

HONOLULU POLICE DEPARTMENT
POLICY
ORGANIZATION, MANAGEMENT, AND ADMINISTRATION

May 19, 2021

Policy Number 2.73

SMALL UNMANNED AIRCRAFT SYSTEM (sUAS)

POLICY

The Honolulu Police Department (HPD) uses sUASs to efficiently provide a broad view of vast areas for operations that can benefit from such information and to use that perspective to enhance police and public safety. Every departmental sUAS shall be used in accordance with state and federal laws, and Federal Aviation Administration (FAA) regulations.

PROCEDURES

I. **DEFINITIONS**

- A. **Above ground level (AGL)**: The altitude expressed in the actual number of feet measured above the ground. The maximum altitude permitted by the FAA for an sUAS is 400 feet AGL.
- B. **Air traffic control (ATC)**: A service provided by ground-based air traffic controllers who direct aircrafts on the ground and through controlled airspace and can provide advisory services to aircrafts in non-controlled airspace.
- C. **Categorizing**: Classifying sUAS recordings by type of event or incident (e.g. felony, misdemeanor, or non-evidentiary).

- D. Certification of authorization (COA): Authorization issued by the FAA that grants approval to fly a specified aircraft, for a specified purpose, within a specified area. Except for training and practice flights, use of an sUAS requires a valid COA. A copy of the COA, including the special limitations, shall be readily available at each sUAS operation location. The HPD falls under a jurisdictional COA that covers the entire island of Oahu and up to three nautical miles offshore.
- E. Common traffic advisory frequency (CTAF): The designation given to the radio frequency used for air-to-air communication.
- F. Deployment: Active sUAS flight operations excluding training and practice.
- G. FAA: An agency of the United States Department of Transportation which has the authority to regulate and oversee all aspects of civil aviation in the United States.
- H. FAA Regulations Part 107 (FAA Part 107): Federal rules governing non-hobbyist, small unmanned aircraft operations to include public safety operations. The rules cover commercial and government uses for drones weighing less than 55 pounds with a maximum ground speed of 100 miles per hour (MPH).
- I. Flight log: A document for an sUAS operation that contains the mission summary (e.g., specifics of the request, performance, abnormalities, date and time, etc.), identifies the operator, observer, and the total time that the aircraft was in flight.
- J. Labeling: The attaching of identifying information of the police incident to an sUAS recording (e.g., police report number and incident date).

- K. Remote pilot in command (RPIC): The person certified as being responsible for operating an sUAS. The RPIC shall have an sUAS operator certification readily available whenever operating an sUAS.
- L. sUAS: A system that supports the operation and is inclusive of an unmanned aircraft permitted for government use as defined in FAA regulations.
- M. sUAS team: The group consisting of sworn officers, an FAA Part 107 certified RPIC, and a Visual Observer (VO) that is predetermined as a team and is responsible for sUAS operations.
- N. Temporary flight restriction (TFR): A regulatory action that temporarily restricts certain aircrafts to operate within a defined area because doing so may endanger any persons or damage property in the air or on the ground.
- O. Visual flight rules (VFR): A set of rules by which a pilot operates an aircraft in generally clear weather conditions that allow the pilot to see where the aircraft is going.
- P. Visual Line of Sight (VLOS): Establishing and maintaining, with unaided vision except for corrective lenses, a direct and unobstructed sight of an sUAS in flight to determine position, environment, safety, and other factors as required by FAA regulations.
- Q. VO: A crew member for a flight mission who supports the RPIC as a second set of eyes to monitor an sUAS in flight.

II. sUAS DEPLOYMENT

Type of operations for which an sUAS can be deployed include:

- A. Search and rescue;
- B. Crowd management;
- C. Crime scene mapping;
- D. Major vehicle collision investigation (reconstruction and mapping);
- E. Disaster response;
- F. Topographical mapping (e.g., emergency preparedness, disaster preparedness, and event planning);
- G. Assessment and detection of chemical, biological, radiological, nuclear, and explosive (CBRNE) incidents;
- H. Situational assessment for high-risk operations (e.g., barricade/hostage situations, active threats, force protection, complex coordinated terrorist attacks, etc.); and
- I. Other situations authorized by the Chief of Police or designee.

III. RESTRICTIONS

- A. Only departmental sUASs shall be used.
- B. No personnel shall operate any component of an sUAS without having successfully completed departmental sUAS training. Only those currently authorized to operate an sUAS shall do so.
- C. No component of an sUAS shall be used for random surveillance or nondepartmental purposes.

IV. PRIVACY

There are privacy considerations for sUAS operations. The sUAS team shall adhere to all state and federal laws, departmental policies, and regulations concerning privacy.

Additionally, sUAS teams shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy.

V. ELEMENTS WITH AN sUAS

The Major Events Division (MED), Specialized Services Division (SSD), Traffic Division (TRF), Criminal Investigation Division (CID), and Narcotics/Vice Division (NVD) have department-authorized sUASs for which they are responsible. Each of these elements shall have its Manual of Operations (MOP), details that ensure their respective sUAS and all related responsibilities are compliant with state and federal laws, departmental directives, and FAA regulations.

