



# CITY OF MARICOPA POLICE DEPARTMENT

Operations

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Steve Stahl, *Chief of Police*

07/05/2017

Unmanned Aerial System (UAS)

## 1. PURPOSE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

## 2. POLICY

- Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations, and A.R.S. § 13-3729 and all Maricopa Police Department (MPD) policies.

## 3. PRIVACY

- The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

## 4. DEFINITIONS

- Refer to the [MPD Air Support Unit Operations Manual](#).

## 5. PROCEDURES

- The Chief of Police will appoint a program manager who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:
  - Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
  - Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require authorization from the incident commander or watch supervisor.
  - Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
  - Implementing a system for public notification of UAS deployment.
  - Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of



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visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.

- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

## 6. USE OF UAS

- Only authorized pilots who have completed the required training shall be permitted to operate the UAS.
- Use of vision enhancement technology (e.g., thermal and other imaging equipment) is permissible in viewing areas only where there is no protectable privacy interest, or when in compliance with a search warrant or court order, or in an emergency. In all other instances, legal counsel should be consulted.

## 7. PROHIBITED USE

- The UAS video equipment shall not be used:
  - To conduct random surveillance activities.
  - To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
  - To harass, intimidate or discriminate against any individual or group.
  - To conduct personal business of any type.

## 8. RETENTION OF UAS DATA

- Data collected by the UAS shall be retained as provided in the established records retention schedule.