
Unmanned Aerial System (UAS) Operations

613.1 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.

613.1.1 DEFINITIONS

Definitions related to this policy include:

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.

613.2 POLICY

Unmanned aerial systems may be utilized to enhance the Office's mission of protecting lives and property when other means and resources are not available or are less effective. The Office's use of a UAS will be exclusively for Public Air Operations (POA), and will not be used for civil or commercial purposes. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

613.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

613.4 PROGRAM COORDINATOR

The Sheriff 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:

- Ensuring the UAS model that is purchased is in compliance with FAA regulations.
- Ensuring the UAS is adequately registered (including timely renewals and updating of information) and marked, and that there is adequate proof of ownership.
- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and office-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.

Dakota County Sheriff's Office

Dakota County SO Policy Manual

Unmanned Aerial System (UAS) Operations

- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS requires authorization from the on-duty supervisor as well as the Program Coordinator or Chief Pilot.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol 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 communication with air traffic control facilities.
- Developing a protocol to fully document 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 the training program and deployment of the UAS.

613.5 USE OF UAS

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

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should primarily be conducted during daylight hours and only operated in the dark under exigent circumstances. A UAS should not be flown over populated areas without FAA approval.

Requests from other agencies for UAS support will be made to the Dakota Communication Center (DCC). The DCC will request approval through the on-duty DCSO supervisor. Deployment of the UAS requires authorization from the on-duty DCSO supervisor as well as the Program Coordinator or Chief Pilot. Once authorization for use is granted, the on-duty DCSO supervisor

Dakota County Sheriff's Office

Dakota County SO Policy Manual

Unmanned Aerial System (UAS) Operations

will determine whether or not additional off-duty UAS Unit Personnel are needed. If so, the DCC will notify UAS Unit Personnel via the Everbridge system or telephone. In cases of emergent situations, the on-duty DCSO supervisor must attempt to make contact with the Program Coordinator or Chief Pilot, however, may approve immediate deployment of on-duty UAS Unit Personnel who are capable of operating the UAS within policy, procedures and Federal Regulations.

Operators must check for Temporary Flight Restrictions (TFRs) prior to deployment. Dakota County falls within the 30nm radius of the MSP airport and are specifically included in many TFRs throughout the year.

Federal Aviation Administration's website for TFR restrictions:

<http://tfr.faa.gov/tfr2/list.html>

613.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person 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.

The UAS shall not be weaponized.

613.7 RETENTION OF UAS DATA

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