



Boynton Beach Police Department

UNMANNED AIRCRAFT SYSTEMS (UAS)

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Joseph DeGiulio Chief of Police		<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> The original signed copy of this directive is on file in the Professional Standards Office </div>	

Related References/Accreditation Standards: CFA 32.03

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I. POLICY

The implementation of the Unmanned Aircraft Systems (UAS) program is to assist law enforcement by providing increased situational awareness, enhanced officer safety, and act as a force multiplier to operating efficiency. It is the policy of Boynton Beach Police Department to use UAS primarily for the purpose of assisting in the search for missing persons, locate fleeing criminals, assisting with firefighting efforts, evidence collection, and various public relations activities. UAS may also be used for other life safety purposes such as emergency and disaster response, damage assessments, monitoring large crowds, or to monitor extreme traffic conditions. The use of UAS is not intended for general patrol or observation of areas where there is a reasonable expectation of privacy. All use of Department UAS must comply with FSS 934.50 and Federal Aviation Administration (FAA) regulations.

II. MEMBER RESPONSIBILITIES

- A. Program Coordinator- The Chief of Police will appoint a coordinator who will be responsible for the management of the UAS program. Additionally, this person will ensure policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:
 - 1. Ensure all authorized operators have completed all required Department approved training in the operation, applicable laws, policies, and procedures regarding the use of UAS.
 - 2. Develop a uniform protocol to deploy UAS, to include urgent requests made during active incidents.
 - 3. Develop a protocol to fully document all missions.
 - 4. Develop a UAS inspection, maintenance, and record keeping protocol to ensure continuing airworthiness, up to and including its overhaul or life limits.
 - a. The UAS and all accessories are to be maintained and flight-ready according to the manufacture’s recommendations and related industry standards.
 - b. Prior to any mission, authorized operators will inspect the UAS to ensure it is airworthy.
 - 5. Develop protocols to ensure all data intended to be used as evidence is accessed, maintained, stored, and retrieved in accordance with Department policy.

6. Follow the same standard for video evidence retention already established in Index Code 1912, Body Worn Camera.
7. Facilitate law enforcement access to images and data captured by the UAS.
8. Recommend program enhancements, particularly regarding safety and information security.
9. Ensure established protocols are followed by monitoring and providing periodic reports to the Chief of Police.

B. Operators

1. Only authorized and trained operators (pilots) shall be permitted to operate the UAS. Prior to any flight, the Pilot-in-Command (PIC) shall perform a pre-flight check following the approved checklist. Prior to any flight, an officer must be at the location of the Pilot-in-Command (PIC) to offer any assistance as well as ensuring scene safety. A second officer will be designated as a Visual Observer (VO).
2. The PIC or VO must maintain a visual line-of-sight on the UAS at all times. The PIC will not operate directly over any persons not involved in the mission or call for service.
3. The PIC must yield the right-of-way to other manned or unmanned aircraft and pilots will not operate the UAS in a careless or reckless manner.
4. The UAS will operate at a maximum altitude of 400 feet above ground level (AGL) or, if higher than 400 feet AGL, remain within 400 feet of a structure.
5. UAS operations may be conducted during daylight and nighttime hours under FAA Part 107 Attachment Public Agency. Authorized operators must be familiar with emergency/ contingency procedures including UAS system failure, flight termination, divert, and lost link procedures.
6. The PIC may operate in Class B, C, D, and E airspace, but are required to contact the local air traffic control prior to doing so.
7. The UAS operator will activate the record mode on the UAS camera when flying during an official mission. The record mode will be turned off once the craft has landed.
8. All video and images recorded on an official mission will be entered into www.evidence.com pursuant to Department policies. The video/photographic evidence will be categorized and labeled per incident type in the same manner as BWC videos.
9. The UAS PIC will complete the post-flight inspection and flight logs after each mission. The UAS operator will complete all Department flight documentation including pertinent information about the aircraft, flight conditions, type of mission, and mission parameters. Monthly reports containing the above information nor indication of no flights occurring during the month will be submitted to the Program Coordinator.

