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***"INTEGRITY...FAIRNESS...SERVICE"***

**ADDENDUM TO SPECIAL ORDER # 2024-02**

**DATE: August 14, 2024**

**TO: All Police Department Personnel. To be Announced at Roll Call and a Copy Posted on the Department's Intranet Site.**

**RE: On-Duty Use of Unmanned Aircraft.**

**EFFECTIVE: Immediately.**

**BACKGROUND:** An Unmanned Aircraft System (UAS) Team is being added to the Support Operations Division (SOD) to introduce unmanned aircraft to the Department. Unmanned aircraft will be used to provide increased situational awareness, enhance officer safety, and act as a force multiplier. They will be used to complete tasks such as crash and crime scene documentation, as support at Tactical Unit deployments, and for other uses authorized by a commander assigned to the SOD. The Department's unmanned aircraft shall be used in a safe, responsible, and transparent manner to increase the safety and security of those who live, work, and visit Baltimore County.

The UAS Team will operate its aircraft in coordination with law enforcement officers and/or first responders conducting specific missions and will be guided by the rules issued by the Federal Aviation Administration (FAA) and any applicable state or local regulations. These measures will ensure the privacy rights of all persons are protected and minimize any risks to people, property, or other aircraft. It is the Department's belief that no mission is so critical that unacceptable risks should be taken by deviating from safety policies, Department procedures, training standards, or by ignoring the prudent judgement of an aircrew. Further, no mission is so critical that unethical or legally questionable tactics are permitted. The UAS Team will be available for scheduled events and on an emergency basis for responses to support law enforcement officers and/or first responders engaged in operations.

The UAS Team will augment the services provided by the Aviation Team. When requesting aviation support, members should not assume what type of aircraft is more or less suited to the incident they are handling. The helicopters of the Aviation Team and the unmanned aircraft assigned to the SOD both have their advantages and limitations. When aviation support is requested, members must be aware that they cannot specifically request the deployment of an UAS to an incident. The Aviation Team member, Aviation Team's chain of command, and/or the commanders assigned to the SOD will determine the best aircraft suited for the specific incident based upon its unique circumstances. If aviation support is sent, it may include only helicopters, only unmanned aircraft, or a mixture of helicopters and unmanned aircraft.

The UAS Team is comprised of members who are permanently assigned to the Team and members who are assigned to other commands, but volunteer to participate in an ad hoc capacity. The Commander of the SOD will determine which commands and assignments within the Department are eligible to volunteer to be members of the Team. UAS Team members will be trained based upon the aircraft they fly and the environments where those aircraft are flown.

**PURPOSE:** To establish procedures for the Department's UAS Team and establish policies addressing Department members' use of UAS while on-duty.

## **ADDENDUM TO SPECIAL ORDER #2024-02 (Continuation)**

**RELATIONSHIP TO DEPARTMENTAL VALUES:** This Order demonstrates the Department's value of **SERVICE** by introducing policy and procedures within the Department that authorize the use of unmanned aircraft systems to assist members in carrying out their law enforcement duties.

**POLICY:** Department members will comply with the following procedures addressing the on-duty use of unmanned aircraft.

### **PROCEDURES:**

#### **GENERAL**

- Unmanned aircraft systems shall be used in a safe, responsible, and transparent manner consistent with the rules issued by the Federal Aviation Administration (FAA) and any applicable federal, state, or local regulations.  
**NOTE:** These measures will ensure the privacy rights of all persons are protected and minimize any risks to people, property, or other aircraft.
- Only the UAS Coordinator, Aviation Team Supervisor, or a commander assigned to the SOD may:
  1. Approve deployment of an UAS to provide support to another agency; or
  2. Contact another agency to request UAS support for an incident being handled by the Department.

#### **AUTHORIZED USES OF UNMANNED AIRCRAFT SYSTEMS**

- In support of Tactical Unit deployments;
- Crash scene documentation;
- Crime scene documentation;
- Production of photographs and videos for public relations and training support purposes; and
- Other uses authorized by a commander assigned to the SOD.

**NOTE:** The use of unmanned aircraft is also permitted for training purposes.

#### **PROHIBITED USES OF UNMANNED AIRCRAFT SYSTEMS**

- Activities that do not have a legitimate law enforcement or public safety justification;
- Targeting, harassing, intimidating, or discriminating against any individual or group based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender, or sexual orientation, or absent a legitimate law enforcement purpose;
- Conducting personal business of any type;
- As a weapon or weapon delivery system;
- Integrated to use with facial recognition or biometrics technology;
- Knowingly flying directly over people (e.g., Department members, members of the public, etc.) unless they are participating in the operation of the aircraft;

##### **EXCEPTIONS:**

1. Persons located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling UAS;
  2. Members operating an UAS indoors as part of a tactical deployment may knowingly fly directly over a person, when required.
- Interfering with constitutionally protected activities; or  
**NOTE:** Unmanned aircraft may only be used to identify persons present at the activity who are suspected of being engaged in illegal activity, or are in need of assistance.
  - Any use that does not conform to:
    1. FAA rules and regulations, including 14 CFR part 107;
    2. Federal, state, or local regulations; or
    3. Other Department policies.

