in a unit of local government with a population of 100,000 but less than 500,000.
 - 500 or more in a unit of local government with a population of 500,000 or more.

Parades and Special Events do not include any political protest, march, demonstration, or other assembly protected by the First Amendment.

POLICY: It is the policy of the Department officers assigned to operate any Unmanned Aircraft Systems (UAS), shall do so in accordance with these guidelines and procedures:

- The UAS Program Manager and all officers designated as Pilot in Command (PIC), shall hold a remote pilot certificate obtained by successfully completing the FAA Airman Knowledge Test.
- All PICs shall be familiar with and adhere to all applicable rules and regulations pertaining to the FAA Air Traffic and General Operating Rules - Part 107 Small Unmanned Aircraft Systems.
- All PICs shall adhere to statutory and regulatory guidelines during UAS operations.

All PICs must be trained in the use and maintenance of a UAS and demonstrate their knowledge and operational competency prior to being authorized to operate UAS. The UAS Program Manager will ensure all authorized PICs are adequately trained and that refresher or updates on training are provided when needed.

A current copy of this policy shall be made publicly available on the Department's page of the City of Sycamore website.

RESPONSIBILITIES:

- UAS Program Manager – responsible for the overall administration, supervision, documentation, and operation of the Department's UAS Program. The Program Manager shall ensure all UAS flights adhere to state law and FAA regulations and maintain documentation of all flight operations, training records, and PIC certifications pertaining to the UAS program.
- Pilot in Command (PIC) – responsible for the direct control and operation of the UAS.
- Visual Observer – responsible for assisting the PIC in maintaining direct line of sight of the UAS during flight.

USE OF UNMANNED AIRCRAFT SYSTEM (UAS):

- All Sycamore Police Department UAS Missions shall be conducted in compliance with Illinois state law, federal law, applicable FAA regulations, and the airframe manufacturer's guidelines.
- In compliance with the Drones as First Responders Act (725 ILCS 167/1), a UAS will only be used for the following purposes:
 - Pursuant to a determination by the Secretary of Homeland Security that credible intelligence indicates that there is a high risk of a terrorist attack by a specific individual or organization.
 - Pursuant to a search warrant based on probable cause issued under Section 108-3 of the Code of Criminal Procedure of 1963.
 - Pursuant to reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence. The use of a UAS is limited to a period of 48 hours. Within 24 hours of the initiation of the use of a UAS, the Chief of Police or his/her designee, must report in writing the use of a UAS to the local State's Attorney.
 - To locate a missing person, while also not undertaking a criminal investigation but engaged in search and rescue operations, or aiding a person who cannot otherwise be safely reached.
 - For crime scene and traffic crash scene photography. Crime scene and traffic crash photography must be conducted in a geographically confined and time-limited manner to document specific occurrences. The use of a UAS on private property requires either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search. The use of a UAS on lands, highways, roadways, or areas belonging to this State or political subdivisions of this State does not require a search warrant or consent to search. The Department shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.
 - During a disaster or public health emergency, as defined by Section 4 of the Illinois Emergency Management Agency Act. The use of a UAS does not require an official declaration of a disaster or public health emergency prior to use. The Department may use a UAS to obtain information necessary for the determination of whether a disaster or public health emergency should be declared, to monitor weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. The use of a UAS is permissible during disaster or public health emergency and during subsequent response and recovery efforts.
 - To conduct an infrastructure inspection of a designated building or structure at the request of a local government agency. Every reasonable effort shall be made to photograph the building and structure only.
 - To demonstrate the capabilities and functionality for public relations purposes, provided that no information is collected or recorded by the drone during the demonstration.
 - In response to a dispatched call for service to locate victims, assist with victim health or safety needs, or to coordinate emergency response personnel and vehicles to an emergency.
 - A routed or special event as outlined in this General Order.

USE AT ROUTED OR SPECIAL EVENT: A drone may be used at a routed or special event:

- In advance of an event before participants have begun to assemble to create maps, determine event and traffic access routes provided no personal information is recorded or used in any criminal prosecution.
- During the event to proactively support public safety by monitoring in real-time.

If used at a routed or special event, the following conditions must be met:

- A notice must be posted at least 24 hours before the event and clearly communicates that drones may be used at the event for purposes of real-time monitoring or participant safety.
- A notice must be posted, if practical, at the major entry points to the event clearly informing the attendees that a drone may be used for real-time monitoring for attendee safety.
- The drone must be flown in compliance with FAA guidelines.

RETENTION: The PIC shall destroy all information gathered within 30 days, or as prescribed by law. However, information gathered for a routed or special event shall be destroyed within 24 hours of being gathered. Additionally, any information gathered from the UAS for infrastructure inspection at the request of a local government agency shall be turned over to the requesting agency as soon as practical, and all gathered information shall be destroyed immediately after the information has been turned over.

With supervisory approval, information gathered from the use of the UAS may be retained if:

- there is reasonable suspicion that the information contains evidence of criminal activity; or
- the information is relevant to an ongoing investigation or criminal trial; or
- approved for training purposes if it contains no personally identifiable information; or
- the information consists of only flight data, metadata, or telemetry information of the UAS.

The UAS may be used for training purposes in accordance with the Drones as First Responders Act and FAA regulations. While in use for training purposes, the UAS shall not be used to gather or retain information for law enforcement purposes such as evidence, images, sounds, or data.

DISCLOSURE: Records of UAS usage, including flight data, metadata, or telemetry information of specific flights, if available, may be disclosed subject to the Freedom of Information.

Information gathered by a UAS shall not be sold nor disclosed unless authorized under this act or as directed by a court order or subpoena related to a criminal proceeding or completed traffic crash investigation.

PROHIBITED USE: Except as provided in this policy, a UAS shall not be used by a member of the Sycamore Police Department for any other purpose.

The UAS may be requested for incidents described in this policy. An officer may request the UAS via their chain-of-command, or by contacting the UAS Program Manager. Only Department members designated as a PIC may operate the UAS for approved purposes and shall notify the Program Manager of the mission parameters.

A UAS owned or used by the Sycamore Police Department under the Drones as First Responders Act shall not use facial recognition technology or be weaponized.

REPORTING: Any mechanical or program issues shall be reported to the Deputy Chief of Support Services.

The Program Manager shall register department owned UASs with the FAA and submit a report in writing to the Illinois Criminal Justice Information Authority by April 1 of each year with the following information:

- the number of UASs owned by the Department.
- the number of times a drone was used to include:
 - Date of use.
 - Time of use.
 - Reason for use.
 - Location of use.
 - Whether video was recorded.
 - Whether the video was designated for retention for training purposes.
- A copy of the department's UAS policy as of the most recent April 1.

BY ORDER OF
James Winters
Chief of Police
July 15, 2023