

---

# Unmanned Aerial System (UAS) Operations Procedure

## 615.1 PURPOSE AND SCOPE

This procedure concerns procedures for the operation of the Union City Police Department UAS program. Safety is the primary concern in each and every mission, regardless of its nature.

### 615.1.1 DEFINITIONS

**Certificate of Authorization (COA):** Authorization by the Federal Aviation Administration (FAA) which grants permission to operate a UAS within specific boundaries and perimeters. Missions cannot take place without a valid Jurisdictional COA and/or Blanket ("Broad Area") COA.

**Remote Pilot in Charge ("RPIC" or simply "pilot"):** A member of the UCPD who is certified as a pilot and exercises control over a UAS during flight. The pilot will be ultimately responsible for the operation of the UAS during any mission. Pilots are authorized to evaluate and accept or decline any mission or portion thereof due to safety, privacy or policy concerns.

**Visual Observer ("VO"):** The VO is responsible for the visual observation of the UAS while in flight. The observer will maintain a visual observation of the UAS while in flight, will maintain situational awareness of conditions in the air and on the ground, and will alert the pilot of any conditions which may affect the safety of flight. The VO will also be responsible for all aviation-related communication required by the FAA as directed by the RPIC.

## 615.2 UAS TEAM COMPOSITION

The initial UCPD UAS team will consist of the following personnel:

Six (6) RPICs (UAS Pilots). All RPICs are responsible for flying missions, attending regular training, flight documentation, and equipment maintenance, among other responsibilities. The pilot will be certified in the operation of the UAS by the successful completion of an approved training course. Within three months of joining the UAS program, the pilot should pass the 14 CFR 107 ("Part 107") test administered by the FAA. Ideally, UAS pilots will be made up of personnel assigned to the Field Operations Division.

One (1) of the six pilots should be a sergeant who will function as the UAS Program supervisor. In addition to the above responsibilities, the sergeant will have supervisory oversight of the unit and will ensure that the day to day administrative tasks of the unit are being handled. If no sergeant is on the team, the UAS team manager may select one of the pilots to act as the unit supervisor.

One (1) lieutenant will oversee the administrative operations of the UAS unit. The lieutenant will report to the Field Operations Captain regarding unit status and recommendations. The lieutenant will also act as a liaison between the UCPD UAS team and outside agencies such as Alameda County Sheriff Office (ACSO), Fremont Police Department (FPD), Fremont Fire Department (FFD), the FAA and state emergency management officials.

# Union City Police Department

## UCPD Procedures Manual

### *Unmanned Aerial System (UAS) Operations Procedure*

---

The number of personnel assigned to the team and their responsibilities may be adjusted based on the needs of the agency.

Assignment to the UAS Program will be considered an ancillary duty under the Field Operations Division.

#### **615.3 USE OF UAS**

The UCPD UAS program will follow all local, state and federal laws regulating the use of these devices and will adhere to the constitutional provisions related to privacy and freedom of speech.

The Watch Commander may request a UAS deployment under the following circumstances:

- (a) Exigent public safety and life preservation missions to include barricaded suspects, hostage situations, active shooters, apprehension of armed and dangerous and/or violent fleeing suspects, and high-risk building entries or searches;
- (b) To locate missing persons;
- (c) Disaster response and recovery to include natural or human caused disasters, including a full overview of the disaster area for post-incident analysis and documentation;
- (d) To evaluate suspected explosive devices;
- (e) In response to hazardous material spills;
- (f) Post-incident crime scene preservation and documentation;
- (g) Pursuant to a search warrant; when there is probable cause to believe that the UAS will record images of a place, thing, condition, or event, and that those images would be relevant in proving that a certain felony had occurred or is occurring, or that a particular person committed or is committing a certain felony, and use of the UAS does not infringe upon the reasonable expectation of privacy;
- (h) Authorized training missions or public demonstrations.
- (i) In other situations, as authorized by a supervisor and in accordance with policy/procedure.

Any member of the UAS Program may refuse or cancel a mission based on legal, policy or safety considerations.

It is anticipated that UAS missions may be flown outside of Union City to support UCPD or allied agency operations, so long as those missions are approved by a UCPD supervisor and flown in accordance with UCPD policy/procedure. It is anticipated that memorandums of understanding (MOU) will be drafted at a future date to memorialize how local UAS units may be activated for mutual aid response and/or integrated with UAS units from allied agencies.

# Union City Police Department

## UCPD Procedures Manual

### *Unmanned Aerial System (UAS) Operations Procedure*

---

#### **615.4 PROCEDURE**

- (a) The Watch Commander should approve the use of the UAS in advance. Under exigent circumstances, an RPIC may deploy the UAS in accordance with this procedure, but will inform the Watch Commander of such a deployment as soon as possible.
- (b) Following a UAS operation, the UAS operator will make any data recorded by the UAS available to the case agent:
  - 1. The UCPD pilot will copy the recorded images and/or data to the designated storage medium (such as the VIEVU server);
  - 2. After the transfer, the RPIC will review any images and/or data to ensure it was copied completely.
  - 3. The case agent should review and evaluate the images and/or data for evidentiary value:
    - (a) Video determined to be of evidentiary value will be marked as "evidence" by the case agent.
    - (b) Video determined not to be of evidentiary value will be marked as "routine" and will remain on the server until purged in compliance with the City's records retention schedule.