## ADDENDUM TO SPECIAL ORDER #2024-02 (Continuation)

### **MEMBER PROHIBITIONS**

- Using privately-owned unmanned aircraft while on-duty.  
**EXCEPTION:** Those members authorized, in writing, by the Chief of Police to produce photographs and videos for public relations and training support purposes.
- Using an UAS for an activity that is not authorized.  
**NOTE:** See **AUTHORIZED USES OF UNMANNED AIRCRAFT SYSTEMS** above.
- Using an UAS in a manner that is prohibited.  
**NOTE:** See **PROHIBITED USES OF UNMANNED AIRCRAFT SYSTEMS** above.
- Operating an UAS in the public airspace (i.e., outdoors) while on-duty unless they are a member of the UAS Team.  
**EXCEPTION:** Those members authorized, in writing, by the Chief of Police to produce photographs and videos for public relations and training support purposes.
- Operating an UAS while on-duty unless they have been properly trained by the SOD and hold an appropriate FAA certification, when required.  
**EXCEPTION:** Those members authorized, in writing, by the Chief of Police to produce photographs and videos for public relations and training support purposes will not require training by the SOD.
- Modifying a Department-owned UAS unless the modification has been approved by the UAS Coordinator and UAS Maintenance Officer.  
**NOTE:** Any modifications must be done in accordance with regulatory and original equipment manufacturer (OEM) standards.

### **MEMBERS ASSIGNED OUTSIDE OF THE SUPPORT OPERATIONS DIVISION (SOD)**

- Contact the Aviation Team to request air support for an incident.  
**NOTE:** Members must be aware that they cannot specifically request the deployment of an UAS to an incident. The Aviation Team member, Aviation Team's chain of command, and/or the commanders assigned to the SOD will determine the best aircraft suited for the specific incident.
- Direct all requests for UAS support received from other agencies to the UAS Coordinator or the Aviation Team Supervisor for evaluation. If the UAS Coordinator or Aviation Team Supervisor cannot be contacted, a commander assigned to the SOD will be notified.
- Contact the UAS Coordinator or the Aviation Team Supervisor to request UAS support from another agency. If the UAS Coordinator or Aviation Team Supervisor cannot be contacted, a commander assigned to the SOD may be contacted.  
**NOTE:** Members assigned outside of the SOD are prohibited from contacting other agencies directly to request UAS support.

### **MEMBERS ASSIGNED TO THE SUPPORT OPERATIONS DIVISION (SOD)**

- May request an UAS for an incident by contacting a member of the UAS Team or a commander assigned to the SOD.

### **UNMANNED AIRCRAFT SYSTEM (UAS) TEAM**

- Must obtain approval from the UAS Coordinator, Aviation Team Supervisor, or a commander assigned to the SOD prior to every UAS deployment.
- Ensures each UAS crew consists of:
  1. A Remote Pilot in Command; and
  2. At least one other crewmember to perform the duties of a Visual Observer.  
**EXCEPTION:** A Remote Pilot in Command may fly without a Visual Observer if:
    1. Extraordinary circumstances are present and a commander assigned to the SOD has approved the flight; or
    2. The UAS is of a type that is primarily flown indoors as part of a tactical deployment.  
**NOTE:** In all cases, the Remote Pilot in Command has final authority to determine if an UAS can be deployed safely at a scene (e.g., status of the UAS, weather, etc.).
- Ensures non-participating persons (e.g., other Department members, members of the public, etc.) do not interfere with the safe operation of an UAS.

## **ADDENDUM TO SPECIAL ORDER #2024-02 (Continuation)**

- Ensures all recorded video or photographs obtained via an UAS are entered into a departmental digital evidence management system (DEMS).

### **REQUIRED TRAINING**

- Members of the UAS Team are required to complete the following training:
  1. Courses of instruction, currency training, and training flights as specified by the SOD Commander, based upon the type(s) of aircraft they fly and whether they fly in the public airspace or indoors; and
  2. All FAA mandated training and current certification for a Part 107 Remote Pilot, if any portion of their flights are conducted in the public airspace (i.e., outdoors).

