


PLANNING AND DEPLOYMENT

TRANSMITTAL OF WRITTEN DIRECTIVE

FOR SIGNATURE OF: James E. Craig, Chief of Police 

TYPE OF DIRECTIVE: Manual Directive 303.6

SUBJECT: UNMANNED AERIAL VEHICLES (UAVS)

ORIGINATED OR REQUESTED BY: Planning and Deployment

APPROVALS OR COMMENTS:

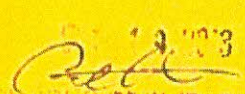
The above referenced manual directive is a new policy submitted by the Office of Support Operations.

The following information was added to the original draft policy:

1. 303.6 – 1 – Purpose – Small unmanned aerial systems (sUAS) was added and a privacy statement was added.
2. 303.6 – 2 – Policy – Statement #4 "The UAV shall not be equipped with weapons of any kind" was removed.
3. 303.6 – 2 – Policy – Statement #4 – Information on private use and discipline was added.
4. 303.6 – 3 – Definitions – A definition for "Authorized" was added.

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NOV 01 2018

BOARD OF POLICE COMMISSIONERS

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NOV 13 2018

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APPROVED

ASSISTANT CHIEF
ADMINISTRATIVE OPERATIONS

**AFTER THE DIRECTIVE IS APPROVED AND SIGNED, PLEASE RETURN TO
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Series 300 Support Services	Effective Date	Review Date Three Years	Directive Number 303.6
Chapter 303 – Facilities and Equipment			
Reviewing Office Office of Support Operations			<input checked="" type="checkbox"/> New Directive <input type="checkbox"/> Revised
References			

UNMANNED AERIAL VEHICLES (UAVS)

303.6 - 1 PURPOSE

The purpose of this policy is to provide guidelines for the use of small unmanned aerial systems (sUAS) and unmanned aerial vehicles (UAV). This directive is not intended to be all-inclusive. Its principal purpose is to supplement current FAA regulations, training and user guidelines issued by the manufacturer, and other applicable Department policies.

Privacy Statement

Violations of privacy and UAV operations outside of appropriate law enforcement purposes (e.g., critical incident responses, investigations, search and rescues, etc.), shall be deemed egregious conduct.

Members found to have misused the device or any data, including violations of privacy, shall be subject to discipline up to and including dismissal. In addition to being subject to discipline and/or dismissal, members may also be subject to any civil or criminal penalties that may apply.

303.6 - 2 POLICY

1. Only authorized personnel may deploy a UAV. To be authorized means that the UAV to be deployed has been approved for use, the member deploying the UAV has been trained and is certified by the Department to operate the UAV, the operation has been approved, and the member's use of the equipment is consistent with the local, state and federal laws, and any other directives of the Detroit Police Manual that may apply.
2. UAVs shall be deployed and used only to support official law enforcement and public safety operations, which include, but are not limited to the following:
 - a. Search and rescue;
 - b. Crime scene photography;
 - c. Accident reconstruction;
 - d. Major disasters or HAZMAT scene response;
 - e. Fire response;
 - f. High risk response (e.g. active shooters, high-risk search warrants);

303.6 Unmanned Aerial Vehicles (UAVS)

- g. Aviation assists; and
 - h. Other missions deemed appropriate by the commanding officer of the unit intent on using the UAV, provided that such use is necessary to preserve the health, safety, and welfare of the people and/or property within the City of Detroit.
3. The UAV shall not be operated in an unsafe manner or in violation of FAA rules.
 4. Members shall not engage in the collection, indexing, maintenance, or dissemination of information dealing with beliefs, opinions, associations, or expressions of any individual, group, or organizations who are not violating, not suspected of violating, or who are not reasonably suspected of being in violation of a law or conspiracy to violate any local, state or federal law of the United States. For example, cataloging a member of a particular group not suspected of engaging in unlawful behavior.
 5. Members shall not utilize a UAV to harass, intimidate, or otherwise dissuade individuals or groups of individuals from the free exercise of any constitutional guarantees, including but not limited to the First Amendment's guarantee of free speech and lawful assembly.
 6. Members shall not attach any sort of military connotation when referring to any UAV approved for use by the Detroit Police Department. Use of the word "drone" shall be avoided.

Private Use

- a. Members shall not utilize the Department's UAV for personal use under any circumstances. Doing so is prima facie evidence of misconduct and will subject the user to Department discipline; and
- b. Members shall not use any unauthorized or unsanctioned UAVs, including those personally owned, during their course of duty.

Discipline

Any violations to policy specific to privacy, violation of use and private use shall be deemed egregious conduct.

303.6 - 3 Definitions

303.6 - 3.1 Authorized

Authorized means that the UAV to be deployed has been approved for use, the member deploying the UAV has been trained and is certified by the Department to operate the UAV, the operation has been approved, and the member's use of the equipment is consistent with the local, state and federal laws, and any other directives of the Detroit Police Manual that may apply.

