

Boynton Beach Police Department

UNMANNED AIRCRAFT SYSTEMS (UAS)



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Chief of Police

The electronic signature of this directive is
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Related References/Accreditation Standards: CFA 32.03

Related Policies/Procedures: IC 812, IC 1000, IC 1912

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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. DEFINITIONS

- A. Beyond Visual Line of Sight Waiver (BVLOS) – An FAA 200ft waiver permitting the operations of a UAS beyond the visual line of sight of the pilot, requiring acute observation and awareness of the airspace around the UAS in flight.
- B. Brinc Lemur 2 – This Unmanned Aircraft System is primarily intended for indoor use, specifically only operated/maintained by SWAT.

- C. Certificate of Waiver or Authorization (CoW/A) – Is a written authorization issued by the FAA Air Traffic Organization to a public operator or agency for specific UAS activity.
- D. Concept of Operation (CONOPS) – Is a document describing the characteristics of a proposed system from the viewpoint of an individual who will use that system.
- E. Drone as First Responder (DFR) – A deployment model in which an unmanned aircraft system (UAS) is operated from a fixed location to respond to calls for service concurrently with responding officers. The objective is for the drone to arrive first when possible, providing real-time situational awareness and operational information to assist officers in making informed decisions.
- F. UAS Program Coordinator – An individual appointed by the Chief of Police who is accountable for the supervision, coordination, and operational management of the Unmanned Aircraft Systems (UAS) program.
- G. Remote Pilot in Command (RPIC) – The person directly responsible for the operation of the UAS. The RPIC shall be designated as the person in possession of the remote control assigned to the UAS in flight. The RPIC can abort any flight that is deemed to be unsafe due to weather or other circumstances.
- H. Remote Pilot Certification- (Part 107) – Airman Certification process for commercial operation set forth by the FAA for safe operations.
- I. Small Unmanned Aerial Vehicle System (UAS) – An Unmanned Aircraft of any type, weighing less than 55 pounds capable of directed flight, with the associated support equipment, control station, data links, telemetry, communications, and navigation equipment necessary for operation.
- J. Special Government Interest (SGI) – Amendment process for expediting support of airspace authorization and Part 107 waiver requests in specific circumstances.
- K. Skydio X10 – This Unmanned Aircraft System (UAS) is primarily intended for overwatch operations and is not designed for indoor use. The system may be utilized for Drone as First Responder (DFR) missions or patrol operations, with the primary distinction between an X10 configured for dock-based deployment and one deployed for patrol being the software configuration and dock battery setup.
- L. Skydio R10 – This Unmanned Aircraft System is primarily intended for indoor use; however, it may also be operated outdoors when weather conditions permit.
- M. Visual Observer (VO) – A UAS flight crewmember designated by the RPIC to assist with the responsibility to see and avoid other air traffic or objects aloft or on the ground.

III. MEMBER RESPONSIBILITIES (CFA 32.03)

The Chief of Police will appoint a program 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. Recommend program enhancements, particularly regarding safety and information security.
8. Ensure established protocols are followed by monitoring and providing periodic reports to the Chief of Police.

IV. PARTOL OPERATIONS

- A. At the commencement of each shift, operators shall review current airspace conditions to identify any Temporary Flight Restrictions (TFRs) using FAA-approved platforms. Operations within a TFR shall only be conducted when properly authorized. If flight within a TFR is necessary, operators must comply with any applicable pre-existing Special Government Interest (SGI) authorization or obtain a new authorization from the FAA prior to conducting operations.
- B. Operation of the UAS is restricted to authorized and trained personnel. Before any flight operation, the Remote Pilot in Command (RPIC) shall conduct a pre-flight inspection using the approved checklist. An officer must be present at the RPIC's location prior to flight and may fulfill the role of Visual Observer (VO) while ensuring scene safety.
- C. The RPIC or VO must maintain a visual line-of-sight on the UAS at all times, unless operating beyond the visual line of sight within provisions of our department's Certificate of Waiver and Authorization.
- D. The RPIC will not operate directly over any people who are not involved in the mission or call for service.
- E. The RPIC 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.
- F. 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 or line of sight.
- G. 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.
- H. The RPIC may operate in Class B, C, D, and E airspace, but are required to contact the local air traffic control prior to doing so.
- I. 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.
- J. Anti-collision lights shall not be turned off at any time during operation.
- K. All video and images recorded on an official mission will be entered into [Evidence.com](https://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.
- L. The RPIC 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 and/or indication of no flights occurring during the month will be submitted to the program coordinator.