VI. SAFETY AND PROPER OPERATION

Safety responsibilities of the sUAS team include the following:

- A. The RPIC shall halt any sUAS operation that may impact the safety of ground or airborne personnel or any property involved;
- B. The RPIC must maintain communication with the scene supervisor and air traffic control towers operating in the area. A VO who is working in close proximity to the RPIC may be assigned this responsibility;
- C. An assigned VO must maintain a VLOS of the sUAS and communication with the RPIC;
- D. Use of multiple VOs is prohibited unless otherwise authorized by a special provision;

- E. Operation of an sUAS is restricted to a certified RPIC. However, a VO may operate an sUAS in an emergency under the direction of the RPIC in accordance with FAA regulations; and
- F. Overall safety of an sUAS operation is the responsibility of the attending RPIC.

VII. USE AND REQUEST

- A. Requests and/or deployment of an sUAS shall not conflict with policies or procedures established for a particular type of operation or situation.
- B. sUAS deployment requests to the divisions below and for the purposes noted for each shall be made by the scene supervisor via the Communications Division. Use of an sUAS by any of the divisions below must be authorized by that division's commander or designee:
 - 1. The MED for situations such as search and rescue, crowd management, disaster response, CBRNE, etc.;
 - 2. The SSD for situations such as barricade and hostage incidents, active threats, etc.;
 - 3. The TRF for situations such as major vehicle collision scenes or investigations, etc.;
 - 4. The CID for situations such as crime scene mapping for major crime scenes and missing persons, etc.;
 - 5. The NVD for situations such as aerial situational awareness for narcotics/vice operations, etc.;
 - 6. Any of the above elements for training, pre-incident planning and/or special requests; and

7. Other situations authorized by the Chief of Police or designee.
- C. Upon arrival, the RPIC shall assess the situation or sUAS application for the following:
 1. Safety of the sUAS operation;
 2. Appropriate number of sUAS personnel required;
 3. Airspace classification, TFR, and Notice to Airman (NOTAM) check;
 4. VFR (current and observed) or predicted future weather conditions;
 5. Incident sUAS needs; and
 6. Adherence to FAA regulations.
 - D. The RPIC shall brief and advise the scene supervisor who shall direct the RPIC as to whether the sUAS operation is to proceed.
 - E. The RPIC shall have direct communication with the situation supervisor on a predetermined secure radio frequency.
 - F. The RPIC shall monitor the CTAF and ATC with a designated two-way radio.
 - G. All sUAS operations will be documented with the appropriate labeling and categorization within the Records Management System (RMS). Each sUAS use shall also be documented in the police report.
 - H. The responding RPIC shall make the determination on whether to use an sUAS based on safety and FAA regulations.

VIII. RECORDED IMAGES

- A. Except in situations described in section B below, sUAS recordings shall be retained for thirteen months from the recorded date.
- B. Any sUAS recordings that have evidentiary or exculpatory value for use in a criminal or civil case shall be retained for the period of the applicable statute of limitations or until the final disposition of the case, whichever is shorter.

IX. ORGANIZATION, DUTIES, AND RESPONSIBILITIES

- A. The RPIC shall:
 - 1. Be designated before any sUAS operation is authorized;
 - 2. Be responsible for the overall management of the sUAS operation;
 - 3. Ensure that the sUAS will pose no undue hazard to other people, aircraft, or property in the event of a loss of control of the aircraft; and
 - 4. Ensure that the sUAS operation complies with all applicable regulations of the FAA Part 107.
- B. The VO shall:
 - 1. Maintain effective communication with the RPIC;
 - 2. Coordinate with the RPIC to scan the airspace where the sUAS is operating for any potential collision hazard, safety issues, and other concerns; and
 - 3. Maintain awareness of the position of the sUAS through direct VLOS.

- C. A hard and digital copy of the flight log shall be kept on file for each mission. These files shall be maintained within the element that performed and was responsible for the particular sUAS operation. Specifically, it will be either the MED, SSD, TRF, CID, or NVD.

X. TRAINING

- A. The training for new sUAS personnel shall be provided by sUAS personnel operating under a department-approved training program. The training and qualifications include an sUAS:
 - 1. FAA Part 107 pre-test class;
 - 2. VO Certification; and
 - 3. Operator RPIC Certification.
- B. All HPD personnel involved in the flight operation of an sUAS shall be FAA Part 107 certified. Division commanders shall ensure that their respective sUAS personnel maintain a current FAA certification, maintain sufficient training, and are evaluated in a timely manner.
- C. All sUAS team members shall be required to attend quarterly recall training which shall be announced in advance via a departmental notice.
- D. All training and related documents shall be filed with the Training Division. Refer to Policy 3.33, TRAINING COMMITTEE.

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XI. PROGRAM COORDINATOR

The MED is the department's sUAS coordinator. The MED shall coordinate with each division that has an sUAS to assure sUAS procedures, maintenance, documents, and flight logs are consistent and in compliance with directives and FAA regulations.



SUSAN BALLARD
Chief of Police

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