



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-15

Effective: 11/14/19 Review: 11/14/20 Replaces: N/A

2-15 SMALL UNMANNED AIRCRAFT SYSTEMS (sUAS) OPERATIONS

Related SOP(s): None

2-15-1 Purpose

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

2-15-2 Policy

It is the policy of the Albuquerque Police Department (Department) to use sUAS to enhance public safety in a manner that takes into consideration the privacy rights of individuals as established by the Constitution, including the Fourth Amendment, and applicable state, federal and local laws. Department personnel shall obtain a warrant anytime the use of a sUAS may intrude upon an individuals' reasonable expectation of privacy and Constitutional rights.

Any sUAS shall only be operated under the circumstances set forth in this policy and only with the approval of a supervisor. The sUAS shall only be operated by trained and qualified department personnel, and in accordance with Federal Aviation Administration (FAA) regulations.

2-15-3 Definitions

A. Aircraft Operator (AO)

The trained department personnel who physically operate the flight controls of a sUAS. The AO operates the flight controls under the direct supervision of the remote pilot in-command and must have completed the required training for the involved flight system.

B. Remote Pilot-In-Command (RPIC)

The trained personnel 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 aircraft operator.

To be qualified as an RPIC one must be trained on the involved aircraft and possess a current FAA license under 14 CFR Part 107 for a remote pilot with a sUAS rating.

C. Sensor Operator (SO)

The trained department personnel with the sole responsibility of attaching and operating any designated apparatuses to be used on a sUAS during a flight; apparatuses can include cameras, FLIR devices, and thermal devices.



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D. Small Unmanned Aircraft System (sUAS)

An unmanned aircraft of any type that is capable of sustaining flight, whether remotely controlled or preprogrammed, with a weight of less than fifty-five (55) lbs. The sUAS's are designed for gathering information through photographs or video recordings.

E. Visual Observer (VO)

An individual continuously responsible for notifying the RPIC of any ground based or airborne hazards to the flight. Department personnel must be trained on VO duties and responsibilities prior to acting in this role.

2-15-4 Procedure

A. General

- 5 1. sUAS shall only be deployed by trained and authorized sworn department personnel.
- 4 2. sUAS shall only be deployed with the approval of a supervisor in the operator's chain of command.

B. Use and Assignment

- 7 1. The RPIC shall assume sole responsibility for the maintenance and safekeeping of a sUAS once it has been assigned for use in a mission.
- 4 2. The deployment of a sUAS shall be directly supervised by a trained and FAA licensed RPIC who has successfully completed all department and FAA requirements.
3. The Department shall cooperate with all federal, state, and local authorities in response to emergency deployments and mishap investigations.

4 C. The use of the sUAS shall be in accordance with FAA requirements. Authorized uses of Department sUAS shall include:

1. Any use authorized by a warrant;
2. Crime scene documentation and evidence collection;
3. Circumstances where:
 - a. Probable cause to believe evidence of a crime will be found in a particularized location; and
 - b. Exigent circumstances exist to conduct an aerial search in the location.



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4. Hot Pursuits;
5. Circumstances where the sUAS will 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. To conduct community caretaker and emergency assistance functions; and
9. Assistance in inspections of critical infrastructure.

4 D. Unauthorized uses of department sUAS shall include but is not limited to:

1. 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.
2. To harass, intimidate, or discriminate 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 in plain view, in which case the sUAS may be used from a navigable public airspace to ensure the safety of the public and the individuals participating in the event by aiding in the 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 which meets state statute or city ordinance definitions of a riot or unlawful assembly occurring beyond the permissive scope of established law. (NMSA 1978 § 30-20-3; Revised Ordinances of Albuquerque, New Mexico 1994 § 2-9-1-1).
4. To conduct any type of personal surveillance of another individual which is unrelated to a legitimate law enforcement purpose.

1 5. sUAS shall not be weaponized.

E. RPIC Expectations and Procedures

The RPIC shall adhere to the following standards when operating a sUAS.

6 1. Safety



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- a. All sUAS shall not be operated in a manner that presents an undue risk to a person or property on the ground or in the air.
- b. All sUAS shall be piloted by personnel who are properly trained and competent to operate the sUAS.
- c. All sUAS flights shall be conducted only after a thorough assessment of the risks associated with an activity. The risk assessment shall include, but will not be limited to consideration of the following factors:
 - i. Weather conditions relative to the performance capability of the sUAS;
 - ii. Identification of normally anticipated failure modes (lost link, power failures, loss of control, etc.) and the consequences of such failures;
 - iii. The RPIC shall be responsible for all crewmembers being in compliance with FAA safety regulations;
 - iv. Compliance with overlying space 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.

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2. Professionalism

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a. RPICs shall follow all federal, state, and local laws as they relate to the operation of sUAS.

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b. RPIC shall only operate sUAS model types which they have been trained to operate.

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3. Privacy

The RPIC shall adhere to both federal laws, state laws and the Constitution as they address an individual's right to privacy and the use of sUAS by law enforcement personnel.

The Department will not share footage obtained from a sUAS with any federal immigration agency unless ordered by a judge.

