**WESTFIELD POLICE DEPARTMENT POLICY**

**SMALL UNMANNED AIRCRAFT SYSTEMS**

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# Purpose

This policy is intended to provide authorized officers assigned responsibilities associated with the deployment and use of small unmanned aircraft 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.

# Policy

It is the policy of this department that duly trained and authorized agency personnel may deploy the sUAS when such use is appropriate in the performance of their official duties, and where deployment use, the collection, and use of any audio / video recordings or other data originating from or generated by the sUAS, comport with the policy provisions provided herein and applicable law. This policy shall be reviewed every two years for compliance to any changes in Law or Federal Agency rules.

# Definitions

* 1. Digital Multimedia Evidence (DME): Digital recording of images, sounds, and associated data.
  2. Model Aircraft: A remote controlled aircraft used by hobbyists that is built, produced, manufactured, and operated for the purposes of public safety, sport, recreation, and/or competition.
  3. Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV): An aircraft that is intended to navigate in the air without an on-board pilot. Also alternatively called Remotely Piloted Aircraft (RPA), Remotely Operated Vehicle (ROV), or Drone.
  4. Unmanned Aircraft System (UAS): A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.
  5. Small Unmanned Aircraft Systems (sUAS): UAS system that utilize UAV’s weighing more than .55 pounds and less than 55 pounds and are consistent with the Federal Aviation Administration (FAA) regulations governing model aircraft.
  6. UAS Flight Crewmember: A pilot, visual observer, payload operator, maintenance technician or the person assigned duties for a UAS for the purpose of flight training exercises.
  7. Unmanned Aircraft Pilot: A person who exercises control over a UA/UAVG/UAS during flight.

# Procedures

All deployments of sUAS must be specifically authorized by the OIC or sUAS pilots. The Westfield Police Department has adopted the uses of sUAS to provide an aerial visual perspective in responding to emergency situation and exigent circumstances, and for the following objectives:

1. Situational Awareness: To assist Incident Command in understanding the nature, scale, and scope of an incident and/or for planning and coordinating an effective response.
2. Search and Rescue: To assist missing person investigations, Amber alerts, and other search and rescue missions.
3. Tactical Deployment: To support the tactical deployment of officers and equipment (e.g., Incident involving hostages and barricades, support for tactical operations, and temporary perimeter security situations), and high risk warrant service.
4. Visual Perspective: To provide an aerial visual perspective to assist officers in providing direction to personnel on the ground to direct citizens in an orderly manner, traffic incident management, temporary perimeter security, and inspections of civil infrastructure (i.e. Buildings, bridges, and roadways)
5. Scene Documentation: To document a crime scene, accident scene, or other scene (e.g., disaster managing, incident response, forensic investigation).

**V. Procedures of sUAS Use**

The Westfield Police must obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration prior to deploying or operating the sUAS, and these authorizations, permits, and certifications shall be maintained and current.

1. The sUAS will be operated only by personnel (pilots and crew members) who have been trained and certified in the operation of the system. Certification of unmanned aircraft pilots will be under 14 CFR part 107 of FAA regulations for remote pilots (see FAA-S-ACS-10).
2. The sUAS pilot shall request flight authorization from Barnes Airport ATC, or applicable ATC, during operating hours, prior to the deployment of the sUAS and describe the area of deployment and approximate flight time. The date/time and representative at the FBO (Fixed Base Operator) shall be recorded by the sUAS pilot. Upon the conclusion of sUAS operations, the sUAS pilot shall again notify the applicable ATC and advise ATC that sUAS operation has been terminated.
3. All sUAS certified personnel shall inspect and test sUAS equipment prior to deployment to verify the proper functioning of all equipment and airworthiness of the devices.
4. The sUAS equipment is the responsibility of the assigned officer(s) and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the sUAS Supervisor.
5. The sUAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the City of Westfield.
6. All flights will be documented on a form or database designed for that purpose, and all flight time shall be accurately recorded. In addition, each deployment of the sUAS shall include information regarding the reason for the flight; time, date, and location of the flight; the name of the supervisor approving the deployment and the staff assigned; and a summary of the activities covered, actions taken, or outcomes from the deployment.
7. Except for those instances where officer safety or investigation could be jeopardize and where reasonably possible and practical, agencies should consider notifying the public.
8. Where there are specific and articulable grounds that the sUAS will collect evidence of criminal wrong doing and/or if the sUAS will be used in a manner that is consistent with state and federal law.
9. A weather status check will be accomplished by the pilot in charge prior to an operation. This will be on a case by case basis to ensure the sUAV can be operated safely. The weather will be obtained by the Applicable Terminal Air Forecast. The ceiling and visibility will be major factors in whether an operation occurs and with what restrictions.

