

Unmanned Aerial System

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Crash - Any incident involving unintentional property damage or injury during the operation of a sUAS in flight.

Data Records - The information gathered and recorded by the sUAS's internal systems, peripheral systems, accessory systems, and sensors. Additionally flight information such as altitude, speed, locations, and other information such as GPS location.

Defined Incident Perimeter - Defined perimeter to be determined based on the scope of the operation and should not exceed 400 feet above ground level.

Federal Aviation Administration (FAA) - The agency of the United States Department of Transportation responsible for the regulation and oversight of civil aviation within the U.S., as well as operation and development of the National Airspace System.

FAA Crash - Any serious injury or loss of consciousness caused by the operation of the sUAS, to include fatal injury or damage to any property, other than the sUAS, involving cost of repair over \$500, or total loss of property exceeding \$500 caused by the use of the sUAS.

Flight Crew Member - Authorized personnel who maintain the sUAS and any systems with which it is equipped. Crew Members assist the RPIC in the performance of their duties, and responsibilities, as well as function as visual observers, and provide for the RPIC's safety.

Flight Logs - Consist of sUAS Logs, and Individual Pilot's Logs, as they relate to police duties or use in service to the City of Louisville. These logs are specific to the sUAS and pilot separate from one another. Flight logs shall contain the specific information and be kept in accordance with the directives set forth by the Chief of Police.

Hijacked - Unlawful seizure of a sUAS, sUAS control system, or both by an unauthorized party.

Low Altitude Authorization and Notification Capability (LAANC) - The FAA Data Exchange administered by the FAA to facilitate sharing of airspace data between the FAA and sUAS

Unmanned Aerial System

operations. Use of LAANC satisfied the RPICs requirement to check Temporary Flight Restrictions (TFR), Notice to Airman (NOTAM), and weather (METAR) in real time and apply for special use authorization rapidly.

Part 107 - Refers to the United States 14 CFR Part 107 regulating small Unmanned Aircraft Systems.

Remote Pilot in Command (RPIC) - Person exercising control over a sUAS or supervising another exercising control over a sUAS, and who is required to hold a current FAA sUAS Pilot's Certificate. Has the final authority and responsibility for the operation of the sUAS. Monitors, captures, displays, downloads, and stores data records collected or transmitted by the sUAS while in operation. Relays information to the supervisor on scene.

Small Unmanned Aircraft System (sUAS) - A small unmanned aircraft system is an unmanned aircraft, and the equipment necessary for the safe and efficient operation of that aircraft. An unmanned aircraft is a component of a sUAS. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

Visual Observer - A person designated by the RPIC to supplement situational awareness and VLOS to assist with seeing and avoiding other air traffic or objects in the operational area. Visual observers are required to have real-time communication ability with the RPIC, but not be physically present with the RPIC.

Visual Line of Sight (VLOS/BVLOS) - Regards the flight crew's ability or inability to see the sUAS. A sUAS visible and observable to flight crew members is considered within visual line of sight or VLOS, a sUAS that is not visible or observable to flight crew members is considered beyond visible line of sight or BVLOS.

606.2 POLICY

Unmanned Aerial Systems (sUAS) are used to enhance public safety, gather information, increase officer safety, community engagement, and locate persons sought by the Louisville Police Department. Any use of a sUAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy.

Unmanned Aerial System

Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.

606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable.
- Developing protocols for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
-
- Developing operational protocols governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

Unmanned Aerial System

606.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

UAS operations should only be conducted consistent with FAA regulations.

Non FAA licensed personnel may operate an sUAS under the guidance of a RPIC, or when the operation of the sUAS is confined to indoor use and thus not subject to FAA requirements.

606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

