



2-15 SMALL UNMANNED AIRCRAFT SYSTEMS (SUAS) OPERATIONS

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

None

B. Form(s)

Federal Aviation Administration (FAA) Certificate of Authorization (COA)
Federal Aviation Administration (FAA) Notice to Airman (NOTAM)
SUAS Maintenance Log
UAS Mission Checklist

C. Other Resource(s)

14 C.F.R. Part 107 Small Unmanned Aircraft Systems
Federal Aviation Administration (FAA) Pilot Training Standards (PTS)
NMSA 1978, § 30-20-3 Making or Permitting False Public Voucher
ROA 1994, § 2-9-1 Civil Emergencies
SUAS Annual Report

D. Rescinded Special Order(s)

None

2-15-1 Purpose

The purpose of this policy is to establish the requirements for the operation, maintenance, and handling of Small Unmanned Aircraft Systems (SUAS) by Albuquerque Police Department (Department) personnel.

2-15-2 Policy

It is the policy of the Department to use SUAS to enhance public safety in a manner that takes into consideration the privacy rights of individuals as established by the United States Constitution and the New Mexico Constitution, including the Fourth Amendment and applicable federal, state, and local laws. Department personnel shall obtain a warrant anytime it is necessary to do so.

It is also the policy of the Department to operate any SUAS only under the circumstances set forth in this Standard Operating Procedure (SOP). Furthermore, the SUAS shall only be operated by trained and qualified Department personnel and consistent with Federal Aviation Administration (FAA) regulations.



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N/A 2-15-3 **Definitions**

A. Aircraft Operator (AO)

The trained Department personnel who physically operate the SUAS flight controls of the SUAS. The AO operates the flight controls under the direct supervision of the Remote Pilot-In-Command (RPIC)/Drone Operator and shall have completed the required training for the involved SUAS flight system.

B. Drone Program Coordinator (DPC)

A designated member of the Electronic Support Unit (ESU) who is responsible for monitoring Department drone activity and certifications. The DPC is also responsible for managing the Department's training program for SUAS operations.

C. Remote Pilot-In-Command (RPIC)/Drone Operator

A trained sworn officer who is ultimately responsible for the operation of the SUAS and the public's safety during all stages of flight operations, whether physically piloting the SUAS or overseeing another AO. A RPIC/Drone Operator must have completed the Department's drone certification program as well as possess a valid FAA Part 107 certification.

D. Sensor Operator (SO)

A trained sworn officer with the sole responsibility of attaching and operating any designated apparatuses used on the SUAS during a flight; apparatuses can include cameras, forward-looking infrared (FLIR) devices, and thermal devices.

E. Small Unmanned Aircraft System (SUAS)

An unmanned aircraft of any type that is capable of sustaining flight, whether remotely controlled or pre-programmed, with a weight of less than fifty-five (55) pounds. The SUAS is designed for gathering information through photographs or video recordings.

F. Visual Observer (VO)

A Department employee who is continuously responsible for notifying the RPIC/Drone Operator of any ground-based or airborne hazards to the flight. The VO shall be trained on their duties and responsibilities before acting in this role.

2-15-4 **Procedures**

A. General

- 5** 1. A SUAS shall only be deployed by a trained RPIC/Drone Operator.



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4 2. SUAS shall only be deployed with a supervisor's approval in the RPIC/Drone Operator's chain of command.

6 B. Use and Assignment

4 1. The deployment of a SUAS shall be directly supervised by a trained and FAA-licensed RPIC/Drone Operator who has successfully completed all Department training and FAA regulations.

7 2. The RPIC/Drone Operator shall assume sole responsibility for the maintenance and safekeeping of the SUAS once it has been assigned to a specific division/section.

a. If the drone is assigned to the Field Services Bureau (FSB), ESU will monitor maintenance logs for the drones and be responsible for arranging repairs if needed.

3. ESU personnel shall maintain SUAS assignments to divisions/sections to adequately document missions, consistent with FAA regulations.

a. If the drone is assigned to the FSB, ESU personnel shall track to which area command the drone is currently assigned.

4 4. Department personnel shall not operate SUAS in a manner that presents an undue risk to a person or property on the ground or in the air.

5. Department personnel shall not share footage obtained from the SUAS with any federal immigration agency unless ordered by a judge.

6. The Department shall cooperate with all federal, state, and local authorities in response to emergency deployments.

4 C. The use of the SUAS shall be consistent with FAA regulations, the Fourth Amendment of the United States Constitution, and Article II, Section 10 of the New Mexico Constitution. Authorized uses of Department SUAS shall include, but are not limited to:

1. Any use authorized by a warrant;

2. Crime scene documentation and evidence collection;

3. Circumstances where:

a. Probable cause to believe the evidence of a crime will be found in a particular location; and

b. Exigent circumstances exist to justify the aerial search in the location.



