



PLAINFIELD POLICE DEPARTMENT

14300 S. Coil Plus Drive, Plainfield, Illinois 60544

524 - Unmanned Aircraft System

Effective Date: 5/25/2018
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REFERENCES

Code of Federal Regulations

[14 CFR 107 - Small Unmanned Aircraft Systems](#)

Illinois Compiled Statutes

[50 ILCS 205 1/9 - State of Illinois Local Records Act](#)

[725 ILCS 5/108-3 - Search and Seizure](#)

[725 ILCS 167/1, et al. - Freedom From Drone Surveillance Act](#)

Department Documents

[524A - UAS Preflight Checklist](#)

[General Order 906 - Evidence Collection and Processing](#)

[General Order 908 - Evidence and Property Control](#)

This General Order is for internal use only, and other than as contraindicated here, this General Order does not create or enlarge this Department's governmental entities, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This General Order is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, administrative hearing, and/or other action. Deviations from this General Order, if substantiated, can only be a basis for Departmental administrative action(s) (including discipline and/or termination).

PURPOSE

The purpose of this policy is to establish guidelines under which unmanned air crafts systems may be used, including the storage, retrieval and dissemination of images and data captured by such systems.

POLICY

It is the policy of the Plainfield Police Department to ensure authorized personnel are trained on the use unmanned aircraft systems, hereinafter referred to as UAS, 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 shall strictly comply with applicable statutes, constitutional rights, privacy rights, Federal Aviation Administration regulations and [14 CFR 107](#) requirements.

DEFINITIONS

Federal Aviation Administration (FAA): A national authority with powers to regulate all aspects of civil aviation. These include the construction and operation of airports, the management of air traffic, the certification of personnel and aircraft, and the protection of US assets during the launch or reentry of commercial space vehicles.

Information: As defined in [725 ILCS 167](#), any evidence, images, sounds, data, or other information gathered by the unmanned aircraft.

Notice to Airmen (NOTAM): A notice filed with an aviation authority to alert aircraft pilots of potential hazards along a flight route or at a location that could affect the safety of the flight.

Remote Pilot in Command (RPIC): Person directly responsible for, and is the final authority as to the operation of, the unmanned aircraft system.

Unmanned Aerial System (UAS): An unmanned aircraft or drone ([725 ILCS 167/5](#) defines "drone" as any aerial vehicle that does not carry a human operator) of any type that is capable of sustaining directed flight, whether pre-programmed 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.

Visual Observer: The crew member designated by the RPIC whose sole task during UAS operation is to maintain visual line of sight with the UAS and report any potential hazards to the RPIC and person manipulating the controls.

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524.1 PROGRAM COORDINATOR

- A. The Chief of Police, or his/her designee, shall ensure all Department policies and procedures conform to current laws, regulations, and best practices.
- B. Unless otherwise directed by the Chief of Police, the Patrol Commander shall act as the UAS Program Coordinator. He/she shall be responsible for:
 - 1. Ensuring all certifications required are obtained and kept current, in cooperation with the [FAA Certification of Authorization \(COA\)](#) and/or [14 CFR 107](#), as applicable;
 - 2. Ensuring all authorized operators have completed all training required by statute or general order;
 - 3. Informing the [Illinois Criminal Justice Information Authority](#) of the number of drones owned by the police department by April 1 annually ([725 ILCS 167/35](#)). This may be accomplished through [online submission](#) to the ICJIA;
 - 4. Causing public notification of the operation of a Department UAS, when appropriate;
 - 5. Keeping a log of all deployments; and
 - 6. Conducting a documented, annual audit of the program including:
 - a. Analyzing and reviewing flight information including, but not limited to:
 - 1. Outlining the number of deployments in the field;
 - 2. Locations of the incident(s);
 - 3. Applicable case report number(s); and
 - 4. Any unusual circumstances surrounded the deployment(s).
 - b. Recommending program enhancements, especially regarding safety and information security; and
 - c. Reviewing Department policy and procedures and recommending any changes necessary.