#### **615.4.1 DEPLOYMENT PROTOCOL**

The Watch Commander may authorize available on-duty Union City UAS pilot(s) and at least one observer to deploy under the circumstances outlined in the UAS policy/procedure.

If Union City UAS pilots are NOT on-duty or available, the Watch Commander should request a UAS from outside agencies in the following order:

- 1. Fremont Police Department
- 2. Alameda County Sheriff Office
- 3. Fremont Fire Department

If NO outside agency UAS pilots are available to assist and the need for a UAS persists, the Watch Commander should contact the UAS program manager by phone to assess the need for a Union City UAS team call-out.

#### **615.5 CERTIFICATES OF AUTHORIZATION**

The Union City Police Department has obtained both Blanket (aka "Broad Area") and Jurisdictional Certificates of Authorization (COA) from the Federal Aviation Administration (FAA). These authorizations allow government and commercial UAS pilots to operate in a limited amount of federally controlled airspace. COAs need to be renewed every two years.

All UAS operations that take place under the auspices of a COA will strictly adhere to the guidelines described in that COA.

# Union City Police Department

## UCPD Procedures Manual

### *Unmanned Aerial System (UAS) Operations Procedure*

---

#### **615.6 EQUIPMENT AND CAPABILITIES**

Equipment maintenance - Equipment should be maintained by UAS pilots in accordance with manufacturer recommendations. Any damaged equipment shall be reported by memorandum as soon as practical, via the chain of command. Common maintenance may include replacement of battery or rotor components. DJI performs repairs for any damage caused to their UAS for an agreed upon fee. Due to the rapidly evolving nature of this technology, the UAS manager should budget for possible replacement of equipment every three to four years.

The UAS equipment purchased has the following capabilities:

- (a) Can take off and land via pilot input, can automatically return to the pilot when the battery is low or communication between the pilot and UAS is severed;
- (b) Will warn the pilot when approaching restricted airspace or altitude maximums;
- (c) Will passively avoid collisions and warn the pilot of other aircraft or hazards in the area;
- (d) Can monitor and assess areas that are potentially dangerous;
- (e) Can enter atmospheres that would be hazardous to personnel;
- (f) Can provide high definition video/pictures and thermal imaging;
- (g) Carry an external load such as a floatation device, radios, etc.

All UAS equipment will be stored in the Police Administration Building (PAB) in a location to be determined, unless it has been deployed into the field by an on-duty UAS pilot.

#### **615.7 TRAINING CONSIDERATIONS**

The FAA requires Part 107 pilots to minimally conduct three daytime take-offs and landings, and three nighttime take-offs and landings every 90 days. Compliance with this minimum standard can be achieved in less than an hour.

It is anticipated that the UCPD UAS pilots will train during downtime on their regular work days. However, UAS pilots should also plan to participate in our own in-house training, including cross-training with other special units and other local UAS programs.

#### **615.8 RETENTION OF UAS DATA**

- (a) Data collected by the UAS and determined to be of evidentiary value shall be retained as provided in the established City records retention schedule, or retained as evidence of a crime.
- (b) Unauthorized use, duplication, and/or distribution of UAS camera system files are prohibited. Personnel shall not make copies of any UAS camera system file for their personal use and are prohibited from using a recording device such as a personal camera or any secondary video camera to capture UAS camera system files. All recorded media, images, and audio are property of the Union City Police Department and shall not be copied, released or disseminated in any form or manner outside the parameters of established policy, procedure, or laws.

# Union City Police Department

## UCPD Procedures Manual

### *Unmanned Aerial System (UAS) Operations Procedure*

---

- (c) Departmental request for a UAS camera system file, including requests from the District Attorney's Office or City Attorney's Office, should follow the same procedures in place for requesting other evidentiary items.
- (d) Non-Departmental Request:
  - 1. All other requests for a UAS camera system file will be accepted and processed in accordance with federal, state, and local laws and departmental policy (discovery, media inquiries, subpoenas, Public Records Act requests, etc.).
  - 2. When practical, personnel will be advised prior to any release of UAS camera system files under the California Public Records Act (CPRA).
- (e) Copying Procedures:
  - 1. A copy of the UAS camera system file can be requested in accordance with the provisions of this policy;
  - 2. Property Technicians will be responsible for handling evidence requests for DVD copies and online sharing of files from the UAS camera system for court and other approved requests by the Chief of Police or his/her designee.
- (f) A UAS camera system file may be utilized as a training tool for individuals, specific units, and the department as a whole. A recommendation to utilize a UAS camera system file for such purpose may come from any source as outlined below:
  - 1. A person recommending utilization of a UAS camera system file for training purposes shall submit the recommendation through the chain of command to the Patrol Operations Captain or designee;
  - 2. If an involved officer or employee objects to the showing of a recording, his/her objection will be submitted to staff to determine if the employee's objections outweigh the training value. The Field Operations Captain or designee shall review the recommendation and determine how best to utilize the UAS camera system file considering the identity of the person(s) involved, sensitivity of the incident, and the benefit of utilizing the file versus other means (e.g. departmental policy, Training Bulletin, Officer Safety Bulletin, briefing or other training).

#### **615.9 REVISIONS**

Revised: June 21, 2019

Revised: December 12, 2022