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|  | Hudson Police Department Policy and Standard Operating Procedures SMALL UNMANNED AIRCRAFT SYSTEMS (sUAS) | Policy and Procedure 8.09 |
| Authorized by: Chief Richard P. DiPersio | Issue Date: 10/11/23 | |
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| Issuing Authority:  Richard P. DiPersio Chief of Police | Mass. Accreditation Standards Ref.: 41.1.5 | |

I. GENERAL CONSIDERATIONS AND GUIDELINES:

This policy is intended to provide personnel who are assigned responsibilities associated with the deployment and use of small, unmanned aircraft systems (sUAS) with instructions on when and how this technology and the information it provides may be used for law enforcement and public safety purposes in accordance with law. **[41.1.5(2)]**

II. POLICY:

It is the policy of Hudson Police Department that duly trained and authorized agency personnel may deploy sUAS when such use is appropriate in the performance of their official duties, and when/where deployment and use, and the collection and use of any audio/video recordings or other data originating from or generated by the sUAS, comport with the policy provisions provided herein and applicable law. **[41.1.5(1)]**

III. PROCEDURES:

All deployments of sUAS must be specifically authorized by the Chief of Police or designee. The Hudson Police Department has adopted the uses of sUAS to provide an aerial visual perspective in responding to emergency situations and exigent circumstances, and for the following objectives:

- All sUAS certified personnel shall inspect and test sUAS equipment prior to deployment to verify the proper functioning of all equipment and airworthiness of the devices.
- The sUAS equipment and all data, images, videos, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Hudson Police Department.
- All flights will be documented on a form or database designed for that purpose, and all flight time shall be accurately recorded. In addition, each deployment of the sUAS shall include information regarding the reason for the flight; time, date and location of the flight; the name of the supervisor approving the deployment and the personnel assigned; and a summary of the activities covered, actions taken, or outcomes from the deployment.

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- **Mutual Aid:** To assist other agencies and/or town departments (e.g., brush fire and affected areas) in compliance with this policy and FAA regulations and agreements. This is subject to appropriate staffing.

MISSION:

UAS missions shall:

- Not facilitate the use of any weapons and/or dispersal payloads;
- Comply with the United States Constitution, the Massachusetts Declaration of Rights, and all relevant and applicable laws and regulations; and
- Comply with all applicable Department Policies and Procedures, Rules and Regulations, and unit-specific Standard Operating Procedures (SOPs).

The purpose of UAS Missions are:

- To define the operation of small Unmanned Aircraft Systems (UAS) in the National Airspace System (NAS) within the Hudson Police Department;
- To establish guidelines for the utilization and activation of UAS; and
- To develop, under the direction of the Department UAS Program Manager, unit-specific SOPs that shall be created, maintained and updated, as directed by the UAS Program Manager.

IV. DEFINITIONS:

- A. **Remote Pilot Certificate:** A person acting as a Remote PIC of a UAS in the NAS under 14 CFR 107 must obtain a Remote Pilot Certificate with a UAS rating issued by the Federal Aviation Administration (FAA) prior to UAS operation.
- B. **Remote Pilot- in- Command (Remote PIC):** A person who holds a remote pilot certificate with a UAS rating and has final authority and responsibility for the operation and safety of a UAS operation conducted under 14 CFR 107.
- C. **Small Unmanned Aircraft (UA):** A UA weighing less than 55 pounds, including everything that is onboard or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft.
- D. **UAS Program Manager:** A Department member designated by the Chief of Police to oversee implementation, management, training, documentation and adherence to current FAA regulations for all Department-owned UAS. The UAS Program Manager shall create unit-specific SOPs and ensure the safe operation of all Department UAS.
- E. **Visual Observer (VO):** A person acting as a flight crew member who assists the small UA remote PIC to see and avoid other air traffic or objects aloft or on the ground.

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V. UTILIZATION OF RESOURCES: [41.1.5(3c)]

Consistent with this policy, applicable laws and unit-specific SOPs, Department authorized UAS may be utilized for missions including, but not limited to, the following:

- Search and rescue for lost, missing, or endangered persons;
- Photographic and video documentation missions;
- Motor vehicle crash investigations / crash scene mapping;
- Criminal investigations and crime scene mapping;
- Tactical response missions (e.g., hostage rescue/barricaded subject);
- Providing an aerial visual perspective to assist officers in providing direction for crowd control, traffic incident management, special circumstances, and temporary perimeter security;
- Fire Services support;
- Homeland Security-related missions; and other special events/incidents as assigned by the On-Duty Supervisor and/or UAS Program Manager or designee, consistent with and as permitted by law.
- Other calls for service and/or incidents which may support the patrol function

VI. PROHIBITED USES:

Department UAS shall not be used for the following:

- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation;
- To harass, intimidate or discriminate against any individual or group; and/or to conduct personal business of any type.

