



NORTH MIAMI POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES



UNMANNED AERIAL VEHICLE 400.21

EFFECTIVE DATE: 07-16-21

APPROVED


Chief of Police

SUPERSEDES: 12-02-20

CFA: 32.03

I. PURPOSE

The purpose of this policy is to establish guidelines and minimum standards for the use and oversight of Unmanned Aerial Vehicles (UAVs), commonly known as “drones,” and the associated storage, retrieval and dissemination of information obtained through the use of an UAV. Implementation of the Unmanned Aircraft System (UAS) will assist law enforcement through increased situational awareness, enhanced officer safety and investigative efforts.

II. POLICY

It is the policy of the North Miami Police Department to utilize UAS to enhance the Department's ability to save lives, search for missing persons, locate fleeing felons, improve officer safety, document crime and collision scenes, or augment lifesaving activities (emergency and disaster response, damage assessments etc.).

The Department's designated UAS operators shall adhere to FAA regulations (Small Unmanned Aircraft Regulations Part 107) and shall not intentionally record or transmit images where a person would have a reasonable expectation of privacy. Use of the Department's UAS shall comply with [FSS 934.50](#).

III. SCOPE

This policy applies to all sworn members.

IV. DEFINITIONS

- A. **Certificate of Authorization (COA):** Federal Aviation Authority's Certificate of Authorization enabling the Department to operate an UAS. This document is available in PowerDMS.
- B. **Unmanned Aircraft System (UAS):** A system that includes the necessary equipment, software, network and personnel to control an unmanned aircraft.
- C. **Unmanned Aerial Vehicle (UAV):** An unmanned aircraft of any type capable of directed flight with the associated support equipment, such as a control station, data links, telemetry, communications and navigation equipment necessary to operate it.
- D. **Digital Multimedia Evidence (DME):** Digital recordings of images, sounds and associated electronic digital data.
- E. **Pilot In Command (PIC):** The PIC is the person directly responsible for the operation of the UAV. The PIC can abort any flight that is deemed to be unsafe due to weather or other circumstances.
- F. **Visual Observer:** Officer responsible for the visual observation of the UAV while in flight.

G. **Language Clarification:**

- Should: Indicates a general or expected action, absent a rational basis for failing to conform.
- Shall or Will: Indicates a mandatory action.

V. PROCEDURES

The UAS will be coordinated and maintained by the Crisis Negotiation Commander, who will be the Drone Detail Commander with oversight by the Special Services Major.

A. **PIC (Operator) Responsibility: CFA 32.03A**

1. The UAS equipment is the responsibility of Department authorized UAS personnel and will be used with reasonable care to ensure proper functioning. Equipment malfunctions will be brought to the attention of the Drone Detail Commander as soon as possible so that an appropriate repair can be made or a replacement can be procured.

2. To be considered for selection as an operator, applicants must be in good standing with the agency.
3. The PIC's primary duty is the safe and effective operation of the agency's UAS in accordance with FAA regulations and agency procedures and to stay current with any changes in regulations.
4. Properly maintaining the UAV for optimum and safe operation.
5. PICs will not, under any circumstances, leave an unauthorized person in charge of the UAV controls.

B. Use Considerations:

1. PICs shall be mindful of privacy rights and, absent a warrant or exigent circumstances, shall not intentionally observe, record or transmit images in any location where a person would have a reasonable expectation of privacy (e.g., inside a residence, fenced yard, enclosed area only visible from an elevated position). **CFA 32.03C**
2. The UAV will be operated only by personnel who have been trained and certified in the operation of the UAS.
3. The UAS trained and certified personnel will inspect and test UAV equipment prior to each flight to verify the proper functioning of all equipment and the airworthiness of the UAV. Prior to any flight, the PIC will conduct an initial survey to ensure environmental conditions are suitable for safe flight and will perform a pre-flight inspection following the approved pre-flight checklist (Attachment B). Prior to any flight, a second officer must be at the PIC's location to offer any assistance and to ensure scene safety. The second officer is not required to be an authorized operator.
4. The PIC will make every reasonable effort to maintain a visual line-of-sight on the UAV.
5. The PIC must yield the right-of-way to other manned or unmanned aircraft, and shall not operate the UAV in a careless or reckless manner.
6. UAS operations may be conducted during daylight and nighttime hours (following approved training) with appropriate approval by the Drone Detail Commander with notification to the on-duty Shift Commander. PICs must be familiar with emergency/contingency procedures including UAV failure, flight termination, diversion, and lost-link procedures.