**VI. DME Retention and Management**

* + 1. All DME (Digital Multimedia Evidence) shall be handled in accordance with existing policy on data and records retention.
    2. All DME shall be securely downloaded at the completion of each mission. The sUAS certified operators will record information on the file that shall include the date, time, location, and case reference numbers or other identifiers and identity of the sUAS personnel involved in the mission.
    3. Officers shall not edit, alter, erase, duplicate, share, or otherwise distribute any sUAS DME without prior authorization and approval of the Chief of Police or his designee.
    4. All access to the sUAS DME must be specifically authorized by the Chief of Police his or her designee and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
    5. The Western Massachusetts Law Enforcement Mutual Aid Agreement will provide guidance in the case of mutual aid. The DME may be provided to the agency receiving aid for data collected in their jurisdiction.
    6. Files shall be securely stored in accordance with department policy and retention laws.
    7. Information collected using UAS that may contain Personal Identifying Information shall not be retained for more than 180 days unless retention of the information is determined to be necessary to an authorized mission of the retaining agency, is maintained in a system of records covered by the Privacy Act, or is required to be retained for a longer period by any other applicable law or regulation.

# Supervision and Reporting

* + 1. The sUAS supervisor shall manage all deployments and uses of the sUAS to ensure that officer(s) equipped with sUAS devices utilize them in accordance with policy and procedure defined herein.
    2. An authorized sUAS supervisor or administrator will audit flight documentation at regular intervals. The results of the audit will be documented.
    3. The sUAS supervisor of his/ her designee shall provide an annual report documenting the agency’s deployment and use of the sUAS device. This report shall be made available to the public upon written request.
    4. The sUAS Pilot in Command shall be responsible for immediately reporting to the FAA in compliance with Part 107 any crashes or collisions involving the aircraft and shall also immediately notify the OIC who shall notify the sUAS supervisor and Chief of Police. The Pilot in Command and any sUAS crew member(s) present during the crash shall complete an incident report and forward it to the sUAS supervisor.

# Restrictions of sUAS Use

The sUAS shall not be operated in an unsafe manner or in violation of Federal Aviation Administration (FAA) regulations.

# Civil Rights and Civil Liberties Protections

UAS-recorded data will not be collected, disseminated or retained solely for the purpose of monitoring activities protected by the U.S. Constitution, such as the First Amendment’s protections of religion, speech, press, assembly, and redress of grievances (e.g., protests, demonstrations).

Collection, use, dissemination, or retention of UAS-recorded data should not be based solely on individual characteristics (e.g., race, ethnicity, national origin, sexual orientation, gender identity, religion, age, or gender), which is a violation of the law.

UAS activities shall be performed in a manner consistent with the Constitution and applicable laws, Executive Orders, and other Presidential directives.

Complaints of the use of the sUAS for any privacy, civil rights, or civil liberty violations and any other misuse will follow the “Complaint Against Police Officer Protocol” in the Westfield Police Department Protocol.

# Qualifications and Training

# Police personnel who are assigned to deploy the sUAS must complete an agency approved training program to ensure proper use and operation. Pilots must be certified by the FAA as a drone pilot.

* + 1. Additional training may be required at periodic intervals to ensure the continued effective use, operation, proper calibration, and performance of the equipment to incorporate changes.
    2. All agency personnel with sUAS responsibility, including command, shall also be trained in local and federal laws and regulations, as well and this policy governing the use of sUAS.

# Storage

The sUAS shall be stored in a locked hard case. Access to the case will be to all agency personnel with sUAS responsibility.

# Maintenance

* + 1. The sUAS shall have monthly maintenance schedule in place that is in accordance with the recommendations set forth by the sUAS manufacture for the specific aircraft, payload, intelligent batteries, and firmware. Maintenance to the sUAS and accessories shall be recorded in a digital maintenance log with restricted access to sUAS personnel and the Chief or her/his designee.
    2. All UAS and supporting equipment firmware is up-to-date. Equipment requiring firmware updates includes but is not limited to the UAS itself, cameras, flight batteries, stabilization systems, dedicated smart devices (tablets, smartphones), and remote controllers
    3. Update all software to the latest version available.
    4. Ensure flight batteries are stored at a 50% charge level, or the level the flight battery manufacturer recommends
    5. Check and clean all propulsion systems to include motors and props.
    6. Check UAS systems for the need of any calibrations such as inertial measurement unit, compass, camera gimbal, and remote controller.
    7. Ensure UAS systems are free of restricted flight areas initiated by the UAS manufacturer.
    8. Conduct other maintenance activities outlined by the manufacturer’s operation manual for the UAS and supporting equipment.

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