524.2 TRAINING AND MAINTENANCE

- A. Training
 - 1. Prior to authorization to operate a UAS, assigned personnel must complete mandatory training provided by the department to obtain an understanding on how to use the UAS and the procedures outlined in this policy. Pursuant to [14 CFR 107.74](#), the initial training course should cover, but not be limited to, the following areas of knowledge:
 - a. Applicable regulations relating to small unmanned aircraft system rating privileges, limitations, and flight operation;
 - b. Effects of weather on small unmanned aircraft performance;
 - c. Small unmanned aircraft loading;
 - d. Emergency procedures;
 - e. Crew resource management;
 - f. Determining the performance of small unmanned aircraft; and
 - g. Maintenance and preflight inspection procedures.
 - 2. Annually, authorized officers shall undergo refresher training on the equipment to ensure continued effective use, operation of the equipment and to incorporate changes, updates or other revisions to the FAA and/or [14 CFR 107](#) requirements, statutes or Department policy. The recurrent training course should cover, but not be limited to, the following areas of knowledge:
 - a. Applicable regulations relating to small unmanned aircraft system rating privileges, limitations, and flight operation;
 - b. Emergency procedures;
 - c. Crew resource management; and
 - d. Maintenance and preflight inspection procedures.
 - 3. Additional training may be provided at periodic intervals for personnel displaying a substandard performance in the use of UAS equipment, as determined by the UAS Program Coordinator.
- B. Inspections and Maintenance
 - 1. All authorized Department UAS devices, and related equipment, shall be maintained in a state of operational readiness, or shall be considered out of service until repaired or replaced.
 - 2. Modifications outside the manufacturer's specifications shall not be made to any UAS.
 - 3. No additional equipment shall be fitted to a UAS without written approval from the Chief of Police, or his/her designee.
 - 4. Assigned officers shall use reasonable care to ensure the proper functioning of the UAS equipment. Malfunctions shall be brought to the attention of the UAS Program Coordinator as soon as possible. Extra caution must be taken to ensure the equipment is not stored in extreme temperatures.
 - 5. Prior to use, assigned officers shall inspect the UAS, and all related equipment, to verify proper functioning and ensure the battery is fully charged in accordance to the manufacturer's recommendations. This inspection shall include, but not be limited to:
 - 1. Inspecting the body of the UAS, and the charging and camera cables to look for signs of visible damage; and
 - 2. Ensuring the propeller blades are in flight worthy condition.
 - 6. Any UAS, or related equipment, found to be not functioning properly shall be immediately taken out of service. The UAS Program Coordinator shall be notified in writing as soon as practical.

524.3 DEPARTMENT USE OF UAS

- A. Pursuant to [725 ILCS 167/15](#), the UAS may not be used to gather information, except during the following types of situations:
1. 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 there is a risk;
 2. When there are specific and articulable grounds to believe that the UAS will collect evidence of criminal wrongdoing and or if the UAS will be used in a manner that may intrude upon reasonable expectation of privacy, the Department shall obtain a search warrant prior to conducting the flight ([725 ILCS 5/108-3](#)). The warrant must be limited to a period of 45 days, renewable by a judge upon showing good cause for subsequent periods of 45 days.
 3. Upon reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall the imminent escape of a suspect, or to prevent the destruction of evidence.
 - a. The use of a UAS under this paragraph is limited to a period of 48 hours.
 - b. Within 24 hours of UAS initiation under this paragraph, the Chief of Police, or his/her designee, must report the UAS use, in writing, to the applicable state's attorney;
 4. To locate a missing person while not also undertaking a criminal investigation;
 5. To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner.
 - a. The use of the UAS under this paragraph, when on private property, requires either a search warrant or a lawful consent to search.
 - b. As it relates to lands, highways, roadways or areas belonging to the state, a search warrant or consent to search is not required.
 - c. Reasonable attempts shall be made to only photograph the crime scene or traffic crash scene and to avoid other areas;
 6. To obtain information necessary for the determination of whether a disaster or public health emergency should be declared, to manage a disaster by monitoring weather or emergency conditions, to survey damage, or to coordinate response and recovery efforts. There is no requirement that an official declaration of disaster or public health emergency prior to use.
- B. UAS deployments by the Department must also adhere to the operating procedures established by the FAA. FAA rules are outlined below, however, may not be limited to:
1. Conduct a [pre-flight check](#) to ensure the UAS in condition for safe operation;
 2. No Remote Pilot in Command (RPIC) or visual observer may operate or observe more than one UAS at a time;
 3. Must stay out of airport flight paths;
 4. Must stay out of restricted airspace areas, unless prior approval from the agency controlling the restricted airspace is obtained;
 5. Obey any FAA Temporary Flight Restrictions (<http://tfr.faa.gov/tfr2/list.html>)
 6. Keep the UAS in visual line of sight only;
 - a. The UAS must remain close enough to the RPIC or visual observer to see the aircraft with vision unaided by any device other than corrective lenses.
 - b. Use of a visual observer is authorized, but not required.
 7. Operations during daylight and civil twilight (30 minutes before sunrise and after sunset) are authorized;
 8. Ordinarily fly at or below 400 feet above ground level. However, may fly higher than 400 feet above ground level for inspection of an object that is not more than 400 feet horizontally from the RPIC;
 9. Fly at or below 100 mph;
 10. Fly only when the minimum weather visibility is 3 miles or greater from control station with a cloud ceiling 500 feet above the maximum operating altitude;
 11. Yield right of way to another aircraft, whether manned or unmanned;
 12. Must not fly over people not directly involved in the operation; and
 13. Must not fly from a moving vehicle, except in rural areas.
 14. Deviation from FAA procedures may be authorized in the event of an in-flight emergency; Any deviations must be reported to the FAA upon request.
- C. Whenever possible, if a UAS will be flying within 5 miles of hospital heliport, the UAS Program Coordinator shall complete and submit a [Notice of Airman](#) to the appropriate aviation authority. Additionally, notification shall be made to the respective hospital's emergency department charge nurse. All notification attempts must be documented in a case report.
- D. For pre-planned UAS operation, every effort should be made to issue a temporary flight restriction through the FAA which will give the Department sole access to the airspace. A temporary flight restriction would not have any real effect on manned aircraft but it should prevent any interference from any other drone operators.

