

<b>Anchorage Police Department</b> Regulations and Procedures Manual	<b>Operational Procedures</b> <b>3.11.010</b>	
<b>Policy and Procedure Title</b> UAS Unmanned Aircraft Systems	<b>Effective Date</b> 3/29/2018	Page 1 of 6
<b>Replaces Prior Policy:</b> New Policy	<b>Approved by:</b> Chief Justin Doll	

**This Policy is for departmental use only and does not apply in any criminal or civil proceeding. This Policy should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this Policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.**

### **3.11.010 Use and Management of Small Unmanned Aircraft Systems**

#### **PURPOSE**

This policy serves as a clear set of operating guidelines to allow the Anchorage Police Department to operate a small Unmanned Aircraft System sUAS for the purpose of enhancing the public's safety while respecting the privacy of citizens. A successful sUAS program will assist law enforcement by providing increased situational awareness, enhanced officer safety, and act as a force multiplier to improve operating efficiency and effectiveness. This policy sets forth how the sUAS program will provide guidance and regulations to operate the aircraft in coordination with law enforcement officers conducting a specific mission as guided by the Certificate of Authorization (COA) issued by the Federal Aviation Administration (FAA). This policy is designed to minimize risk to people, property, and aircraft during the operation of the sUAS while continuing to safeguard the right to privacy of all persons.

#### **POLICY**

It is the policy of APD that only trained and authorized agency personnel may deploy sUAS when such use is appropriate in the performance of their official duties, and where deployment and use, and the collection and use of any audio/video recordings images, or other data originating from or generated by the sUAS, comport with the policy provisions provided herein and applicable law.

#### **DEFINITIONS and COMMON TERMINOLOGY**

**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.

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

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

**Control Station (CS):** An interface used by the remote pilot or the person manipulating the controls to maneuver the flight path of the small UA.

**Pilot in Command (PIC):** The individual responsible for the overall flight operations of a specific mission.

**Visual Observer (VO):** The individual trained to maintain the line-of-sight and 360 degree hazard awareness around the sUAS at all times and assist the PIC in carrying out all duties required for the safe operation of the sUAS.

**Defined Incident Perimeter:** Based on GPS coordinates or common locations, a defined perimeter would be determined based on the scope of the operation and the FAA defined operational ceiling at or below 400 feet Above Ground Level (AGL).

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

**Pre-Flight Briefing:** A discussion led by the PIC prior to aircraft launch which shall include but not be limited to:

- a. Review of mission goals and methods to achieve goals, including handoff procedures.
- b. Review of current and forecasted weather conditions and weather limitations on mission.
- c. Review of current Notice to Airmen (NOTAMs) and Temporary Flight Restrictions (TFRs) issued for the proposed flight area.
- d. Identification of mission limitations and safety issues such as battery charge, GPS strength, and potential for radio interference.
- e. Review of proposed flight area, including maximum ceiling and floor.
- f. Review of communication procedures between PIC, Observer, Camera Operator, and other ground support, including the availability of two cell phones to communicate with Air Traffic Control in the event of a fly-away or other flight emergency.

- g. Review of emergency/contingency procedures including aircraft system failure, flight termination, divert, and lost link procedures.
- h. Review of required video or digital images.
- i. Contents of the COA (Certification of Authorization)
- j. Frequencies to be used.
- k. Execution of a pre-flight check following the approved checklist.

## **I. PROCEDURES:**

All deployments of sUAS must be specifically authorized by the Chief or his/her designee. This agency has adopted the use of sUAS to provide an aerial visual perspective in responding to emergency situations and exigent circumstances, and for the ability to conduct proficiency and continuation training.

## **II. PROTOCOLS AND RESTRICTIONS**

### **A. Protocols for Use**

1. The APD Technical Support Unit (TSU) shall be the office of primary responsibility for all aspects of operations, training and deployment of sUAS.
2. The TSU will obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration (FAA) prior to deploying or operating the sUAS, and these authorizations, permits, and certificates shall be maintained and current.
3. The sUAS will be operated only by personnel (pilots and crew members) who have been trained and certified in the operation of the system.
4. The sUAS-certified personnel shall inspect and test sUAS equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the device.
5. The sUAS equipment is the responsibility the TSU and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the TSU supervisor as soon as possible so that an appropriate repair can be made or a replacement unit can be procured.
6. The sUAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the APD.
7. 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; the 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, and outcomes from the deployment.

