

# WINTER HAVEN POLICE DEPARTMENT

## GENERAL ORDER 46.8

### DRONE RESPONSE UNIT (DRU)

**ACCREDITATION STANDARDS: CFA 32.03**

**EFFECTIVE DATE: November 14, 2018**

**RESCINDS: G.O. 46.8, February 21, 2019 and all applicable Amended/Temporary Orders prior to June 18, 2019**

**LAST REVISED DATE: June 18, 2019**

---

#### **CONTENTS**

This General Order contains the following numbered sections:

- I. Organizational Structure
  - II. Assignment Criteria
  - III. Drone Use
  - IV. DRU member Responsibilities
  - V. Visual Observer Responsibilities
  - VI. Images, Data, and Retention
  - VII. Prohibited Use
  - VIII. Definitions
- 

#### **POLICY**

It shall be the policy of the Winter Haven Police Department to maintain and utilize the specialized equipment necessary to carry out the agency's duties and responsibilities, as well as lay out the structure of the Drone Response Unit (DRU) and its responsibilities.

#### **PURPOSE**

The purpose of this General Order is to establish policy, procedures, and responsibilities for the organization, operation, supervision, training, and utilization of the Winter Haven Police Department's Drone Response Unit.

#### **SCOPE**

This General Order shall apply to all Department members.

#### **DISCUSSION**

By equipping selected Department members with approved drone units, it will enable the rapid deployment of an aerial unit that can assist with patrol and investigative operations. This will allow the Department the benefit of having an aerial unit for said operations, and not rely solely on the availability

of such aerial asset from other agencies. This will also positively impact the response time of such an asset to Department operations. The DRU will also be available to assist other agencies upon request.

## **PROCEDURE**

### **I. Organizational Structure:**

- A.** The members assigned to the DRU shall receive training from any training institution approved by the Chief of Police or their designee.
- B.** The DRU training coordinator shall be appointed by the Deputy Chief of Police and report to the Support Services Bureau Commander on drone training and operations. The DRU Training Coordinator shall be licensed as a Commercial Small Unmanned Aircraft Systems pilot through the Federal Aviation Administration (FAA) and must maintain a valid license and be trained on all DRU aircraft deployed by the agency.
- C.** DRU members shall be assigned to Uniform and Investigative Services, and supervised by their immediate bureau supervisor(s) when engaged in normal duty assignments.
- D.** The DRU Training Coordinator shall ensure all members assigned to the DRU shall be in compliance with all applicable FAA guidelines and Florida Statutes governing the use of unmanned aircraft systems.
  - 1.** On scene supervisors and remote pilots also have the duty to ensure compliance with the above guidelines.

### **II. Assignment Criteria**

- A.** Certified Law Enforcement Officer with the Department, with a minimum of (1) one year non-probationary experience as a sworn officer with the Department.
- B.** A review of the candidates personnel file shall be completed to identify performance, discipline or other issues that may have a bearing on assignment/selection.
- C.** Successfully pass an Oral Review Board.
- D.** Successfully complete the required training set forth in this General Order.
- E.** Must successfully complete required certification and recertification as required by the Federal Aviation Administration (FAA).

### **III. Drone Use**

- A.** Requests for air support utilizing DRU drone may be initiated by any member of the agency regardless of rank.
- B.** Decisions as to whether the DRU is used to complete a particular mission shall be based on the following:
  - 1.** In-progress calls where an aerial presence would be beneficial;

2. Search for fleeing criminal suspect(s);
  3. Search and rescue;
  4. ERT support calls including, but not limited to, barricaded suspects;
  5. Active assailant scenarios; and
  6. Acts of terrorism.
- C.** All emergency requests for drone support shall be made via radio communication to the on duty supervisor.
- D.** The deployment of the DRU is at the discretion of a sergeant or above. A line level Remote Pilot in Command does not have the authority to conduct a mission without prior supervisory approval. All training and non-emergency missions must be approved by the Support Services Bureau Commander or designee.
- E.** Remote Pilots in Command shall adhere to all federal, state, and local laws, regulations, statutes, ordinances, and rules related to unmanned aircraft system operations. All flights shall be conducted under Title 14, Code of Federal Regulation Part 107, or under a Certificate of Authorization from the FAA, and in accordance with Section 934.50, F.S.
- F.** Remote Pilots in Command shall not record audio/video. To ensure compliance, no aircraft will deploy with onboard media storage, unless as described in section III. F.
- G.** If a search warrant is required to fly the aircraft, the case agent shall be responsible for preparing the search warrant, ensuring its approval, and obtaining judicial authorization. Photographic and/or video recording can only be taken when authorized by the search warrant for evidentiary purposes.
- H.** **Privacy.** The Fourth Amendment rights of all individuals will be protected and observed at all times. Search warrants shall be obtained in all circumstances in which a person has a reasonable expectation of privacy.
- I.** If at any time a drone malfunctions, or does not operate to the manufacturer specifications, the drone operation will be terminated and the drone will be grounded until all necessary repairs are made.

#### **IV. DRU Member Responsibilities:**

- A.** Members of the DRU shall be responsible for the following:
1. Care and maintenance of drones assigned to them;
  2. Pre-flight inspections:
  3. Ensuring that the drone, including all of its system components, are charged and in mission-ready condition.
  4. Logging personal flight data, aircraft flights data, and maintenance performed.