F. Position Responsibilities and Duties

1. Remote Pilot-In-Command

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- a. The RPIC is authorized to refuse any flight request based on current meteorological conditions, physiological conditions of the crew, or for any other reason that the RPIC believes will affect the safety of the flight. Should the RPIC refuse a flight for any reason, they shall inform the Electronic Support Unit (ESU) Sergeant.
- b. While the sUAS is in flight, the RPIC is authorized and responsible for making all decisions regarding use of sUAS, including but not limited to the following:
 - i. Direction of the sUAS;
 - ii. Duration of flight time;
 - iii. Capabilities of the sUAS;



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- iv. Maximum load allowance;
- v. Use of fixed certified equipment;
- vi. Affixing of any additional equipment; and
- vi. Determination of allowance for personal or agency equipment as well as configurations.
- c. The RPIC shall be responsible for all department orders and procedures governing the use of sUAS, as well as FAA regulations, and other regulatory data bearing on the performance of their duties.
- d. The RPIC will ensure that there is only one (1) RPIC at any given time. The RPIC shall exercise final responsibility and authority for the safety of the sUAS, personnel, and equipment during flight operations.
- e. The RPIC will 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;
 - ii. Weather briefing, to include minimum visibility allowable (3 statute miles), wind gust spread greater than the sUAS is allowed, and sustained or peak wind;
 - iii. Flight operations including, course, air speed, altitude, and duration;
 - iv. Landing zone selection;
 - v. Go/no-go and landing judgments with regard to weather minimums or other criteria;
 - vi. All very high frequency (VHF) air-to-air, air-to-ground, 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, to include ensuring 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 a current remote pilot certificate as required pursuant to 14 CFR Part 107.

G. Flight Operations

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1. Remote Pilot-In-Command

- a. The RPIC will ensure an FAA Notice to Airman (NOTAM) is released for flights involving the sUAS in controlled airspace as required by FAA regulations.
- b. If a search warrant is required to deploy a sUAS in a mission, the case detective will be responsible for writing and having the search warrant signed by a judge prior to takeoff.
- c. The RPIC will ensure direct participants in sUAS operations are briefed on mission parameters and current operations.
- d. The RPIC will adhere to FAA regulations and permissions.



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2. Visual Observer (VO)

The VO will assist the RPIC when needed and will have the following responsibilities:

- a. Shall be responsible for see-and-avoid operations of the sUAS;
- b. Shall remain in radio contact with the RPIC and communicate any obstacles the sUAS may encounter during the mission;
- c. Shall immediately notify the RPIC when the flight becomes a hazard to ground personnel or other aircraft;
- d. During any phase of flight, if the VO notices a malfunction with the sUAS, the RPIC should immediately terminate the flight;
- e. Will be responsible for all radio communications with air traffic control and dispatch; and
- f. Will operate additional ground equipment in order to allow the pilot an ability to maintain complete focus on the operation of the sUAS.

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3. sUAS Inspection Requirements

- a. Before any flight, the RPIC will be responsible for pre-flight inspections according to the pre-flight checklist.
- b. Where the RPIC finds a deficiency in the mechanics or electronics of an sUAS they shall ensure that the appropriate repairs are conducted before flight.
- c. After every flight, a post-flight inspection will be conducted by the RPIC, according to the post-flight checklist.
- d. The ESU Sergeant will be responsible assuring that all checklists are up-to-date and current for each sUAS make and model.

4. Emergency Procedures:

- a. All flight personnel shall be familiar all emergency procedures and their specific duty assignments;
- b. In the event of an emergency, involving a threat to the safety of persons or property, the RPIC may deviate from any directive relating to aircraft, equipment, and weather minimums to the extent required to meet the emergency; and
- c. In the event of an emergency, which requires reporting to the FAA, the RPIC shall assure that all required information is forwarded to the Albuquerque Flight Standards District Office.

H. Training and Standardization Requirements

1. Proficiency and annual check performances will be evaluated in accordance with the maneuvers and procedures listed in the FAA Pilot Training Standards (PTS) for roto-wing/fixed wing and for a specific aircraft.
2. If required, an FAA designated flight examiner will conduct a proficiency flight as often as the FAA deems necessary for safe flights of the sUAS.



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3. VO shall complete training in the recognition of ground and airborne hazards and communication parameters with crew to remain clear of any conflicting hazards. VO training will also include instruction on the rules and responsibilities described in 14 CFR Part 91; instruction on air traffic and radio communications, including the use of approved ATC/Pilot phraseology; and instruction on the appropriate sections of the Aeronautical Information Manual.

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4. All officers assigned to the ESU must maintain proficiency in their RPIC/VO abilities. Officers who do not have any documented training flight time within a span of ninety (90) days will have to demonstrate proficiency by an authorized Department member before being allowed to be involved in a mission as an RPIC/VO.

5. Recurrence training is not limited to actual RPIC/VO skills but includes knowledge of all pertinent sUAS/Aviation matters.

I. Maintenance

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1. Each sUAS must have its own maintenance log. This will include documentation concerning routine check-ups, replacing of parts, battery checks, and diagnostic checks. All maintenance will conform to and follow manufacturer guidelines and schedules.

2. Only approved sUAS parts will be used during maintenance requiring the replacement of existing components.

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3. If the sUAS is sent out for repairs then the external maintenance time frame will be logged along with any repairs needed to make the device operational.

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J. Retention of sUAS Data

1. Any footage collected by sUAS during a mission that contains evidence shall be turned over to the case agent for use in any subsequent prosecution. Any surveillance footage collected that does not contain evidence shall be deleted within two weeks of the recording.

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K. Authority

1. These directives are to be strictly adhered to by any person involved in the sUAS program. Only the Chief of Police has the authority to deviate from these directives, when such variance is in accordance with federal, state, and local laws.

L. Reporting on the Use of sUAS

1. Annually the Department will submit a report to the Chief of Police with information concerning (a) the number of times an sUAS was used, (b) the type of incidents in



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which the sUAS were utilized and (c) the result of using the sUAS during an incident.