8. Except for those instances where officer safety or an investigation could be jeopardized—and where reasonably possible and practical, APD should notify the public. Methods of notifying the public may include Nixle notifications, media releases, personal contact etc...

9. Where there are specific and articulable grounds to believe that the sUAS will collect evidence of criminal wrongdoing and/or if the sUAS will be used in a manner that may intrude upon reasonable expectations of privacy, the agency will obtain a search warrant prior to conducting the flight.

## **B. Restrictions On Using The sUAS**

1. The sUAS shall be deployed and used only to support official law enforcement and public safety missions. The use of the sUAS will be limited to the following operational parameters:
  - a. Search and Rescue: To assist missing person investigations, AMBER Alerts, Silver Alerts, and other search and rescue missions.
  - b. Tactical Deployment: To support the tactical deployment of officers and equipment in emergency situations (e.g., incidents involving hostages and barricades, support for large scale tactical operations, and other temporary perimeter security situations).
  - c. Investigatory Scene Documentation: To document a crime scene, accident scene, or other major incident scene.
2. The sUAS shall not be operated in an unsafe manner or in violation of FAA rules.
3. The sUAS shall not be equipped with weapons of any kind, nor will it be used as a weapon.

## **C. DME Retention and Management**

1. All DME shall be handled in accordance with existing Department policy on data and record retention, where applicable.
2. All DME shall be securely downloaded at the completion of each mission. The sUAS-certified operators will record information for each file that shall include the date, time, location, and case reference numbers or other mission identifiers—and identify the sUAS personnel involved in mission.
3. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner sUAS DME without prior written authorization and approval of the Chief of Police or his or her designee.
4. All access to sUAS DME must be specifically authorized by the Chief of Police or 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. Files shall be securely stored in accordance with Municipal ordinances and regulations and APD Policy, as well as state record retention laws and retained no longer than necessary for purposes of training or for use in an investigation or prosecution.

#### **D. sUAS Supervision and Reporting**

1. sUAS supervisory personnel shall manage all deployments and uses of sUAS to ensure that officers deployed with sUAS devices utilize them in accordance with policy and procedures defined herein.
2. An authorized sUAS supervisor will audit flight documentation not less than once every three months. The results of the audit will be documented. Any changes to the flight time counter will be documented.
3. The Chief of Police or his or her designee shall publish an annual report documenting the agency's deployment and use of sUAS devices.

#### **E. Training**

1. TSU personnel assigned to operate sUAS must complete an approved training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation and proper calibration and performance of the equipment and to incorporate changes, updates, or other revisions in policy and equipment.
2. All TSU personnel with sUAS responsibilities, shall be trained in the local, state and federal laws and regulations, as well as policies and procedures governing the deployment and use of sUAS.

#### **F. Requesting sUAS Support (Internal & External Agencies)**

1. All requests for sUAS to provide support for a mission shall be forwarded to the APD Special Operations Commander. Considerations for use of sUAS shall include the following:
  - a. The location of the mission, for purposes of insuring the safety of people and property.
  - b. The intended area of operation, for purposes of evaluating the ability to mitigate potential air-to-air conflicts. Such evaluation will consider the current landing patterns at airports in the vicinity. Whenever the approach path of an airplane to a nearby airport would involve flying over the intended area of operation, such operations shall be coordinated with the appropriate air-traffic control facility. All coordination will be done in accordance with any requirements in the police department's COA issued by the FAA.
  - c. The weather and its potential effect on the aircraft, including the potential to carry the aircraft to an area of air-to-air conflict.
  - d. The current status of the PIC and Observer.

e. The potential usefulness of the information gathered by the sUAS versus information gathered through other means.

f. Any other relevant risk factors to successfully complete a risk benefit analysis for the use of sUAS in the specific mission. Risk factors may include but are not limited to tree canopy, distance between buildings, smoke, etc.

2. Under no circumstances will the sUAS be operated and/or be under the command of anyone other than trained APD personnel.

**\*\*\*END OF DOCUMENT\*\*\***