7. The flight team is responsible for identifying any unsafe conditions at the scene and within the defined incident perimeter. This includes but is not limited to:

- a. The take-off and landing area should be free from obstructions, items on the ground and debris that may interfere with the rotors. This includes creation of a flight line from which other law enforcement officers must remain clear.
- b. The site must utilize a law enforcement officer to minimize civilian traffic or interference during the flight within the flight perimeter.
- c. The flight team will identify trees, bushes, power lines and other potential obstructions and coordinate the pre-flight briefing accordingly.
- d. The flight team should identify cell towers, TV and microwave sources, which may create interference with the flight equipment. The equipment will be tested on the ground to ensure proper communications and operation before flight.
- e. A copy of the current COA must be kept on-site at all times.

8. Flight Operations:

- a. If at any time the PIC and/or the Visual Observer believe there is a potential for air to air conflict, risk of harm to individuals or property, the PIC will immediately land the aircraft.
- b. In the event of lost communications with the aircraft, lost-link procedures will be executed including immediate landing of the UAV.
- c. Launch and Recovery will be Vertical Take Off and Landing only (VTOL).
- d. Prior to take off, the UAV will be calibrated and programmed to allow it to return to its “home” location if the signal is lost from the transmitter.

C. Criteria for Activation: CFA 32.03D

1. Deployment of the UAS for any operation must be authorized by the Drone Detail Commander, or Team Leader designee, with notification to the Special Services Major.
2. The use of the UAS will be permitted:
 - a. When the Department first obtains a search warrant signed by a judge authorizing the use of the UAS; or
 - b. Without a warrant, giving the following circumstances **only**:
 - 1.) If the supervisor at the scene possesses reasonable suspicion

that, under particular circumstances, swift action is needed to prevent imminent danger to life or serious damage to property; to prevent the imminent escape of a suspect or the destruction of evidence; or to achieve other purposes including, but not limited to, facilitating the search for a missing person.

- In all cases where a UAV is deployed under exigent circumstances, the lead officer assigned to the case shall articulate the reasonable suspicion for its use in the applicable written report.

- 2.) To assist the Department with traffic management issues; however, at no time will traffic infraction citations be issued based on images or video captured by a drone.
- 3.) To facilitate the Department's collection of evidence at a crime scene or traffic crash scene.
- 4.) For the assessment of damage due to a natural disaster (such as flooding, etc.) that is the subject of a current state of emergency.
- 5.) To provide the Department with an aerial perspective of a crowd of 50 people or more; however:
 - a.) Prior to any deployment for crowd aerial perspective, the concerned Section Major, or his/her designee, shall seek approval for said use from the Chief of Police, or his/her designee, by completing the UAV Crowd Utilization Form (Attachment C, available in PowerDMS) submitted via the chain of command.
 - b.) If approved, the Chief of Police, or his/her designee, will forward the form to the Special Services Major overseeing the Drone Detail for preservation pursuant to Florida law.

3. The aim of the UAS is to facilitate the following:
 - a. Situational Awareness/Tactical Deployment: To assist decision makers in understanding the nature, scale, and scope of a critical incident, and for planning and coordinating an effective tactical response when the Department possesses reasonable suspicion that, under the particular circumstances, swift action is needed to prevent imminent danger to life and/or property, as well as to prevent the

- imminent escape of a subject, or to prevent the destruction of evidence.
- b. Search and Rescue - To facilitate the search for a missing person, to include AMBER Alerts, Silver Alerts, and other search and rescue missions, including those emanating from natural disasters.
- c. Visual Perspective - To provide an aerial visual perspective to assist officers in providing direction for crowd control (50+ persons) during special events, unusual circumstances, and temporary perimeter security.
- d. Scene Documentation - For the collection of evidence/documentation at crime scenes, traffic crash scenes, or other natural disaster incidents.
- e. For traffic management.
- f. For PIC and Visual Observer training under the limitations and instructions of this policy under Section VI.

4. Regardless of the reason for the activation, during all UAV deployments, PICs and Visual Observers will be cognizant of the personal safety and constitutional rights of the person(s) being observed.