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4. Hot pursuits;
5. Circumstances where the SUAS shall be used to observe people and items in plain view from ground level or public navigable airspace in a non-intrusive manner;
6. Open field;
7. Areas open to the public;
8. Conducting community caretaker and emergency assistance functions;
9. Assistance in inspections of critical infrastructure;
10. Service calls where the SUAS can aid by providing an additional measure of officer safety;
11. Search and rescue in an allowable airspace; and
12. Tactical operations.

4 D. Consistent with FAA regulations, unauthorized uses of Department SUAS shall include, but are not limited to:

1. Targeting a person based solely on individual characteristics such as, but not limited to, race, ethnicity, national origin, religion, disability, gender, or sexual orientation;
2. Harassment, intimidation, or discrimination against any individual or group;
3. Photographing or videoing lawful protests, demonstrations, rallies, marches, or other expressions of free speech, unless:
 - a. The event is in a public area and plain view, in which case the SUAS may be used from navigable public airspace to ensure that the safety of the public and the individuals participating in the event by aiding in controlling the direction of traffic around such assemblies;
 - b. The gathering has been provided at least one dispersal order which has been publicly given to the persons involved; or
 - c. Any situation that meets the state statute or City of Albuquerque ordinance definitions of a riot or unlawful assembly occurring beyond the permissive scope of established state and local laws.
4. Conducting any type of personal surveillance of another individual which is unrelated to a legitimate law enforcement purpose; and

1 5. Use of the SUAS as a weapon.



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6 E. RPIC/Drone Operator Procedures

1. When operating the SUAS, the RPIC/Drone Operator shall:

- 4 a. Only operate SUAS for which they are appropriately trained and competent to use;
- 4 b. Conduct all SUAS flights only after a thorough assessment of the risks associated with an activity and complete the UAS Mission Checklist. The risk assessment shall include, but is not limited to:
 - i. Weather conditions relative to the performance capability of the SUAS;
 - ii. Identification of normally anticipated failure modes (e.g., lost link, power failures, loss of control, etc.) and the consequences of such failures;
 - iii. Verification that crewmembers comply with FAA regulations;
 - iv. Compliance with overlying airspace and other aviation regulations, as appropriate for a particular mission; and
 - v. The creation of contingency plans for all anticipated off-nominal events to be shared openly with all appropriate authorities.
- c. Follow all federal, state, and local laws as they relate to the operation of SUAS;
- d. Adhere to the United States Constitution and the New Mexico Constitution, and federal, state, and local laws as they address an individual's right to privacy and the use of SUAS by law enforcement personnel;
- 7 e. Be authorized to refuse any flight request based on current meteorological conditions, the crew's physiological conditions, or for any other reason that the RPIC/Drone Operator believes shall affect the safety of the flight. The RPIC/Drone Operator shall inform the ESU Sergeant should they refuse a flight for any reason;
- f. Before flight and while the SUAS is in flight, is authorized and responsible for making all decisions regarding the use of SUAS, including, but not limited to:
 - i. Direction of the SUAS;
 - ii. Duration of flight time;
 - iii. Capabilities of the SUAS;
 - iv. Maximum load allowance;
 - v. Use of fixed certified equipment;
 - vi. Affixing of any additional equipment; and
 - vii. Determination of allowance for personal or agency equipment, as well as configurations.
- g. Be responsible for all Department orders and procedures governing the use of SUAS, FAA regulations, and FAA Certificate of Authorization (COA) requirements that impact the performance of their duties;
- h. Exercise final responsibility and authority for the safety of the SUAS, Department personnel, and equipment during flight operations;
- i. Be responsible for the safe operation of all flights, including, but not limited to:
 - i. Flight planning and preparation, including a pre-flight inspection of the SUAS and equipment;



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- ii. Weather briefing, to include minimum visibility allowable (three (3) statute miles), wind gust speeds greater than the SUAS is allowed, and sustained or peak wind;
- iii. Flight operations including course, airspeed, altitude, and duration;
- iv. Landing zone selection;
- v. Go/no-go and landing judgments concerning weather minimums or other criteria;
- vi. All very high frequency (VHF) air-to-air, air-to-ground, and air traffic control communications, and any other radio communications;
- vii. Timely reporting of new or previously unknown hazards which pose a safety to flight;
- viii. Post-flight inspection, which includes ensuring that the batteries are recharged and the duty SUAS is ready for the next mission;
- ix. Making appropriate entries in the aircraft logbooks; and
- x. Maintaining current RPIC licensure, consistent with FAA regulations.

F. Flight Operations

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1. The RPIC/Drone Operator shall:

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- a. Before any flight, be responsible for pre-flight inspections according to the UAS Mission Checklist;
- b. Consistent with the COA, due to the immediacy of some emergency management operations, issue the FAA Notice to Airman (NOTAM) notification requirement as soon as practical before flight;

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- i. The RPIC/Drone Operator, upon a determination that issuing an FAA NOTAM endangers the safety of persons on the ground may decline to issue the FAA NOTAM.
 - ii. If the RPIC/Drone Operator does not issue an FAA NOTAM under these circumstances, they shall document the justification and be prepared to justify the decision upon the FAA's request.
- c. If a search warrant is required to deploy the SUAS in a mission, ensure that the case agent has completed the search warrant and has verified the search warrant was signed by a judge before takeoff;
- d. Ensure that direct participants in SUAS operations are briefed on mission parameters and current operations;
- e. Adhere to FAA regulations;
- f. During any phase of flight, if the VO notices a malfunction with the SUAS, immediately terminate the flight;
- g. When determining that a deficiency in the mechanics or electronics of a SUAS exists, ensure that the appropriate repairs are conducted before flight;
- h. After every flight, conduct a post-flight inspection according to the UAS Mission Checklist; and
- i. Log all SUAS operations on the UAS Mission Checklist and submit the checklist to the DPC within twenty-four (24) hours.



