

TITLE: Unmanned Aircraft System (UAS) Program

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PURPOSE

The purpose of this policy is to establish standards and procedures for the application, utilization, authorized use, and operational guidelines for the Unmanned Aircraft System (UAS) program. This policy is designed to minimize risk to the public, property, and Santa Fe Police Department personnel during the operation of UAS while continuing to safeguard the right of privacy for the public.

DISCUSSION

With the new and foreseeable growth of Santa Fe, it has become necessary for new technology to be utilized within the Santa Fe Police Department to enhance the safety of the community and the law enforcement officers who protect it.

UASs allow law enforcement to gather pertinent information that could not otherwise be obtained. UASs provide a clearer visual understanding of situations in real-time during operations in which they are deployed. The Santa Fe Police Department will implement the UAS program in a variety of applications within the department including the Patrol Section, Criminal Investigations Section, Support Operations Section, and the Special Operations Group. UASs can also be used to assist with department trainings as approved by the Chief of Police or designee.

DEFINITIONS

1. Federal Aviation Administration (FAA) A transportation agency of the U.S. government that

regulates all aspects of civil aviation in the country as well as over surrounding international waters.

2. Air Traffic Control (ATC) Ground-based personnel and equipment concerned with monitoring and controlling air traffic within a particular area.

3. Certificate of Authorization (COA) An authorization issued by the Federal Aviation Administration (FAA) to a public operator for a specific UAS.

4. Defined Incident Perimeter A defined perimeter to be determined based on the scope of the operation and a defined operational ceiling at or below four hundred (400) feet Above Ground Level (AGL).

5. Night Flights UAS operations that occur between one half (1/2) hour after sunset and one half (1/2) before sunrise. The time of sunset and sunrise are determined by the National Oceanic and Atmospheric Administration.

6. Remote Pilot in Command (RPIC) The individual responsible for the overall flight operations for a specific operation. The RPIC has the final responsibility for all aspects of the operation to include safety. The RPIC is a member of the UAS Team holding the rank of PO2 to Senior Officer (or equivalent) and must be off probation.

7. Unmanned Aircraft System (UAS) An aircraft without a human pilot on board. Its flight is controlled either autonomously by computers on board the aircraft or under the remote control of a pilot known as the Remote Pilot in Command (RPIC).

8. Unmanned Aircraft System (UAS) Commander A sworn law enforcement officer employed with the Santa Fe Police Department designated by the Chief of Police, holding the current rank of Senior Officer (or equivalent) or Sergeant. The UAS Commander is responsible for the administrative functions related to the UAS program, including maintaining a current list of all UAS team members, implementing relevant training, maintain training records, UAS Team equipment, purchase requests, and other delegated

administration tasks. The UAS Commander is also responsible for overseeing the condition, maintenance, and flight records of the UAS and associated equipment.

9. Visual Observer A person who is designated by the RPIC to assist in operations of the UAS by supplementing situational awareness and maintaining a Visual Line of Sight (VLOS). By assisting with maintaining a VLOS, the Visual Observer helps the RPIC avoid other air traffic or objects aloft or on the ground during UAS operations.

10. Temporary Flight Restrictions (TFRs) An FAA decision to restrict access to certain designated areas of our airspace without permission, for a limited time.

POLICY

68.08.01 It is the policy of the Santa Fe Police Department that duly trained and authorized Department employees may deploy UAS when such use is appropriate in the performance of their official duties. The deployment/use and the collection/use of any audio/video recordings or other data originating from or generated by a UAS shall comply with applicable law.

68.08.02 All personnel assigned to the UAS team obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration (FAA) prior to operating a UAS. These authorizations, permits, and certificates shall be current and maintained by the UAS Commander.

68.08.03 The UAS will be operated only by personnel (RPICs) who have been trained in the operation of the system.

68.08.04 The UAS shall be deployed and used to support official law enforcement and public safety operations or for department approved UAS training. The Chief of Police may also authorize demonstrations for educational purposes.

68.08.05 The UAS shall not be operated in an unsafe manner or in violation of FAA rules.

68.08.06 The UAS shall not be used for routine observation of the public at large.

68.08.07 The UAS shall not be used for covert surveilling or “spying” on the public without a search warrant or lawful order.

68.08.08 All flights will be documented on a form or database designed for that purpose, and all flight times shall be accurately recorded.

68.08.09 Notification of UAS operations should be made to the public prior to an operation when practical. Except in instances where safety or an investigation could be jeopardized, and where those instances are reasonably possible and practical.

68.08.10 Only the UAS Commander and the chain of command to include at least the Deputy Chief of Operation may approve any payload attached to the UAS.

68.08.11 In the event a Visual Observer is required, the RPIC on-scene will assign a Visual Observer from available on-scene personnel.

68.08.12 A briefing led by the RPIC and/or the UAS Commander, will be conducted prior to a UAS being launched.

PROCEDURES

68.08.13 The Santa Fe Police Department shall obtain applicable authorizations, permits, waivers, or certificates required by the Federal Aviation Administration (FAA) prior to deploying a UAS.

68.08.14 All UAS operation requests shall be made to the UAS Commander.

68.08.15 The UAS Commander shall only approve UAS operations when the UAS operation is conducted in support of an official law enforcement and/or public

safety operation, or for department approved trainings or demonstrations.

68.08.16 All operations will be flown in accordance with the FAA regulations 14 CFR Parts 61, 91, COA or Part 107.

68.08.17 The Santa Fe Police Department has adopted the use of UASs to provide an aerial visual perspective in responding to emergency situations and exigent circumstances, and for the following:

- a.* Situational Awareness: To assist decision makers (e.g., incident command staff; first responders; city, county, and state officials) in understanding the nature, scale, and scope of an incident and for planning and coordinating an effective response;
- b.* Search and Rescue: To assist missing person investigations, AMBER Alerts, SILVER Alerts, and other search and rescue operations;
- c.* Tactical Deployments: To support the tactical deployment of the Special Operation Group in emergency situations (e.g., incidents involving hostages and barricades, support for large-scale tactical operations, EOD, active shooter, perimeter searches of armed suspects who have a tactical advantage, and other temporary perimeter security situations);
- d.* Visual Perspective: To provide an aerial visual perspective to assist officers in traffic incident management and temporary aerial visual awareness;
- e.* Scene Documentation: To document a crime scene, crash scene, or other major incident scene (e.g., disaster management, incident response, large-scale forensic scene investigation);
- f.* Department Trainings: To assist and provide a visual aid to department-related training conducted by training officers and the training division when applicable, which provides an additional learning method.

68.08.18 Where there are specific and articulable grounds to believe that the UAS will collect evidence of criminal activity and/or if the UAS will be used in

a manner that may intrude upon reasonable expectations of privacy, the agency will obtain a search warrant where required by law prior to conducting flight.

OPERATIONS

68.08.19 Once an operation is approved, the UAS Commander will assign a RPIC to operate an UAS.

68.08.20 The RPIC will report to the UAS Commander or the on-scene commander in the absence of the UAS Commander

68.08.21 A briefing led by the RPIC and/or the UAS Commander, will be conducted prior to a UAS being launched. This briefing includes, but is not limited to:

- a.* Review of the operation's goals and expected outcomes;
- b.* Review of current and forecasted weather conditions;
- c.* Review of Temporary Flight Restrictions (TFRs) that have been issued for the proposed flight area;
- d.* Identification of operation limitations and safety issues such as battery charge, GPS signal strength, and potential for radio interference;
- e.* Review of proposed flight area to include surrounding airspace and any obstructions that are/or may be present;
- f.* Review of communication procedures between RPIC, Visual Observer, and other personnel used to support the UAS operation. This includes verifying phone numbers and radio frequencies used to communicate with Air Traffic Control in the event of a fly-away or other flight emergency when operating in controlled airspace;
- g.* Review of emergency/contingency procedures, and lost communications with ATC if applicable;
- h.* Execution of a pre-flight check utilizing the approved checklist.

CERTIFICATION

68.08.22 In the event a Visual Observer is required, the RPIC on scene will assign a Visual Observer from available on scene personnel.

- a.* All necessary details will be provided to the selected Visual Observer at the time of the UAS operation. The Visual Observer serves only as an additional observer for the RPIC, to maintain a visual line of sight with the UAS.

68.08.23 The RPIC shall inspect and test UAS equipment prior to each deployment to verify the proper functionality of all equipment and airworthiness of the UAS.

68.08.24 After completing a UAS operation, the RPIC will complete and submit a UAS Flight Report within forty-eight (48) hours.

ORGANIZATION

68.08.25 The UAS Commander will oversee all department UAS operations.

- a.* The UAS Commander reports to the Deputy Chief of Operations, or his/her designee.
- b.* During UAS operations, the UAS Commander reports to the on-scene commander but maintains responsibility for all aspects of the UAS operation.
- c.* The UAS Commander will be responsible for making sure that the UAS Team is readily available for deployment.
- d.* The UAS Commander is responsible for UAS operations, UAS maintenance, UAS operations coordination, UAS equipment purchasing, standardization, evaluations, UAS Team members training, safety, planning, and UAS operations record keeping.

68.08.26 All UAS Team members will work under the direct supervision of the UAS Commander.

- a.* The UAS Team members will report to the UAS Commander, or the on-scene commander in the absence of the UAS Commander.

68.08.27 Prior to conducting UAS operations, all personnel assigned to the UAS Team shall have at a minimum:

- a.* Obtained a FAA Part 107 Remote Pilot's Certificate, within one (1) year of being appointed to the UAS Team, and;
- b.* Conducted sixty (60) flights, or twenty (20) flight hours within six (6) months of obtaining the FAA Part 107 Remote Pilot's Certification.

68.08.28 All RPIC's must be able to show proficiency in specific core competencies in all UAS controls and operating systems in accordance with FAA and COA regulations before being approved to conduct UAS operations.

SELECTION

68.08.29 All personnel applying to be a UAS Team member:

- a.* Must hold the rank of PO2 to Senior Officer (or equivalent) and be off probation;
- b.* Must have a written letter of support from his/her direct supervisor;
- c.* Must provide his/her most recent annual evaluation, if requested;
- d.* Must partake in an oral interview;
- e.* Must be able to abide by all Remote Pilot Training Requirements to obtain and maintain certifications;
- f.* Must be able to comply with FAA regulations 14 CFR Parts 61, 91, COA or Part 107.

TRAINING

68.08.30 Initial Training - All personnel selected to be a member of the UAS Team shall obtain a FAA Part 107 Remote Pilot's Certificate.

a. All UAS Team members are responsible for maintaining their FAA Part 107 certification, and to successfully pass the required FAA aeronautical knowledge test every 24-month period;

b. The FAA Part 107 Remote Pilot's Certificate needs to be obtained from the FAA;

c. Conduct sixty (60) flights that include safe take-offs and landings, or twenty (20) flight hours within six (6) months of obtaining the FAA Part 107 Remote Pilot's Certification.

68.08.31 Proficiency Training - In order to maintain proficiency, all RPICs will conduct flights totaling a minimum of thirty (30) minutes each month to include safe take-offs and landings. Additional Department in-service trainings can be requested by the UAS Commander as needed or applicable.

a. RPIC Proficiency Training is not limited to actual remote pilot skills, but also includes knowledge of all pertinent UAS related matters and understanding of current COA guidelines and current case law applicable to the law enforcement use of a UAS.

68.08.32 UAS Team members who do not have documented training or flight time for the preceding sixty (60) days shall demonstrate proficiency before performing remote pilot duties during a UAS operation. This training shall include a minimum of one (1) hour of ground instruction and flight time, including making three (3) ten (10) minute flights to demonstrate proficiency.

a. Failure to prove and maintain proficiency will result in removal from UAS Team.

68.08.33 Annual Training - All UAS Team members must attend an in-service training once a year to include updated industry standards and field exercises, as well as a review of current case law governing the use of UAS, and FAA regulations pertaining to the operation of UAS as designated by the UAS Commander.

a. UAS Team members will have a current working knowledge of the airspace intended for operations, Air Traffic Control communication

requirements, specific UAS aerodynamic factors, UAS limitations, emergency procedures, and the ability to obtain and interpret weather information.

68.08.34 UAS Team members shall be familiar and proficient with the role and functions of a Visual Observer.

68.08.35 All flights, to include training flights, shall be documented by the RPIC on a UAS Flight Report.

DISMISSAL

68.08.36 UAS Team membership and participation is considered an additional duty and not a promotion.

68.08.37 To maintain UAS Team integrity and the highest level of standards, all UAS Team members are subject to disciplinary action in accordance with Santa Fe Police Department Policy 27.1 (Disciplinary Procedures). Reasons for removal or suspension from the team include, but are not limited to, the following:

a. Failure to attend special assignments;

b. Failure to attend training unless excused;

c. Failure to pass certification or re-certification courses;

d. Failure to maintain an FAA Part 107 certification;

e. Failure to maintain team standards.

f. Failure to demonstrate and maintain proficiency as a RPIC.

EQUIPMENT AND MAINTENANCE

68.08.38 It is the goal of the UAS Team to keep equipment in a constant state of readiness and to be accountable for all issued equipment.

68.08.39 UAS equipment is the responsibility of the RPIC and will be used with reasonable care to ensure proper functionality.

a. Equipment malfunctions shall be brought to the attention of the UAS Commander as soon as possible, so that an appropriate repair can be

made, in accordance with manufacture’s recommendations, or a replacement unit can be procured.

68.08.40 Any maintenance discrepancies with a UAS will be reported to the UAS Commander immediately.

68.08.41 After any maintenance is performed, a test flight shall be conducted and documented.

68.08.42 UAS equipment shall be checked for software updates every month, and before UAS operations (when practical).

a. If a software update is needed, the UAS Commander shall make arrangements to complete the update, or delegate the task to a UAS Team member.

- d. RPIC’s Name;
- e. Visual Observer’s name;
- f. Flight Time;
- g. Officer who requested the UAS operation.
- h. Summary of the current investigation;
- i. Reason for request

68.08.48 All digitally recorded data and media of a flight during operations will be handled and stored in an accordance with Santa Fe Police Department Policy 51.1 (Collection and Preservation of Evidence) and Santa Fe Police Department Policy 52.1 (Evidence Management).


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ACCIDENT NOTIFICATION AND INVESTIGATION

68.08.43 All inflight accidents involving fatalities, injuries, fly-aways, or in which the UAS receives substantial damage will be immediately reported to the UAS Commander and appropriate chain of command.

68.08.44 The UAS Commander will immediately notify the FAA in cases of serious injury, or loss of consciousness, or damage to property (other than the UAS) in excess of \$500, per federal law.

68.08.45 Any property damage caused by an accident involving the UAS will immediately be reported to the UAS Commander and appropriate chain of command.

APPROVED: 
Paul Joye
Chief of Police

DATE: 4/17/2023

DOCUMENTATION OF FLIGHT TIME AND OPERATION REPORTING

68.08.46 All UAS operations, including training, shall be documented on a UAS Flight Report within forty-eight (48) hours of the operation and shall be submitted to the UAS Commander.

68.08.47 At a minimum, the original UAS Flight Report shall document the:

- a. Date;
- b. Time;
- c. Location;