

**MARIN COUNTY SHERIFF'S OFFICE
GENERAL ORDER**

CHAPTER 5 – OPERATIONS
GO- 05-32
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DATE: 6-4-18

SMALL UNMANNED AERIAL SYSTEMS (sUAS) PROGRAM

POLICY

The following procedures are intended to promote the safe, efficient and lawful operation of the Marin County Sheriff's Office small Unmanned Aerial System (sUAS) program. Safety is a primary concern in each and every operation.

It shall be the mission of MCSO personnel who are trained in the use of the sUAS to use this resource to protect the lives and property of citizens and first responders in full compliance with applicable laws and regulations, including but not limited to applicable State and Federal Constitution and Federal Aviation Administration (FAA) regulations.

The use of a sUAS can support first responders in situations which would benefit from an aerial perspective and enable responders to detect dangers that could otherwise not be seen. The sUAS can also be utilized for approved training missions.

The FAA Modernization and Reform Act of 2012 provides for the integration of civil unmanned aircraft systems into national airspace by September 1, 2015.

DEFINITIONS

Small Unmanned Aerial System (sUAS): Consists of a small unmanned aircraft (aerial vehicle) weighing under 55 lbs., the command system, a secure control link, and other related safety support equipment.

Unmanned Aerial Vehicle (UAV): An aerial vehicle that is intended to navigate in the air without an on-board pilot.

UA Flight Crewmember: A pilot, visual observer or other persons assigned duties for a sUAS for the purpose of flight.

Remote Pilot in Command (RPIC): A person exercising control over an unmanned aerial vehicle during flight. The pilot will ultimately be responsible for the operation and solely responsible for the input of commands/piloting during flight. The pilot will be certified in the operation of the sUAS by successful completion of an approved training course. The pilot must meet standards required by the FAA. Pilots are authorized to evaluate and accept or decline any mission or portion thereof due to safety concerns.

Observer: The observer is responsible for the visual observation of the UAV while in-flight. The observer will maintain a visual observation of the UAV while in flight and alert the pilot to any conditions (obstructions, terrain, structures, air traffic, weather, etc.), which affect the safety of flight. The observer will be responsible for all aviation related communications required by the FAA. To accomplish this, the observer will be in close proximity to the pilot to ensure instant relaying of information. The observer will be certified in the operation of the UAV by successful completion of an approved training course.

Certificate of Authorization: Certificate of Authorization (COA) given by the FAA which grants permission to

fly within specific boundaries and perimeters. The MCSO will maintain current COA's consistent with FAA regulations.

Waiver: An applicable waiver will be obtained by the FAA if needed to fly for a planned or emergency mission.

ORDER

MCSO will obtain all applicable waivers and/or COA's from the FAA in order to conduct operational or training missions. Requests for deployment of the sUAS will be made through the MCSO communications center. Approval for the use of the sUAS will be made through the on-duty watch commander. The on-duty watch commander will ensure the Captain of Field Services and the sUAS program coordinator are notified of the call out.

Once a request for the sUAS has been made, the program coordinator or the sergeant of the sUAS team will contact the requesting personnel or agency and obtain information regarding the nature of the request. They will contact the UAV pilot and notify him/her of the mission. The pilot will determine if the UAV can be deployed safely and practically.

Once a mission has been approved the following concerns will be addressed:

1. When the UAV is being flown, operators will focus on the areas necessary to the mission and minimize the inadvertent collection of data about uninvolved persons or places.
2. The use of the sUAS will be limited to the authorized missions described herein.
3. The UAV will not be equipped with any weapons.
4. The authorized missions for the MCSO sUAS Program are:
 - a) Post-incident crime scene preservation and documentation
 - b) Explosive ordnance disposal (EOD) missions
 - c) Response to hazardous materials spills
 - d) Search and Rescue (SAR) missions
 - e) Public safety and life preservation missions, which include, but are not limited to barricaded suspects, hostage situations, active shooters, apprehension of armed and dangerous and/or violent fleeing suspects.
 - f) Disaster response and recovery to include natural or human caused disasters, including a full overview of a disaster area for post incident analysis and documentation
 - g) Authorized training missions
 - h) In response to specific requests from local, state or federal fire authorities for fire response and prevention
 - i) Pursuant to a search warrant or consent

PROCEDURES

All sUAS operations require a Certificate of Authorization (COA) or waiver from the FAA if applicable. If a COA or waiver is not required, either the visual observer or the remote pilot in command (RPIC) must be CFR 14 Part 107 certified.

A UAV will only be operated by personnel who have been trained and certified (CFR 14 Part 107 licensed RPIC) in the operation of the system. All agency personnel with sUAS responsibilities, including command officers, will be provided training in the policies and procedures governing sUAS use.

All flights will be approved in advance by the on-duty watch commander.

The UAV and all related equipment will be available at a secure location as designated by the Sheriff's Office.

All flights will be documented on the mission dispatch form designed for that purpose and all flight time shall be accounted for on the form. The reason for the flight and type of mission as specified above and name of the Lieutenant approving the operation will also be documented.

Prior to each UAV flight, a Notice to Airmen (NOTAM) will be filed with the FAA.

The administration, safety policy, training requirements, general operating procedures and pre/post flight actions are contained within the MCSO sUAS Operations Manual.

DATA RETENTION AND PROCESSING

Upon completion of each sUAS mission the recorded data shall be reviewed and evaluated for evidentiary value. All retained data shall be uploaded to Evidence.com and retained in accordance with the guidelines of Marin County Sheriff's Office General Order GO-05-26: Body Worn Cameras.

Pursuant to Government Code section 6254 (California Public Records Act-), the Sheriff's Department considers all sUAS data that is gathered during the course of an investigation to be a "law enforcement investigatory file" and exempt from disclosure under the CPRA.

PROTECTION OF RIGHTS AND PRIVACY CONCERNS

All sUAS commanders, pilots and observers will consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the sUAS. Each sUAS pilot and observer will ensure that operations of the sUAS are consistent with local, state, and federal law.

RELATED STANDARDS

Penal Code Section 633
FAA CFR 14 Part 107
Government Code 6254
GO-05-26

AFFECTED DIVISIONS:

All

REVISIONS

None

By order of:


ROBERT T. DOYLE
SHERIFF-CORONER