V. DRONE AS FIRST RESPONDER (DFR)

A deployment model in which an unmanned aircraft system (UAS) is operated from a fixed location to respond to calls for service concurrently with responding officers. Only authorized and trained UAS operators (pilots) are permitted to control the system, whether through a computer terminal, typically within the Real Time Crime Center, or by remote control in the field. The objective is for the drone to arrive first when feasible, providing real-time situational awareness and operational information to support officers in making informed decisions.

1. The RPIC shall be designated as the pilot in control of the remote-control unit assigned to the UAS conducting flight operations.
2. The RPIC will be responsible for daily equipment inspections, is responsible for safe operation of the

UAS.

3. The RPIC shall conduct a pre-flight inspection of the UAS being used for flight operations and the launch/recovery site at the start of every operational period.
4. A RPIC and a Visual Observer is required for all patrol-based practice and mission flights of a UAS.
5. The pilot must yield the right-of-way to other manned or unmanned aircraft. Pilots will not operate the UAS in a careless or reckless manner.
6. The UAS will operate in accordance with the maximum AGL set forth by a current Facility map published by the FAA, an approved SGI or Certificate of Waiver and Authorization.
7. The UAS operations may be conducted during daylight and nighttime hours. Authorized operators must be familiar with emergency/contingency procedures including UAS system failure, flight termination, divert, and lost link procedures.
8. Operations will be conducted in coordination with the FAA while in a controlled airspace.
9. The RPIC will complete the post flight inspection and flight logs after each mission.

VI. CRITERIA FOR ACTIVATION (CFA 32.03)

- A. The Unmanned Aircraft System (UAS) may be deployed by the Remote Pilot-in-Command (RPIC) without prior approval, provided such deployment complies with all applicable federal, state, and local laws, under the following circumstances:
 1. To conduct search and rescue operations.
 2. When a law enforcement agency has reasonable suspicion that exigent circumstances exist requiring immediate action to:
 - a. Prevent imminent danger to life or serious property damage;
 - b. Prevent the imminent escape of a suspect;
 - c. Prevent the destruction of evidence; and/or
 - d. Facilitate objectives including, but not limited to, locating a missing person.
 3. To assist in life safety operations.
 4. To conduct Department-approved training missions.
 5. To document or collect evidence at a crime scene, traffic crash scene, or pursuant to a signed search warrant.
 6. To provide aerial overwatch during SWAT operations and if necessary pursuant to a warrant.
 7. To support the tactical deployment of personnel and equipment during emergency incidents, including hostage situations, barricaded subjects, large-scale tactical operations, and temporary perimeter security operations.
 8. To conduct public relations activities or produce Department-approved promotional media.
 9. To address a high risk of terrorist activity posed by a specific individual or organization when the United States Secretary of Homeland Security has determined that credible intelligence indicates such a risk exists.
 10. To assist K-9 Unit operations and provide aerial overwatch during K-9 deployments. Such operations shall not supersede existing K-9 policies and procedures. When a UAS is immediately available, the RPIC shall respond to the designated area and promptly communicate their location to the K-9 handler. Any observations made by the RPIC during the operation shall be relayed directly to the K-9 handler.
- B. The UAS may only be deployed with approval from the Watch Commander or their designee, and in compliance with all applicable federal, state, and local laws, under the following circumstances:
 1. To monitor gatherings or crowds consisting of fifty (50) or more individuals.
- C. The RPIC shall ensure that all operations are conducted with due consideration for public safety, privacy rights, and constitutional protections of individuals within the monitored area.
- D. Any recordings obtained during the operation shall be uploaded to Evidence.com immediately upon completion of the mission.

VII. TRAINING (CFA 32.03)

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

- A. Pass the FAA small Unmanned Aircraft Systems – Part 107 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 Program Coordinator, 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.

VIII. REMOVAL PROCESS FROM UAS

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.

Upon removal from the program, the member will return all assigned UAS equipment.

IX. RETENTION OF RECORDS (CFA 32.03)

- 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 Worn Camera.

X. PRIVACY CONSIDERATION (CFA 32.03)

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).

XI. PROHIBITED USE (CFA 32.03)

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.