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# Unmanned Aerial System (UAS) Operations

## 616.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines under which unmanned aerial systems (UAS) may be used, and the storage, retrieval and dissemination of images and data captured by such systems.

## 616.2 POLICY

It is the policy of the Oak Lawn Police Department to utilize the UAS to enhance law enforcement operations, while exercising the utmost care to preserve the privacy and civil liberties of the public and adhere to Federal Aviation Administration (FAA) regulations.

## 616.3 PRIVACY

The UAS shall not record or transmit images that could not be lawfully viewed or obtained by law enforcement officers in a helicopter or airplane, or that would be used in violation of established privacy laws specific to law enforcement use of manned aircraft. Among further restrictions that may apply and absent an emergency, no UAS shall transmit or record images of any area where a person would have a reasonable privacy interest (e.g., residence, yard, enclosure area) in a manner that would exceed the capacity of unassisted human vision at a distance of at least 400 feet.

## 616.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the overall management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and current practices. Additional responsibilities include:

- Ensuring that required certificates of operation are kept current.
- Ensuring that all authorized operators have completed current department-approved training in UAS operation, applicable laws and policies.
- Facilitating law enforcement access to images and data captured by the UAS.
- Developing operational protocols, such as, but not limited to, maintenance, pre-deployment information requirements, flight log requirements and after-action documentation.
- Recommending enhancements, especially regarding safety and information security.
- Ensuring that established protocols are followed by monitoring UAS use and providing periodic program reports to the Chief of Police.
- Within 30 days of UAS use, destroying all information gathered by the UAS except when there is reasonable suspicion that the information contains evidence of criminal

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activity or the information is relevant to an ongoing investigation or pending criminal trial (725 ILCS 167/20).

- Prohibiting the disclosure of information gathered by the UAS, except to another government agency, when there is reasonable suspicion that the information contains evidence of criminal activity or the information is relevant to an ongoing investigation or pending criminal trial (725 ILCS 167/20).
- Reporting annually, by April 1, to the Illinois Criminal Justice Information Authority the number of UAS's owned by the Oak Lawn Police Department (725 ILCS 167/35).

### **616.5 USE OF UAS**

The UAS must be operated within the guidelines of the certificate of authorization issued to this department by the FAA. Only authorized operators who have completed the required training in the use and application of the UAS shall be permitted to operate the system.

The UAS, or images and data produced by its use, shall not be used for personal business of any type. Any use of the UAS that is not specifically related to the operation or mission of this department shall require the express authorization of the Chief of Police or the authorized designee.

The Oak Lawn Police Department may not use the UAS to gather information except (725 ILCS 167/15)

- (a) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates there is a risk.
- (b) Pursuant to a search warrant based on probable cause. The warrant must be limited to a period of 45 days, renewable by a judge upon showing good cause for subsequent periods of 45 days.
- (c) Upon reasonable suspicion that under particular circumstances, swift action is needed to prevent imminent harm to life, forestall the imminent escape of a suspect or prevent the destruction of evidence. The use of a UAS under this paragraph is limited to a period of 48 hours. Within 24 hours of UAS initiation under this paragraph, the Chief of Police must report its use, in writing, to the State's Attorney.
- (d) To obtain crime scene and traffic crash scene photography in a geographically confined and time-limited manner. The use of the UAS under this paragraph on private property requires either a search warrant or lawful consent to search.