III. REMOVAL PROCESS FROM UAS

- A. Members selected for the UAS program will be held to the highest level of standards and integrity. To maintain public trust, compliance with the FAA and Section 934.50, Florida Statutes, all UAS pilots are subject to disciplinary action and removal from the UAS Unit for actions which include yet are not limited to:
1. Failure to properly inspect and maintain UAS equipment for quick deployments.
 2. Improper use of the UAS that would be in violation of Division policy, FAA rules and guidelines, or Section 934.50, Florida Statutes.
 3. Conduct detrimental to the UAS program in on-duty or off-duty situations, whether involving the UAS or not, regarding agency policy, rules, regulations or the application of the Florida Statutes.
 4. Failure to maintain or achieve monthly and annual proficiency in operation or knowledge of UAS rules and guidelines.
 5. Failure to follow Departmental policy related to the usage of UAS.
 6. Failure to attend and/ or complete required training.
 7. Failure to obtain or maintain a current FAA part 107 Airmen Certificate.
 8. Failure to obtain “meets expectations” on the member’s most recent performance evaluation.
 9. Inappropriate operation of a UAS.
- B. Upon removal from the program, the member will return all assigned UAS equipment.

IV. TRAINING

Prior to using a Department UAS, members must complete the following:

- A. Pass the FAA small Unmanned Aircraft Systems test.
- B. Complete five (5) hours of practical flight time (at the controls) of an agency UAS before operating a UAS on an official mission. The UAS Team Leader or designee must be present during this for supervision and documentation purposes.
- C. Complete an agency approved UAS skills and knowledge competency course prior to operating an agency UAS for an official mission. The Program Coordinator or designee must be present during this for supervision and documentation purposes.
- D. Members obtaining the UAS rating without taking the test shall still be required to complete the flight time requirement and the UAS skills and knowledge competency course before being authorized to fly a Department UAS for an official mission.

V. PRIVACY CONSIDERATIONS

The use of the UAS potentially involves privacy considerations. Absent a search 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).

VI. CRITERIA FOR ACTIVATION

The UAS shall only be deployed upon approval of a Captain, or their designee, and in accordance with Federal, State and local laws in the following situations:

- 1. To conduct search and rescue operations.
- 2. If the law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent danger to life or serious damage to property, to forestall the imminent escape of a suspect or the destruction of evidence, or to achieve purposes including, but not limited to, facilitating the search for a missing person.
- 3. To aid or assist in other life safety operations.
- 4. For Department approved training missions.
- 5. To collect evidence at a crime scene, traffic crash scene, or with a signed search warrant.
- 6. TO conduct overwatch for SWAT operations with a warrant.
- 7. To support the tactical deployment of officers and equipment in emergency situations (e.g. hostage and barricade incidents, support for large scale tactical operations and other temporary perimeter security situations.
- 8. To conduct public relations activities or Department promotional videos.
- 9. To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates that there is such a risk.
- 10. To assist K-9 units in searches and to conduct overwatch for the K-9 Unit. This will not supersede K-9 policies. When the UAS is immediately available, the Pilot in charge will respond to the area and immediately report his position to the K-9 handler. All observations made by the UAS Pilot-in-Charge will be relayed to the K-9 handler.
- 11. To monitor crowds of fifty or more people:
 - a. Must be first authorized by the Watch Commander or designee.
 - b. The Pilot-in-Charge is responsible for ensuring that the personal safety and constitutional protections of the persons within the crowd are taken into consideration when operating a mission.
 - c. Any recording obtained must be uploaded to evidence.com upon completion of the mission.

VII. RETENTION OF RECORDS

- A. Any image or information collected in the course of a UAS flight by an attached imaging device will be considered to be a Departmental record. Retention and dissemination of such records shall be handled in accordance with Index Code 1000 entitled Records, Reports & Citations.

- B. Digital media (video/ still images) captured by the UAS related to an investigation shall be treated as evidence and will be retained by the Department according to the classification of the incident's retention schedule.
- C. Digital media of non-evidentiary value shall be retained in accordance with Index Code 1912 entitled Body Worm Camera.

VIII. PROHIBITED USE – Will not be used for any other purpose than law enforcement operations and public safety.

The UAS shall not be used as indicated below:

1. In contradiction to the manufacture's specifications or instructions.
2. In situations where there may be an increased risk of injury to others in the operational area.
3. To conduct personal business of any type.
4. To record an image of privately-owned real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property captured in the image in violation of such person's reasonable expectation of privacy without his or her written consent.
5. To conduct surveillance on individuals exercising their constitutional right of free speech and assembly.
6. To harass or intimidate any individual or group.
7. Department UAS shall not be weaponized.
8. Will not interfere with or obstruct any manned aviation.