D. Pre-flight Briefing:

- 1. A discussion held by the Incident Commander, PIC and Visual Observer prior to a UAV launch, which will include but not be limited to:
 - a. Review of mission goals and objectives, including handoff procedures.
 - b. Review of current and forecasted weather conditions and weather limitations on the mission.
 - c. Identification of the mission, mission area, legal justification for the flight, issues of concern or limitations, and safety issues, such as battery charge, GPS strength and potential for radio interference.
 - d. Review of the proposed flight path.
 - e. Review of communications procedures between the PIC, Visual Observer, the Incident Commander and any other ground support.

- f. Review of emergency/contingency procedures, including aircraft system failure, flight termination, divert and lost link procedures.
- g. Execution of the pre-flight checklist (Attachment B).

E. Restrictions on UAS Deployment: CFA 32.03F

- 1. The UAS will be deployed and used only to support official law enforcement and public-safety missions.
- 2. The UAS will not be operated in an unsafe manner or in violation of FAA rules.
- 3. The UAS will not be operated when other manned aircraft are operating in the immediate area.
- 4. The UAS will not be operated in contradiction of the manufacturer's specifications or instructions.
- 5. The UAS will not be operated in situations where there may be an increased risk of injury to others in the operational area.
- 6. UAS PICs must ensure weather conditions are suitable for flight pursuant to FAA regulations.
- 7. Where there are specific and articulable grounds to believe that the UAS will collect evidence of criminal wrongdoing and/or if the UAS will be used in a manner that may intrude upon reasonable expectations of privacy, absent exigent circumstances, the Drone Detail Commander will ensure that a search warrant is obtained by the concerned Unit prior to approving the mission.
- 8. The UAS will never be operated to conduct personal business of any kind.

F. Lost Communication Procedure:

- 1. If there is any loss of communication between the Visual Observer and the PIC, the PIC will execute the lost link procedures. Once communication is reestablished, the mission may resume.
- 2. If the PIC and Visual Observer lose site of the UAV, the PIC must initiate and follow lost link procedures as stated in the COA, or immediately terminate the flight.

G. Lost-Link Procedure:

1. In the event of lost communications with the UAV, or any other condition in which the continued flight of the UAV becomes unsafe, the Return to Home (RTH) procedure will be initiated immediately.
2. The RTH function brings the UAV back to the last recorded Home Point. In addition to the above reasons to manually activate the RTH feature, the RTH will automatically be initiated on low battery and failsafe alerts.

H. Documentation:

1. The UAS operator will complete the post-flight inspection and flight logs after each mission.
2. All flights will be documented on a log designed for that purpose. The log will include information relating to each deployment of the UAS to include:
 - a. Date and time;
 - b. Case Number;
 - c. Location of the flight;
 - d. Reason for the flight (case type);
 - e. The name of the Shift Commander approving the deployment; and
 - f. The UAS staff assigned.
3. Following all UAS operations, PICs will generate a supplemental report that will include a summary of the activities covered, actions taken and outcomes from the deployment.
4. The Drone Detail Commander will forward a Drone Usage After Action Report to the Special Services Major within 72 hours of the incident.
5. Pursuant to FAA mandates, the Drone Detail Commander will, at the end of each month, send documentation of all operations associated with the UAS activities, to include “zero flight” reports, to the email listed on the COA and will copy the Special Services Major on said emails.

VI. DATA and STORAGE/RETENTION/RELEASE PROCEDURES

A. PICs may be requested to take Digital Media Evidence (DME) consisting of images and/or video of a crime scene or other location for investigative purposes. All DME will be handled pursuant to Department policies and procedures relevant to the collection and preservation of evidence, and any other relevant Department policy and/or procedure on data and record

retention.

- B. At no time, will any images be recorded without the prior approval of the Drone Detail Commander, or his/her Team Leader designee.
- C. Officers will not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner UAS DME without prior authorization from the Chief of Police, or his/her designee.
- D. Following all deployments where DME is obtained, the following procedures will be followed for the storage and retention of DME files:
 - 1. UAS Images:
 - a. The first photograph taken in the series will depict the following information:
 - 1.) Case Number;
 - 2.) Date/Time;
 - 3.) Location; and
 - 4.) Name/ID number of the PIC taking the photographs.
 - b. After taking the photographs, the PIC will remove the UAV's onboard memory card and will coordinate with a shift supervisor to upload the digital photographs from the memory card to the VERIPIC system, which shall occur before the end of the PIC's shift.
 - c. After transfer from the memory card to the VERIPIC system, the PIC will ensure that the memory card is wiped clean and reinstalled into the UAV.
 - 2. UAS Video:
 - a. Prior to proceeding to the target location, the video will depict the following information:
 - 1.) Case Number;
 - 2.) Date/Time;
 - 3.) Location; and
 - 4.) Name/ID number of the PIC taking the video.
 - b. After the video has been recorded, the PIC will remove the UAV's memory card and will save the video by one of the following methods:
 - 1.) The video will be copied onto a digital video disk (DVD). The DVD

will then be entered into evidence via a Property Receipt.

