

SANTA CLARA POLICE DEPARTMENT GENERAL ORDER X.X

UNMANNED AIRCRAFT SYSTEMS

OCTOBER 2019

X.X.1 Purpose of Policy

The purpose of this policy is to promote the safe, lawful and considerate use of the Santa Clara Police Department (SCPD) unmanned aircraft system (UAS).

X.X.2 Definitions

Unmanned Aerial System – An unmanned aircraft of any type, capable of sustaining direct flight, whether preprogrammed or remotely controlled and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

UAS Flight Crewmember – A pilot, visual observer or other person assigned to duties of a UAS for flight purposes.

UAS Pilot – A person exercising control over an UAS during flight. The UAS Pilot is responsible for the flight operation of the UAS. The UAS Pilot shall be Remote Pilot Certified by the Federal Aviation Agency (14 CFR Part 107).

Observer – The observer attempts to maintain a visual observation of the UAS while in flight and alerts the pilot of any conditions which may affect the safety of the flight.

Remote Pilot Certification (14 CFR Part 107) – UAS Pilots may lawfully operate a registered UAS with a Remote Pilot Certificate issued by the FAA and under specific rules listed in 14 CFR Part 107.

Certificate of Authorization (COA) – Written permission granting UAS flight by the FAA within specific boundaries and perimeters.

X.X.3 Use of Unmanned Aerial Systems

A supervisor may authorize the deployment of an unmanned aerial system(s) in special circumstances when;

- There reasonably appears to be a danger to the public. This includes, but is not limited to, the following:

- Identifying, locating and apprehending non-compliant, threatening, or combative persons who pose a threat of injury or death to themselves, officers, or others.
 - Locating missing persons
 - Rescue events
 - Disaster response and recovery
 - Suspected explosive devices
- The law enforcement response would benefit from situational intelligence exposed from an aerial perspective
- The UAS is capable of being safely deployed
- The UAS is capable of detecting dangers that could otherwise not be seen
- The UAS is operated by a designated UAS Pilot in accordance with this policy, constitutional rights and FAA regulations

X.X.4 Privacy Considerations

The use of the UAS potentially involves privacy considerations. Personnel should consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the UAS.

X.X.5 UAS Program Manager

The Chief of Police shall appoint a supervisor to be the UAS Program Manager who will be responsible for the management of the UAS program. The program manager will ensure UAS deployments, policies and procedures conform to current laws, regulations and department policies. The program manager will have the following responsibilities including, but not limited to:

- Coordinating with the FAA Certificate of Waiver of Authorization (COA) application process and ensuring the COA is current.
- Ensuring 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.
- Ensuring all department drones are registered with the FAA.
- Develop a protocol for fully documenting UAS deployments, including flight logs available to the public on the City's website.
- Develop a protocol to ensure 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.
- Develop a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS.

X.X.6 Prohibited Use

Deployment of the UAS shall not be used for the following:

- To target a person(s) based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.
- To conduct random surveillance activities.