VII. PRIVACY:

A UAS shall not be intentionally used for viewing, recording or transmitting images and/or video in a criminal investigation at any location or property where a person has a reasonable expectation of privacy unless:

- A warrant or court order has been approved for the search of the property;
- Consent by the owner or person responsible for the property is obtained; or Exigent circumstances exist, including but not limited to: search and rescue missions, tactical missions, crash scenes, crime scenes, fire scenes, hazmat scenes and natural disasters.

VIII. LICENSING, CERTIFICATION AND REGISTRATION:

The Department UAS Program Manager shall:

- Ensure that all unit-specific remote pilots hold a Remote Pilot Certificate with a

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UAS rating issued by the FAA under 14 CFR 107; and ensure that all UAS are registered with the FAA as required by 14 CFR 107. [41.1.5(3a), 41.1.5(3d)]

VIII. OPERATIONAL PROTOCOLS:

The UAS Program Manager, the Remote PIC may decline, cancel, or terminate any UAS request or mission due to:

- Safety, weather, visibility;
- Type of request is beyond the UAS or member's capability;
- Availability;
- Mechanical maintenance of the UAS;
- Determination that use of UAS is not the appropriate resource after operational risk management or resource assessment is completed; or
- Determination that use of the UAS is in violation of this policy or Massachusetts General Laws.

All UAS missions will be flown in compliance with all current FAA Regulations including but not limited to 14 CFR 107. The Remote PIC has final authority and responsibility for the operation and safety of a UAS operation conducted under 14 CFR 107. [41.1.5(3b)]

X. TRAINING: [41.1.5(3e)]

The Department UAS Program Manager or designee shall:

- Ensure that all training and licensing is compliant with current FAA regulatory requirements including but not limited to 14 CFR 107.

Department members selected to be Remote PICs shall:

- Be properly trained and licensed as required by 14 CFR 107;
- Satisfy and maintain all the conditions of the Certificate of Authorization (COA) issued by the FAA if applicable;
- Have working knowledge of the airspace intended for operations and Air Traffic Control communication requirements; and
- Have the ability to obtain and interpret weather information.

Department members selected to be Visual Observers (VO) shall:

- Be properly trained according to standards set by the UAS Program Manager or designee that comply with FAA current regulatory requirements if any; and
- Satisfy and maintain all the conditions of the COA issued by the FAA if applicable.

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A minimum of (4) hours of training per month is required for all personnel with sUAS responsibilities. Additional training may be required at periodic intervals to ensure the continued effective use, operation, proper calibration, and performance of equipment to incorporate changes.

XI. MISSION APPROVAL: [41.1.5(3k)]

UAS mission requests shall be authorized by either:

- The On-Duty Supervisor or designee; or
- The UAS Program Manager or designee

Note: The Remote PIC has final authority and responsibility for the operation and safety of a UAS operation conducted under 14 CFR 107.

****Any complaints regarding the sUAS shall be forwarded to the Chief of Police to be handled in compliance with Policy 1.14 Internal Affairs. ****

XII. AUTHORIZED EQUIPMENT:

Only Small UAS approved by the UAS Program Manager shall be authorized for use by members of the Department and/or for Department use.

XIII. ACCIDENT NOTIFICATION AND INVESTIGATION: [41.1.5(3h)]

In the event of a crash/incident involving fatalities, injuries, property damage, damage to the UAS or UAS fly-away, the Remote PIC shall:

- Report the crash/incident immediately to the appropriate On-Duty Supervisor and UAS Program Manager or designee;
- When applicable, notify the FAA in compliance with 14 CFR 107; and
- Complete and submit an incident report to the UAS Program Manager and On-Duty Supervisor.

The UAS Program Manager shall:

- Review all documentation and reports;
- Complete a summary report with conclusions and recommendations; and forward all documentation through channels to the Chief of Police.

XIII. DIGITAL DATA PRESERVATION: [41.1.5(3h)]

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All digital data including but not limited to photographs, video, and/or flight data shall be processed and maintained according to existing Department policies and preservation of evidence procedures

Officers shall not edit, alter, erase, duplicate, share, or otherwise distribute any sUAS DME without prior authorization and approval of the Chief of Police or designee.

XX. STATISTICAL, RECORDS AND AUDITS: [41.1.5(3h)]

The Department UAS Program Manager shall:

- Ensure that yearly statistics are kept for all UAS missions; and
Ensure that flight and training records are properly maintained by the UAS Program Manager.
- The sUAS supervisor of his/her designee shall publish an annual report documenting the agency's deployment and use of the sUAS device.

XI. STORAGE AND MAINTENANCE: [41.1.59(3F,G,H,I)]

The DRONE shall be stored in a hard case and placed in the police cruiser in a secure location. When not in use, the sUAS will be stored and charged in the Sergeant's Office. The sUAS shall not be left in an unsecured cruiser for an extended period or during extreme cold or heat. Officers shall complete an inspection of the sUAS while conducting their daily cruiser inspection. The remote pilot in command of the sUAS is required to report an accident to the FAA within 10 days if it results in at least serious injury to any person or any loss of consciousness, or if it causes damage to a property (other than the sUAS or drone) in excess of \$500 to repair or replace the property (whichever is lower).