- 2.) If the digital file's size is substantial, the UAV's memory card itself will be entered into evidence via a Property Receipt.
- c. Regardless of storage method, the PIC will conduct a post-flight inspection and ensure that the UAV is replenished with a clean memory card. If a memory card is not readily available, the PIC will notify the Drone Detail Commander.

3. Data Practices, Retention and Release: **CFA 32.03E**

- a. Any image, video or metadata recorded, or otherwise produced by the UAS equipment is the sole property of the Department. Retention and dissemination of such records shall be handled by NMPD Records personnel in accordance with Florida State Statute Chapter 119.
- b. Any non-intended image or information recorded by the UAS during a flyover to a specified target area shall be redacted prior to the release of any public records pursuant to the Florida Public Records Law.
- c. DME captured by the UAS will be retained by the Department according to the incident's retention schedule as noted in "Attachment A."

VI. TRAINING

- A. All personnel with UAS responsibilities must complete a Department-approved training program to ensure proper use and operation of the UAS, to include: **CFA 32.03B**
 1. A documented 16-hour UAV pilot training course.
 2. Complete three hours of supervised practical flight time, to include take-offs and landings, by a UAS supervisor.
- B. Additional training may be required at periodic intervals to ensure the continued effective operation, calibration and performance of the equipment and to incorporate changes, updates, or other revisions in policy and training.
 1. All additional training will be coordinated through the Drone Detail Commander, or his/her Team Leader designee.

- C. All PICs will be properly trained by the manufacturer or a qualified designated instructor.
- D. PICs will have a current working knowledge of the airspace intended for operations and the ability to obtain a report on weather conditions in the area of operations.
- E. All PICs will be familiar with the COA and this policy and maintain proficiency in their operator and Visual Observer abilities.
- F. Failure to maintain proficiency will result in removal as a UAS PIC.
- G. The UAV will not be flown over persons not directly involved in any Department training.
- H. The UAV will only be flown over sparsely populated areas during Department training.
- I. No video recording will be permitted during UAS training.
- J. A Visual Observer is required for all practice and mission flights of the UAS. Visual Observers will be equally trained and be familiar with the conditions of the COA and this policy and must have a current working knowledge of the airspace intended for operations, specific UAS aerodynamic factors, and the ability to obtain and interpret weather conditions.

Attachment A

RETENTION SCHEDULE BY CATEGORY

- Homicide Investigation/ Capital Felony - 99 years
- Felony - 8 Years
- Misdemeanor Arrest - 5 years
- Canine (K9) Involvement - 5 years
- City Vehicle Crash - 5 years
- Traffic Crash - 1 year
- Departmental - 5 years
- Non-law enforcement - 90 days

Attachment B

UAV (DRONE) Pre-Flight Checklist

- Pre-flight briefing.
- Ensure the drone application's firmware/software is up-to-date.
- Notice to Airmen (NOTAM) notification at (877) 487-6867.
- Check UAV forecast.
- Drone batteries charged.
- Controller charged.
- Check for safe take-off / landing with good line of sight of flight path.
- Notify any spectators.
- Install landing gear.
- Visually inspect the drone.
- Remove the gimbal lock.
- Once in flight, hover briefly to listen for abnormalities.
- Check signal and satellite strength.
- Set the Return to Home (RTH) height.

Other considerations:

- In the event of an emergency/fly-away incident, notify the Opa-Locka Air Traffic Control Tower (ATC) immediately at 305-953-0752.
- COA is on hand and readily available for inspection.
- For crowd perspective operations of 50+ persons, ensure documented approval has been secured from the Chief of Police, or his/her designee.

Attachment C

North Miami Police Department

**UNMANNED AERIAL VEHICLE (a/k/a DRONE)
CROWD PERSPECTIVE UTILIZATION FORM**
50+ Persons Only

Date: _____

Case No.: _____

Requesting Supervisor: _____

Event Type: _____

Event Name: _____

Date of Intended Use: _____

Reason for Use:

Chief of Police's Approval:

Print / Sign

Date