



# Newport News Police Department - Operational Manual

## OPS-615 – UNMANNED AIRCRAFT SYSTEMS

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### I. GENERAL

A. Use of unmanned aircraft by the Department will be done within the limits and guidelines set by the Federal Aviation Administration, federal and state legal requirements, and individual statutory and constitutional rights. (See also: Virginia Code §§ 15.2-926.3, 18.2-121.3, 18.2-324.2, and 19.1-60.1). [4.1.1.3(b)]

B. The Police Department's unmanned aircraft, and all digital media or data captured, are the property of the City of Newport News. Unmanned aircraft deployment will be mission specific and will not be used for personal purposes.

NOTE: This shall not prevent sUAS from being utilized for personnel training or community education purposes.

### II. DEFINITIONS

A. *Certificate of Authorization or Waiver (COA)*: An authorization issued by the Air Traffic Organization to a public operator for a specific unmanned aerial activity.

B. *Unmanned Aircraft System (UAS)*: A system that includes the necessary equipment, network and personnel to control an unmanned aircraft.

C. *Small UAS (sUAS)*: A UAS utilizing a UA weighing less than 55 pounds, and which is consistent with Federal Aviation Administration (FAA) regulations governing model aircraft.

### III. PROCEDURE

A. Deployment Request [41.1.3(a); 41.2.5(f,g); 46.2.5; 46.2.7]

1. sUAS may be used to provide support in the following situations:

- a. Search and rescue (e.g. Amber, Senior, and Blue alerts, and other rescue operations);
- b. Evaluation of hazardous environments (e.g. wildfire assessment, flood state assessment);
- c. Conducting crash scene imagery;
- d. To support the Commonwealth for purposes other than law enforcement (e.g. damage assessment; traffic assessment);
- e. If a person with legal authority consents to sUAS deployment in a warrantless search situation (section III.A.5);
- f. Other circumstances as approved by the Chief of Police, or his designee.

## 2. Internal Request

If the on-duty supervisor determines that sUAS support is needed, the Emergency Communications Center will be notified of the nature of the situation and the location. The Emergency Communications Center will:

- a. Advise a Special Operations Section supervisor of the request.
- b. Upon activation of the sUAS by the sUAS supervisor, notify a minimum of one pilot, one observer, and one radio operator.

## 3. External Requests

External requests for sUAS support and/or demonstrations will be made to the Chief of Police, or his designee, and will be considered on a case-by-case basis given the criteria.

## 4. The sUAS commander, or the pilot, have the discretion to deny a support/demonstration request if it is determined that conditions are not safe to operate the sUAS.

- a. Operations at night will only take place if there is adequate illumination, or under FAA authorized conditions.
- b. Other existing air traffic in the same area is considered

## 5. Where there are specific and articulable grounds to believe that deployment of the UA will collect evidence of criminal misconduct and/or the sUAS will be used in a manner that may infringe reasonable expectations of privacy, a search warrant will be obtained prior to the flight taking place, unless permissions are obtained by legal owners/occupants of the properties above which the flight takes place.

## B. Image Collection/Control

### 1. Digital Data Captured

[83.2.2(a,c)]

- a. sUAS members will ensure the sUAS video surveillance system records under the criteria of §19.2-60.1 of the Code of Virginia.
- b. All digital data will be uploaded and stored in Evidence.com. Any video will be labelled as set out in ADM-570 "Body Worn Cameras".

### 2. Captured video data from the sUAS will be no less than the requirements set out in the Virginia Records Retention Act.

### 3. Recordings relating to law enforcement incidents where criminal charges are files are considered part of the case file associated with the case.

### 4. When sUAS video files are to be held for court and/or evidentiary purposes, the operator will:

- a. Include that information in the Evidence.com submission; and
- b. Denote in the "Narrative" portion of the associated IBR report that a sUAS video was recorded.

5. Requests for Data Copies

[82.1.1(c)]

- a. Any request for existing sUAS digital data will be made to the sUAS Commander, or his designee.
- b. External requests for sUAS digital data will be made according to department approved protocol for the release of information, and in compliance with state law governing Freedom of Information Act (FOIA) requests. (See also: Procedure for video file release from body-worn cameras, ADM-570)

NOTE: All digital data files held as evidence will only be released with the written approval of the Commonwealth's Attorney's Office.

This shall not affect the release recordings pursuant to court order or subpoena.

- c. Release of digital data information to the general public will be subject to the parameters for release as defined in ADM-160 "Privacy/Dissemination of Information".

C. Notifications

1. The sUAS Commander, or his designee, will notify Emergency Communications for all deployment of the sUAS, to include training and community demonstrations.
2. The sUAS Commander, or his designee, will ensure the PIO is aware of sUAS use for non-criminal justice reasons (i.e. search and rescue, public events) for purposes of public release.

[54.1.1(b)]

V. sUAS TEAM

A. Documentation – In addition to any other documentation required

1. The Department must obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration (FAA) prior to deploying or operating the sUAS.
  - a. The sUAS Commander, or his designee, will ensure documentation is kept current and on file.
  - b. All documentation will be provided upon request.
  - c. A list of current sUAS team members will be posted to the Common drive and provided to the Emergency Communications Division.
2. Deployment
  - a. Pre-flight requirements - Before the sUAS is deployed all pre-flight requirements will be met to include development of a flight plan, securing of any application authorization(s), and a pre-flight equipment inspection.
  - b. The sUAS Commander, or his designee, will ensure that all applicable files related to SUAS deployments are maintained in Special Operations.

3. The sUAS will be properly maintained by the sUAS team members. Any damage to the sUAS or its support equipment, or any property damaged as a result of the deployment of a sUAS will be reported to the sUAS Commander, or his designee, immediately. Damage determined to have been caused by misconduct will be handled per policy (see ADM-270 Administrative/Internal Investigations). [41.1.3(c)]

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Chief of Police