524.4 RESTRICTIONS

- A. Privacy
1. Use of the UAS involves privacy considerations. Absent a warrant or exigent circumstances, RPIC and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy.
 2. RPICs and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.
 3. Reasonable precautions may include, but are not limited to, deactivating or turning imaging devices away from such areas or persons during UAS operations.
- B. No Department UAS shall be used to:
1. Conduct random surveillance activities or quests for information;
 2. Target a person based solely on individual characteristics such as, but not limited to, race, ethnicity, national origin, religion, disability, gender or sexual orientation;
 3. Harass, intimidate or discriminate against any individual or group;

4. Conduct personal business of any type; or
 5. Any situation outside what is specifically authorized in this general order.
- C. No weapons of any kind shall be attached to, or deployed by, a UAS.
- D. The UAS Program Coordinator shall request a [certificate waiver](#) from the FAA which authorizes deviation from specific regulations. The certificate waiver will be granted when the FAA determines that the UAS operation can be safely conducted under the terms of the certificate waiver.
- E. Personnel shall notify the UAS Program Coordinator when he/she knows, or has reason to know, that he/she has a physical or mental condition that would interfere with the safe operation of the UAS.

524.5 DOCUMENTATION, SECURITY AND RETENTION

A. Documentation

1. Except in emergency situations, requests to deploy a UAS flight shall be submitted in writing to the UAS Program Coordinator, or his/her designee. During an emergency situation where an official written request was not practical prior to use, a memorandum outlining the reason for use of the UAS shall be submitted to the UAS Program Coordinator as soon as practical.
2. The RPIC shall complete a case report for any incident involving a UAS. The case report shall include the following information:
 - a. Name of person authorizing deployment;
 - b. Name and contact information for RPIC(s), visual observer(s) and witness(es);
 - c. Type of operation;
 - d. Type of device and registration number/certificate;
 - e. Event location and incident details; and
 - f. Evidence collection and submission information such as photos, video, and device confiscation, if necessary.
3. At the conclusion of each deployment, all recordings shall be securely downloaded and proper evidence procedures shall be followed ([See General Order 906 - Evidence Collection and Processing](#)).
4. Pursuant to [14 CFR 107.9](#), the program coordinator must also report any accidents to the FAA, using the [FAA DroneZone portal](#), within 10 days after any accident that includes the following situations:
 - a. Serious injury to any person or any loss of consciousness; and/or
 - b. Damage to any property, other than the UAS, unless one of the following conditions is satisfied:
 1. The cost of repair including materials and labor does not exceed \$500.00; or
 2. The fair market value of the property does not exceed \$500.00 in the event of a total loss.

B. Security

1. Personnel should be aware that recordings may contain sensitive information and are responsible for ensuring compliance to the information in this policy. A breach in security, careless handing of the recording and/or intentional release of recordings to non-authorized individuals may jeopardize relationships with citizens, subject victims to an invasion of privacy, jeopardize prosecutions and endanger the safety of individuals.
2. All recordings are considered investigative property of the Plainfield Police Department.
3. Employees shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner any UAS recordings without written approval from the Chief of Police, or his/her designee, or the Village Attorney, with the exception of the initial submission into evidence.
4. Any violations related to unauthorized edits, alterations, and dissemination of this data shall be cause for disciplinary action.
5. The disclosure of information gathered by the UAS is prohibited except to another government agency when there is reasonable suspicion that the information contains evidence of criminal activity, or the information is relevant to an ongoing investigation or pending criminal trial ([725 ILCS 167/25](#)).

C. Retention

1. The Records Supervisor shall ensure UAS recordings are addressed in the Department retention schedule that is currently approved by the Illinois Local Records Commission pursuant to the State of Illinois Local Records Act ([50 ILCS 205 1/9](#)).
2. All information shall follow evidence retention and destruction procedures as outlined in [General Order 908 - Evidence and Property Control](#).
 - a. Pursuant to [725 ILCS 167/20](#), within 30 days of the recording, the Department shall destroy all information gathered by the UAS, except when there is reasonable suspicion that the information contains evidence of criminal activity, or the information is relevant to an ongoing investigation or pending criminal trial.
 - b. The Property Custodian, in cooperation with the Records Supervisor, shall ensure proper destruction of all recordings determined to not have evidentiary value within 30 days of such determination.

524.6 INFORMATION FROM PRIVATE DRONES

- A. The department may use, or direct the acquisition of, information from private drones only for the purpose of undertaking the tasks otherwise approved for Department UAS use by this general order.
- B. Private parties may voluntarily submit information acquired by the privately owned UAS to the Department.
- C. Information from private UAS devices, when obtained by the Department, shall be treated with the same reporting, security and retention regulations as information obtained from a Department UAS.

It is the responsibility of all Officers, Supervisors and Civilian personnel to comply with all sections of this General Order.

This Order supersedes all previous written and unwritten policies and procedures of the Plainfield Police Department on the above subject.

By order of,

John Konopek

John Konopek
Chief of Police