

# Unmanned Aerial System (UAS) Operations

## 611.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

### 611.1.1 DEFINITIONS

Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed 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.

## 611.2 POLICY

Unmanned aerial systems may be utilized 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 will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

## 611.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators 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 (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

## 611.4 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

## 611.5 AUTHORIZED USE

UAS may only be utilized for the following specified situations:

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1. Mass casualty incidents (e.g. large structure fires with numerous casualties, mass shootings involving multiple deaths or injuries);
2. Disaster response and damage assessment;
3. Missing or lost persons;
4. Hazardous material releases;
5. Identifying, locating and apprehending non-compliant, threatening or combative persons who pose a threat of injury or death to themselves, others or officers;
6. Suspected explosive devices;
7. Video/photographic documentation of crime scenes or collision locations;
8. Reconnaissance of incident locations that are inaccessible for fire apparatus;
9. Response to fires or post-fire investigations;
10. Sideshow events where many vehicles and reckless driving is present;
11. Rescue operations;
12. Conduct inspections of the City's utility infrastructure (e.g. electric, fiber, water, sewer, etc.) to detect leaks or stressed assets.
13. Training flights as required to meet FAA and Department certification standards;
14. Hazardous situations which present a high risk to officer and/or public safety, to include:
  - (a) Armed suicidal persons;
  - (b) Hostage situations;
  - (c) Barricaded suspects;
15. Arrest of armed and/or dangerous persons
16. Locating suspect(s) who have fled from lawful detention;
17. Locating suspects attempting to conceal themselves to avoid arrest
18. Service of high risk search and arrest warrants involving armed and/or dangerous persons
19. UAS product demos for the public at community events for educational and informational purposes
20. Other unforeseen exigent circumstances.

Unmanned Aerial Systems shall only be used for legitimate law enforcement purposes or to aid in other City divisions as guided by the above permissions.

#### **611.6 REQUEST PROCESS**

- (a) All requests shall be routed to the Watch Commander, if they are not available, the Officer In Charge (OIC)

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- (b) The Watch Commander should contact the Captain of Operations, or their designee in their absence for reporting purposes, at the earliest opportunity.
- (c) The Captain of Operations, or their designee, is responsible for updating the UAS activity log within 14 days of use.

#### **611.7 RETENTION OF UAS DATA**

If available, any data collected by the use of a UAS should be purged by LAPD within 30 days if it doesn't contain any data of evidentiary value. If the data has evidentiary value, it should be uploaded into LAPD's evidence database and kept pursuant to the established retention guidelines set forth in policy 810-Records Maintenance and Release.

#### **611.8 DATA SHARING**

Los Altos Police may only share data collected from the use of a UAS under the following circumstances:

- The District Attorney's Office for use as evidence to aid in prosecution, in accordance with laws governing evidence;
- Other law enforcement personnel as part of an active criminal investigation;
- Other City divisions as it directly relates to the prescribed in 611.5 Authorized Uses;
- Other third parties, pursuant to a Court Order or Search Warrant.

#### **611.9 ROLES AND RESPONSIBILITIES**

The roles and responsibilities for UAS Program members are as follows:

- (a) Program Coordinator—a Los Altos Police Sergeant who manages the UAS Program and ensures the program operates in accordance with all Federal, State and local laws, and within department policy and guidelines. In addition, the Program Coordinator will:
  - 1. Maintain all training flight and maintenance records for each operator and observer, as well as individual airframes.
  - 2. Remain up to date with current UAS case law, best practices, and industry standards.
  - 3. Develop and maintain the UAS Operational Guidelines Manual
  - 4. Evaluate airframes based on mission needs.
  - 5. Maintain contact with the FAA and familiarity with the pertinent FAA regulations.
  - 6. Ensure operators and observers stay current with their training and certifications.
- (b) Operator—the operator's role is to safely operate the UAS in accordance with all applicable law and policy.
  - 1. The operator may reject a flight based on personnel safety or violation of FAA regulations.

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2. The operator shall be responsive to requests and input from the observer in order to accomplish the safe and effective deployment of the UAS.
  3. Operators are responsible for mission documentation and updating the flight book.
- (c) Observer—the Observer's role is to assist in the safe and effective operation of the UAS. The observer shall:
1. Assist the operator in avoiding obstacles
  2. Operate any attachments to the UAS
  3. Remain alert for safety issues surrounding the operator and observer
  4. Handle radio communications.