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2. The VO shall:

- a. Assist the RPIC/Drone Operator when needed;
- b. Be responsible for see-and-avoid operations of the SUAS;
- c. Remain in radio contact with the RPIC/Drone Operator and communicate any obstacles the SUAS may encounter during the mission;
- d. Immediately notify the RPIC/Drone Operator when the flight becomes a hazard to ground personnel or other aircraft;
- e. Be responsible for all radio communications with air traffic control and dispatch; and
- f. Operate additional ground equipment to allow the RPIC/Drone Operator an ability to maintain complete focus on the operation of the SUAS.

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3. The DPC shall ensure that all checklists are up-to-date and current for each SUAS make and model.

G. Emergency Procedures

1. All Department personnel involved in SUAS operations shall be familiar with all emergency procedures and their specific duty assignments.
2. In an emergency involving a threat to the safety of persons or property, the RPIC/Drone Operator may deviate from any directive relating to aircraft, equipment, and weather minimums to the extent required to meet the emergency.
3. In an emergency, the RPIC/Drone Operator shall ensure that all required information is forwarded to the Albuquerque Flight Standards District Office, consistent with FAA regulations on reporting requirements.

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H. Training and Standardization Requirements

1. To be qualified as an RPIC/Drone Operator, department personnel shall be trained on the involved aircraft and possess current FAA licensure that is consistent with FAA regulations (14 C.F.R. Part 107) for a remote pilot with the SUAS rating, as well as be certified by the ESU as a Drone Operator.
2. The DPC shall evaluate proficiency and annual check performances consistent with the maneuvers and procedures listed in the FAA Pilot Training Standards (PTS) for SUAS operations.
 - a. Recurrence training is not limited to actual RPIC/Drone Operator or VO skills but includes knowledge of all pertinent SUAS/aviation matters.
3. All sworn ESU personnel shall maintain proficiency in their RPIC/Drone Operator or VO abilities. Sworn ESU personnel who do not have any documented training flight



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time within a span of ninety (90) days shall demonstrate proficiency to the DPC before being involved in a mission as an RPIC/Drone Operator or VO.

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I. Maintenance

1. The RPIC/Drone Operator shall:

- a. Complete a maintenance log for each SUAS. All maintenance shall conform to and follow manufacturer guidelines and schedules. The maintenance log shall include:
 - i. Documentation concerning routine check-ups;
 - ii. Replacing of parts;
 - iii. Battery checks; and
 - iv. Diagnostic checks.
- b. Only use approved SUAS parts during maintenance requiring the replacement of existing components.

2. When sending SUAS out for repairs, the DPC shall log the external maintenance timeframe along with any repairs needed to make the SUAS operational.

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J. Retention of SUAS Data

1. The RPIC/Drone Operator shall provide the case agent with any footage collected by SUAS during a mission.

N/A

K. Authority

The Chief of Police or their designee shall have the sole authority to deviate from these directives when such variance is consistent with federal, state, and local laws.

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L. Reporting on the Use of SUAS

1. The DPC shall:

- a. Track and monitor all drone flights and associated statistics;
- b. Be responsible for completing the SUAS Annual Report; and
- c. Submit the SUAS Annual Report to the Chief of Police annually. The SUAS Annual Report shall include:
 - i. Number of times a SUAS was used;
 - ii. Type of incidents during which the SUAS was used; and
 - iii. Results of using the SUAS during an incident, including, but not limited to, any operation, service call, or investigation in which the SUAS was used.

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M. FSB Deployment of SUAS

1. Property Unit personnel shall assign any SUASs purchased for FSB to the area command commanders to which the SUAS will be designated.



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2. SUASs assigned to an area command will be stored at the substation in the area designed for drone storage by the Commander or their designee.
 - a. A log sheet shall be present at the substation and be used to keep track of any drone activity.
 - i. The log sheet shall be monitored on a monthly basis by ESU personnel.
 - b. A RPIC/Drone Operator assigned to an area command with a SUAS may check out a drone from the substation by making an entry on the log sheet.
 - c. If an RPIC/Drone Operator has checked out a SUAS they shall return it to the substation by end of their shift.
 - i. The RPIC/Drone Operator shall ensure the battery of SUAS is plugged in and charged before returning it.
 - d. Only Department personnel certified to use the SUAS shall be authorized to check out a SUAS.
3. Certified sworn personnel shall follow all requirements outlined in this Standard Operating Procedure (SOP) while using the SUAS.