### **MEMBERS OF THE UNMANNED AIRCRAFT SYSTEM (UAS) TEAM**

- Shall notify the UAS Coordinator of any personal injury or damage to another person's property caused by a UAS Team aircraft.  
**EXCEPTION:** The Tactical Unit Commander will be notified of any personal injury or damage to another person's property caused by an UAS being operated indoors during a tactical deployment.
- Ensure the UAS Coordinator is advised anytime an UAS is deployed for required reporting.  
**EXCEPTION:** Deployments of UASs that are primarily operated indoors during tactical deployments will be reported to the Tactical Unit Commander.
- Are subject to all FAA rules and regulations.  
**NOTE:** Members may be sanctioned by the FAA based upon their actions and judgements. In no case will a member of the UAS Team fly an aircraft in a manner that they believe is contrary to a FAA rule or regulation.
- Shall conduct all required inspections of UAS equipment.  
**NOTE:** Completion of the required inspections must be documented.

### **UNMANNED AIRCRAFT SYSTEM (UAS) COORDINATOR**

- Coordinates the activities of the UAS Team.
- Reports to the Aviation Team Supervisor.
- Ensures documentation of all UAS Team members' initial and recurrent training is maintained in the Aviation Team training files.  
**EXCEPTION:** UAS Team members who fly a type of aircraft primarily used indoors will have their training documented in the Tactical Unit training files.  
**NOTE:** The Tactical Unit Commander will:
  1. Ensure documentation is completed; and
  2. Provide a copy of the documentation to the UAS Coordinator monthly.
- Completes an annual summary of the Department's UAS Team operations during the previous calendar year.  
**NOTE:** The summary will include at a minimum, a brief description of the types of missions flown and if applicable, the number of times the Department provided UAS support to other agencies.
- Ensures the required reporting is completed anytime a Department-owned UAS primarily used in the public airspace is deployed.  
**NOTE:** This includes training deployments.
- Ensures each month, that members of the UAS Team are completing and documenting the required inspections of the UAS equipment.
- Shall notify the Aviation Team Supervisor of any personal injury or damage to another person's property caused by an UAS Team aircraft.  
**EXCEPTION:** The Tactical Unit Commander will be notified of any personal injury or damage to another person's property caused by an UAS being operated indoors during a tactical deployment.

### **AVIATION TEAM SUPERVISOR**

- Supervises the UAS Coordinator.

## **ADDENDUM TO SPECIAL ORDER #2024-02 (Continuation)**

- Shall notify the Assistant Commander of the Special Operations Section of any personal injury or damage to another person's property caused by an UAS Team aircraft.  
**EXCEPTION:** The Tactical Unit Commander will be notified of any personal injury or damage to another person's property caused by an UAS being operated indoors during a tactical deployment.

### **ASSISTANT COMMANDER OF THE SPECIAL OPERATIONS SECTION**

- Shall notify the Special Operations Section Commander of any personal injury or damage to another person's property caused by a Department-owned UAS brought to their attention.

### **TACTICAL UNIT COMMANDER**

- Provides the UAS Coordinator with a copy of the training documentation maintained in the Tactical Unit Training files for UAS Team members who fly a type of UAS primarily used indoors.  
**NOTE:** This documentation will be provided monthly.
- Ensures the required reporting is completed anytime an UAS primarily used indoors is deployed.  
**NOTES:**
  1. This includes training deployments; and
  2. The Tactical Unit Commander will forward deployment information monthly to the UAS Coordinator for inclusion in the coordinator's annual summary of UAS operations.
- Shall notify the Special Operations Section Commander of any personal injury or damage to another person's property caused by a Department-owned UAS brought to their attention.

### **SPECIAL OPERATIONS SECTION COMMANDER**

- Shall notify the SOD Commander of any personal injury or damage to another person's property caused by a Department-owned UAS brought to their attention.

### **SUPPORT OPERATIONS DIVISION COMMANDER**

- Ensures:
  1. Detailed standard operating procedures (SOPs) are maintained by the Division addressing topics such as the operation of unmanned aircraft, maintenance of unmanned aircraft, training of UAS Team members, oversight of UAS Team operations, etc.; and
  2. That any time an UAS flight is conducted in the public airspace (i.e., outdoors), the Remote Pilot in Command of the aircraft is currently certified under 14 CFR Part 107.
- Determines:
  1. Which commands and assignments within the Department are eligible to volunteer to be members of the UAS Team; and
  2. The courses of instruction, currency training, and training flights required for UAS Team members, based upon the type(s) of aircraft they fly and whether they fly in the public airspace or indoors.

### **CHIEF OF POLICE**

- Provides written authorization for exceptions, as described under **MEMBER PROHIBITIONS**, at their discretion.

**ADDENDUM TO SPECIAL ORDER #2024-02 (Continuation)**

**IMPLEMENTATION:** This Special Order will be distributed electronically to all Department members. Shift/Unit supervisors will be responsible for the referencing of this Special Order.

By order of,

Robert O. McCullough  
*Chief of Police*