



Department of State Police General Order

Effective Date	Number
June 28, 2019	TOP-07A
Subject	
Small Unmanned Aircraft Systems (UAS)	

Policy

To define the operation of small Unmanned Aircraft Systems (UAS) in the National Airspace System (NAS) within the Department of State Police.

To establish guidelines for the utilization and activation of UAS.

To develop, under the direction of the Department UAS Program Manager, unit-specific Standard Operating Procedures (SOPs) that shall be created, maintained and updated, as directed by the UAS Program Manager.

UAS missions shall:

- Not facilitate the use of any weapons and/or dispersal payloads;
- Comply with the United States Constitution, the Massachusetts Declaration of Rights, and all relevant and applicable laws; and
- Comply with all applicable Department Policies and Procedures, Rules and Regulations, and unit-specific SOPs.

Privacy

A UAS shall not be intentionally used for viewing, recording or transmitting images and/or video in a criminal investigation at any location or property where a person has a *reasonable expectation of privacy* unless:

- A warrant or court order has been approved for the search of the property;
- Consent by the owner or person responsible for the property is obtained;
or
- Exigent circumstances exist, including but not limited to: search and rescue missions, tactical missions, crash scenes, crime scenes, fire scenes, hazmat scenes and natural disasters.

Prohibited Uses

Department UAS shall not be used for the following:

- 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; and/or
- To conduct personal business of any type.

Definitions

Small Unmanned Aircraft (UA): A UA weighing less than 55 pounds, including everything that is onboard or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft.

Remote Pilot- in- Command (Remote PIC): A person who holds a remote pilot certificate with a UAS rating and has final authority and responsibility for the operation and safety of a UAS operation conducted under 14 CFR 107.

Visual Observer (VO): A person acting as a flight crew member who assists the small UA remote PIC to see and avoid other air traffic or objects aloft or on the ground.

Remote Pilot Certificate: A person acting as a remote PIC of a UAS in the NAS under 14 CFR 107 must obtain a Remote Pilot Certificate with a UAS rating issued by the Federal Aviation Administration (FAA) prior to UAS operation.

UAS Program Manager: A Department member designated by the Colonel to oversee implementation, management, training, documentation and adherence to current FAA regulations for all Department-owned UAS. The UAS Program Manager shall create unit-specific SOPs and ensure the safe operation of all Department unmanned aerial systems.

Utilization of Resources

Consistent with this policy, applicable laws and unit-specific SOPs, Department authorized UAS may be utilized for missions including, but not limited to, the following:

- Search and rescue for lost, missing, or endangered persons;
- Photographic and video documentation missions;
- Motor vehicle crash investigations / crash scene mapping;
- Criminal investigations and crime scene mapping;
- Tactical response missions (e.g., hostage rescue/barricaded subject);
- Providing an aerial visual perspective to assist officers in providing direction for crowd control, traffic incident management, special circumstances, and temporary perimeter security;
- Fire Services support;
- Homeland Security-related missions; and
- Other special events/incidents as assigned by the Division Commander, Unit Commander and/or UAS Program Manager or designee, consistent with and as permitted by law.

Statistics, Records and Audits

The Department UAS Program Manager shall:

- Ensure that yearly statistics are kept for all UAS missions; and
- Ensure that flight and training records are properly maintained by the appropriate Unit Commander responsible for the use of the unit-specific UAS and forwarded to the UAS Program Manager.

**Licensing,
Certification
and
Registration**

The Department UAS Program Manager shall:

- Ensure that all unit-specific remote pilots hold a Remote Pilot Certificate with a UAS rating issued by the FAA under 14 CFR 107; and
- Ensure that all UAS are registered with the FAA as required by 14 CFR 107.

**Operational
Protocols**

The UAS Program Manager, the appropriate Unit Commander or the Remote PIC may decline, cancel, or terminate any UAS request or mission due to:

- Safety, weather, visibility;
- Type of request is beyond the UAS or member's capability;
- Availability;
- Mechanical maintenance of the UAS;
- Determination that use of UAS is not the appropriate resource after operational risk management or resource assessment is completed; or
- Determination that use of the UAS is in violation of this policy or Massachusetts General Laws.

All UAS missions will be flown in compliance with all current FAA Regulations including but not limited to 14 CFR 107. The Remote PIC has final authority and responsibility for the operation and safety of a UAS operation conducted under 14 CFR 107.

Training

The State Police UAS Program Manager or designee shall:

- Ensure that all training and licensing is compliant with current FAA regulatory requirements including but not limited to 14 CFR 107.

Department members selected to be Remote PICs shall:

- Be properly trained and licensed as required by 14 CFR 107;
- Satisfy and maintain all the conditions of the Certificate of Authorization (COA) issued by the FAA if applicable;
- Have working knowledge of the airspace intended for operations and Air Traffic Control communication requirements; and
- Have the ability to obtain and interpret weather information.

Department members selected to be Visual Observers (VO) shall:

- Be properly trained according to standards set by the UAS Program Manager or designee that comply with FAA current regulatory requirements if any; and
- Satisfy and maintain all the conditions of the COA issued by the FAA if applicable.

**Accident
Notification
and
Investigation:**

In the event of a crash/incident involving fatalities, injuries, property damage, damage to the UAS or UAS fly-away, the Remote PIC shall:

- Report the crash/incident immediately to the appropriate Unit Commander and UAS Program Manager or designee;
- When applicable, notify the FAA in compliance with 14 CFR 107; and
- Complete and submit an incident report to the UAS Program Manager and appropriate Unit Commander.

The UAS Program Manager shall:

- Review all documentation and reports;
- Complete a summary report with conclusions and recommendations; and
- Forward all documentation through channels to the Colonel/Superintendent.

**Mission
Approvals**

UAS mission requests shall be authorized by either:

- The appropriate Unit Commander or designee;
- The UAS Program Manager or designee; or
- The appropriate Division Commander.

Note: The Remote PIC has final authority and responsibility for the operation and safety of a UAS operation conducted under 14 CFR 107.

**Authorized
Equipment**

Only Small UAS approved by the UAS Program Manager shall be authorized for use by members of the Department and/or for Department use.

**Digital Data
preservation**

All digital data including but not limited to photographs, video, and/or flight data shall be processed and maintained according to existing Department policies and preservation of evidence procedures.

References

14 CFR 107
Department Policy and Procedure, *TOP-01 Command and Control*
Department Rules and Regulations

Promulgated By:

