

Unmanned Aerial System

608.1 PURPOSE AND SCOPE

608.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned aerial system (UAS/Drone) – - An UAS/Drone is an unmanned aircraft of any type (weighing less than 55lbs) 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.

Remote Pilot in Command (PIC) – The PIC is a Bingen-White Salmon Police Employee who has obtained and maintains a valid remote pilot airman certificate in compliance with all federal aviation regulations. The PIC is responsible for the complete and overall operation of any drone flight they command.

Visual Observer (VO) – A Visual Observer (VO) is a Bingen-White Salmon employee who conducts flight operations to support police drone missions. The VO will be trained by Department employees (PIC) who have obtained and maintain valid remote pilot airman certificates in compliance with all federal aviation regulations. All Bingen-White Salmon sworn officers will be trained on the duties and responsibilities of a VO.

608.2 POLICY

A UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

608.3 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 (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.

608.4 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 with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

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608.5 USE OF UAS

Only authorized operators who have completed the required training (including FAA

Part 107 Remote Pilot Certification) shall be permitted to operate Department drones. Non-certified team members may operate drones for training purposes under the supervision of a certified team member.

The drones shall only be operated in accordance with Part 107 regulations.

.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 protected privacy interest or when in compliance with a search warrant, court order, or exigent circumstances. In all other instances, the City Attorney shall be consulted before the use of vision enhancement technology.

Drones shall only be operated by Bingen-White Salmon Police Dept:

- (a) Pursuant to a valid warrant authorizing its use.
- (b) When there is probable cause to believe a person has committed a crime, is committing a crime, or about to commit a crime, and exigent circumstances exist making it unreasonable to obtain a warrant authorizing the use.
- (c) With the written consent of an individual for the purpose of acquiring information about the individual or the individual's property.
- (d) As part of search and rescue activities.
- (e) When assisting an individual in an emergency if there is a reasonable belief there is an imminent threat to the life and safety of the individual.
- (f) For purposes of reconstructing a crime scene, or a similar physical assessment related to a specific criminal investigation.
- (g) For purposes of training in the use and acquisition of information.

608.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- 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.

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608.7 RETENTION OF UAS DATA

All evidentiary data will be maintained in accordance with established The Bingen-White Salmon Police Department audio and video evidence handling and retention standards. Any data collected during a flight mission not of evidentiary value will be deleted as soon as practical. Data collected during training may be retained for training purposes only.