

From: Dawn McDermott <DMCDERMOTT@ci.schaumburg.il.us>
Sent: Tuesday, May 21, 2019 2:46 PM
To: Ross, Thomas <rosst154@cod.edu>
Subject: Language for use of drone is search warrant

Hi Tom,

I could not get a search warrant template, but I did get language used to cover drone use in a regular search warrant.

Elgin has only had one search warrant for drone use and it was in Cook County. They initially had two search warrants, one for the drone and one for the property in question, but the state's attorneys did not really know what to do with it because it is so new. So, they took this paragraph and added it to their warrant for the premises.

As you can see (in bold), they reference the state law as well as use language to affirmative say they are attempting to only capture images on the property. She also included her specialized training in drone operation:

Elgin Police Department, Detective Marcy Kogut #303, Complainant now appears before the undersigned judge of the Circuit Court of Cook County and requests the issuance of a search warrant to search the following:

The Elgin Police Department will conduct a search utilizing drone(s) of the property located at >>>>, Cook County, Illinois 60120. A drone is any aerial vehicle that does not carry a human operator. **The Elgin Police Department intends to use the drone(s) pursuant to Freedom from Drone Surveillance Act 725 ILCS 167/15.** The drone(s) search will include information gathering of the property located at >>>> Elgin, Cook County, Illinois 60120. The information gathered through the drone may include but not limited to evidence, images, photography, video, sounds, data or other information gathered by a drone. The Elgin Police Department **will make every reasonable attempt to only capture video and photography of the property located at >>>>** Elgin, Cook County, Illinois 60120.

That I, Detective Marcy Kogut #303, your Affiant, am employed by the Elgin Police Department and have been so employed for the past 16 years. During that time, I have conducted numerous drug investigations. I have received training, including a 480 hour police academy certification. The Affiant is currently assigned to the Elgin Police Drug Unit and has had occasion to investigate numerous drug related offense over the past 6 years. The Affiant has had extensive training in the field of drug detection and investigation by the Drug Enforcement Agency. I am also assigned to the Elgin Police Department Drone Team and attended **a course of instruction regarding the Federal Aviation Administration (FAA) Laws and Regulations and Drone Flight Operations. I have successfully completed the course and received a Remote Pilot License from the Federal Aviation Administration.** I am also a Peace Officer authorized to execute search warrants in accordance with 725 ILCS 5/108-5.

Dawn
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