- B.** In flight, it is the primary responsibility of the Pilot in Command to maintain safety of the flight while providing an aerial platform for observations to be made by the necessary persons involved in the operation. DRU drones shall be used only under acceptable weather and safety conditions so as not to endanger persons, property, or equipment.
- C.** Each time a department drone is deployed by a member of the DRU, that pilot will complete an entry on a Winter Haven Police Department Drone Deployment Log (form number WHPD-415).
  - 1. This includes all deployments related to calls for service, training, demonstrations, and approved events.
  - 2. If a deployment consists of more than one take off, the pilot can complete one log entry for that deployment and note the number of take offs in the appropriate section of the log. In this instance the flight time, flight distance, and flight altitude will be calculated by the pilot from the total number of flights from that deployment.
  - 3. If the deployment has a visual observer (see section V); the visual observer's name, rank, and ID number must be included in the "Flight Comments/Narrative" section of the deployment entry.
  - 4. At the end of each month, the completing member will submit their logs for that month to the DRU Training Coordinator for review and records retention.

**V. Visual Observer Responsibilities:**

- A.** A minimum of one visual observer (VO) will be required for all, non-training, drone operations. The visual observer can be any member of the Winter Haven Police Department that has been briefed and understands, the requirements of visual observer position and the responsibility it entails.
- B.** The VO will aid the pilot by being alert to conditions which could create hazards to flight safety.
- C.** Maintain a visual line of sight (VLOS) and communicate observations to the Remote Pilot in Command (RPIC).
- D.** Alert the Remote Pilot in Command (RPIC) of any manned and/or unmanned aircraft in the area.
- E.** The Visual Observer shall NOT be assigned any duties not related to the direct observation of the drone and communicating the observations with the Remote Pilot in Command (RPIC).

**VI. Images, Data, and Retention:**

- A.** During missions where a search warrant has been obtained that authorizes video recording, the drone's video recording mode will be activated on the drone. The video recording may briefly be paused to take still images as necessary for

documentation. However, the Remote Pilot in Command will endeavor to maintain video recording when not taking still photographs.

- B.** All case related images (video and still) will be turned into Property and Evidence by either the Remote Pilot in Command or by another member of the agency whom the Remote Pilot in Command has transferred the images to for investigative purposes.
- C.** Images (video and still) turned into evidence will be maintained in the same manner as other forms of submitted digital evidence. Images not considered evidence (training flights) will be stored with the DRU Training Coordinator for a period of at least one (1) year.
- D.** Flight data deemed to be of evidentiary value will be archived and turned into Property and Evidence by either the Remote Pilot in Command or by another member of the agency whom the Remote Pilot in Command has transferred the images to for investigative purposes. Flight data that is not deemed to be of evidentiary value (training flights) will be maintained for at least one year by the DRU Training Coordinator.

## **VII. Prohibited Use:**

- A.** Absent a search warrant, the DRU may not use a drone equipped with an imaging device to record an image of privately owned real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property captured in the image in violation of such person's reasonable expectation of privacy without his or her written consent. For purposes of this section, a person is presumed to have a reasonable expectation of privacy on his or her privately owned real property if he or she is not observable by persons located at ground level in a place where they have a legal right to be, regardless of whether he or she is observable from the air with the use of a drone.
- B.** A DRU drone shall not be used:
  - 1. When other manned aircraft are operating in the immediate area. (This does not apply to the Polk County Sheriff's Aviation Unit after specific mission based coordination has been accomplished between the Remote Pilot in Command and the pilot in command of the manned aircraft.)
  - 2. In contradiction to the manufacturer's specifications or instructions.
  - 3. In situations where there may be an increased risk of injury to other in the operational area.
  - 4. To conduct personal business of any type.

## **VIII. Definitions**

- A. *Aviation Administration (FAA)* – A component of the United States Department of Transportation and is responsible for access of the national airspace.
- B. *Certificate of Authorization (COA)* – Given by the Federal Aviation Administration (FAA), which grants permission to fly within specific boundaries, and perimeters (i.e, airports, hospitals, etc.). Training flights within these specific boundaries and perimeters cannot take place without valid training and evaluation (T and E) COA and mission cannot take place without a valid emergency COA.
- C. *Drone Response Unit (DRU)* – An aircraft, either fixed-wing or rotor-wing, which flies in the national airspaces, is controlled by pilots on the ground, and used in a law enforcement mission.
- D. *Emergency Request* - A request which requires the immediate response of a drone and where an unnecessary delay could result in loss of life, loss of property, flight from apprehension, or decay of evidence significant to the investigation.
- E. *Non-Emergency Request* – Those requests for a drone that would permit scheduling of the flight, and an immediate response is not critical to the outcome of the flight.
- F. *Remote Pilot in Command (RPIC)* – A police officer who possesses the appropriate certificates from the Federal Aviation Administration (FAA) and is trained to fly as a Drone Response Unit.
- G. *Visual Observer (VO)* – Any person so designated by the Remote Pilot in Command (RPIC) with the sole responsibility of visually observing the drone and communication with the RPIC for the safety of the drone operation and anyone in the surrounding area.

APPROVED



**Charlie Bird**  
**CHIEF OF POLICE**