303.6 Unmanned Aerial Vehicles (UAVS)**303.6 - 3.2 Digital Media Evidence (DME)**

Digital recording of images, sounds, and associated data.

303.6 - 3.3 Model Aircraft

A remote controlled aircraft used by hobbyists that is built, produced, manufactured, and operated for the purposes of sport, recreation, and/or competition.

303.6 - 3.4 Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV)

An aircraft that is intended to navigate in the air without an on-board pilot. Also alternatively called Remotely Piloted Aircraft (RPA), or Remotely Operated Vehicle (ROV).

303.6 - 3.5 Unmanned Aircraft System (UAS)

A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.

303.6 - 3.6 Small Unmanned Aircraft Systems (sUAS)

UAS systems that utilize UAVs weighing less than 55 pounds and are consistent with Federal Aviation Administration (FAA) regulations governing model aircraft.

303.6 - 3.7 UAS Flight Crewmember

A pilot, visual observer, payload operator, or other person assigned duties for a UAS for the purpose of flight or training exercise.

303.6 - 3.8 Unmanned Aircraft Pilot

A person exercising control over a UA/UAV/UAS during flight.

303.6 - 4 Procedures**303.6 - 4.1 Administration**

The Air Support Unit shall be responsible for administering the use of the Department's UAVs. This includes ensuring that the Detroit Police Department obtains applicable authorizations, permits, or certificates required by the FAA prior to issuing or deploying UAVs for use by members. The Air Support Unit is also responsible for ensuring that authorizations, permits, or certificates remain current.

303.6 - 4.2 Use of sUAS

The sUAS will be operated only by personnel (pilots and crew members) who have been trained and certified in the operation of the system.

303.6 - 4.3 Pre-flight Inspection

The sUAS pilot shall inspect and test sUAS equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the device.

303.6 Unmanned Aerial Vehicles (UAVS)**303.6 - 4.4 Responsibility to Use Care and Report Defects**

Proper use of the sUAS equipment is the responsibility of individual members and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the Air Support Unit as soon as possible so that appropriate repair can be made or replacement of the device procured.

303.6 - 4.5 In-Flight Accidents

All accidents and incidents involving fatalities, injuries, property damage, and "fly-aways" shall be reported to an immediate supervisor and Notification and Control. Notification and Control shall be responsible for making executive notifications. Pursuant to federal regulations, Notification and Control shall notify the FAA within 24 hours. The commanding officer of the Professional Standards Bureau shall be responsible for conducting investigations that result in any injuries, including injuries sustained by the operator of the device. All other incidents shall be conducted by the involved command.

303.6 - 4.6 Ownership of Data

The sUAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.

303.6 - 4.7 Documentation of All Flights

All flights will be documented on an incident report. All flight times shall be accurately recorded. In addition, each deployment of the sUAS shall include the following information regarding the reason for the flight:

- a. The date, time, and location of the flight;
- b. The name of the commanding officer approving the operation and use of the device;
- c. The rank, name, badge numbers, assignments, and specific role of each team member; and
- d. A summary of the activities covered, actions taken, and outcomes from the deployment.

303.6 - 4.8 Public Notification

Where practical, the unit intent on deploying the sUAS should consider notifying the public, except in situations where such notification would jeopardize member safety or the investigation.

303.6 - 4.9 Warrant Requirement

Members are reminded that use of the sUAS may constitute a search for Fourth Amendment purposes. Where use of the device constitutes a search, members shall obtain a search warrant prior to conducting the flight. This requirement may be waived where there are exigent circumstances or some other well-recognized exception to the warrant requirement.

303.6 Unmanned Aerial Vehicles (UAVS)**303.6 - 5 Digital Media Evidence (DME) Retention and Management****303.6 - 5.1 General Requirements**

1. All DME shall be handled in accordance with existing policy on data and record retention.
2. All DME shall be securely downloaded at the completion of each mission. All DME files shall be identified by the RMS record corresponding to the operation.
3. All data shall be retained in accordance with Detroit Police Directive 101.12, "Data Sharing and Dissemination".
4. Only members authorized by the Chief of Police (or designee) shall have access to DME.
5. All DME must be securely stored in accordance with Department policy and state record retention laws. DME will be retained no longer than necessary for purposes of training or for use in an investigation or prosecution.
6. Supervisors assigned to the unit deploying the device shall ensure that the team deploying the sUAS adhere to all legal requirements and this policy.

303.6 - 5.2 Audits

1. The Civil Rights Division will audit flight documents at regular intervals. The results of the audit will be documented in a form prescribed by the Civil Rights Division and approved by the Office of Support Operations.
2. The Civil Rights Division shall publish an annual report documenting the Department's deployment of all sUAS devices.

303.6 - 5.3 Training

1. Members who are assigned sUAS must complete the Department's approved training program to ensure proper use and operations. The Air Support Unit shall be required to recommend new training programs for members assigned sUAS.
2. All training programs shall include discussion on all local and federal laws and regulations, as well as any policies and best practices.