463.06 Unmanned Aircraft System (UAS)

Deployment and Use

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I. Purpose

A. The purpose of this policy is to establish guidelines for the use of an unmanned aircraft system (UAS) and for the storage, retrieval, and dissemination of images and data captured by the UAS.

B. Minnesota Statute section 626.19, Subd. 10, requires that any law enforcement agency that uses or proposes to use an UAS must establish and enforce a written policy governing its use, including requests for use from government agencies.

C. Achieve these objectives in accordance with federal requirements, State law, including Minnesota Statutes section 626.19, and local laws.

Allowing the use of UAS technology in appropriate and authorized circumstances will significantly reduce the exposure of responders to life and safety risks and ultimately better protect the community of the City of Saint Paul by allowing responders to use available technology that is not limited by terrain, to leverage time, distance and cover using this risk mitigating technology. The following policy outlines the authorized use of a UAS.

II. Definitions

A. **Certificate of Authorization (COA) –** issued to the agency by the FAA which grants permission to fly within specific boundaries and parameters, including nighttime flight.

B. **FAA** - Federal Aviation Authority.

C. **Flight Log** - an electronic log maintained by the UAS program coordinator and accessible to the Deputy Chief of Support Services. The coordinator or a designee records all UAS flights, including date, time, duration, location, and purpose.

D. **Law Enforcement Agency –** "Agency" has the meaning given in Minnesota Statute section 626.84, Subd. 1.

E. **Part 107 Training** – individual licensure training required under Title 14, Chapter I, Subchapter F, Part 107 of the Code of Federal Regulations, FAA rules, for small, unmanned aircraft systems.

F. **Pilot** –a certified UAS operator meeting all training standards who is responsible for the operation of a UAS, which includes the direction and development of the flight plan, as well as overall flight safety.

G. **Unmanned Aircraft System (UAS)** – an unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled, without the possibility of direct human intervention from within or on the aircraft. UAS includes the UAS and all the supporting or attached systems designed for gathering information through imaging, recording, or any other means. An UAS may also be referred to as an "unmanned aerial vehicle" (UAV) within certain regulations or statutes.

H. **Visual Observer -** the trained personnel responsible for assisting the pilot with the visual observation of the UAS while in flight.

III. Training

A. Only authorized operators who have completed the required training shall be permitted to operate the UAS.

B. All Saint Paul Police Department (SPPD) UAS pilot personnel will be trained according to FAA standards in the use and operation of a UAS for law enforcement purposes.

C. Upon completion of training, each UAS pilot will be required to maintain and re-certify based on SPPD policy. Each pilot will follow FAA rules and recommendations for UAS operation.

D. The UAS program coordinator is responsible for ensuring compliance with laws and regulations pertaining to UAS operations. The coordinator, or their designee, is

responsible for all FAA waivers, certificates of authorization, pilot and unit training, and assessments for evaluation of the program.

E. The UAS program coordinator will develop a training program that allows pilots to obtain required flight training hours without creating community impact. The training program will consider hours of flight, locations of flight, UAS noise, and ground features in the event of a UAS emergency.

F. Each pilot will attend mandatory quarterly training. On-going training is recommended during the pilots' normal duties to maintain standards and proficiencies.

G. All sworn department personnel will receive training on the roles and responsibilities of the visual observer. Training will be conducted bi-annually to ensure all sworn personnel have received or are refreshed on the training.

IV. Operation

A. **Authorization** - A UAS will only be operated according to the limitations of this General Order and the requirements of Minnesota Statutes section 626.19 and FAA rules under Title 14 of the Code of Federal Regulations.

a. Operation of a UAS, except for training flights, must be authorized by an on-duty supervisor (must be a Sergeant or higher) or Watch Commander.

b. Operation of a UAS for training must be authorized by the UAS program coordinator.

B. A UAS may only be operated by trained personnel.

C. An UAS will only be operated for training or for the purposes of providing an aerial perspective utilized to enhance the SPPD's mission of protecting lives and property when other means or resources are unavailable or would be less effective, in accordance with Minnesota Statutes section 626.19

D. The UAS pilot is responsible for the safe operation of the UAS and for documenting each use of the aircraft.

E. Recording – A UAS has limited recording capacity. Pilots should activate UAS recording when they observe anything they believe may be of evidentiary value. All UAS recordings will be uploaded to evidence.com and retained based on established retention periods. Training and public relations deployments are exempt from recording.

F. Every operation of a UAS will require two qualified personnel. Each will have a distinct role, which is:

1. **Pilot** - responsible for flight operations, direction, flight plan, and overall flight safety;

2. **Visual Observer** - responsible for maintaining a line of sight (unless an FAA exception exists) with the UAS at all times to ensure the UAS flight path is free of potential obstructions or conditions that the pilot may not be aware of.

V. Authorized Use

A. In accordance with Minnesota Statute section 626.19, Subd. 2, the SPPD must not use a UAS without a search warrant issued under this chapter, except as provided below for authorized use.

B. In accordance with Minnesota Statute section 626.19, Subd. 3, the SPPD may use a UAS:

1. During or in the aftermath of an emergency situation that involves the risk of death or great bodily harm to a person;
2. Over a public event where there is a heightened risk to the safety of participants or bystanders;
3. To counter the risk of a terrorist attack by a specific individual or organization if the SPPD determines that credible intelligence indicates a risk;
4. To prevent the loss of life and property in natural or manmade disasters and to facilitate operational planning, rescue, and recovery operations in the aftermath of these disasters;
5. To conduct a threat assessment in anticipation of a specific event;
6. To collect information from a public area if there is reasonable suspicion of criminal activity;
7. To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road;
8. Over a public area for employee training or public relations purposes;
9. For purposes unrelated to law enforcement at the request of a government entity, provided the government entity makes the request in writing to the SPPD and specifies the reason for the request and proposed period of use.

C. Requests from other government entities.

Any use of the SPPD UAS at the request of another government entity shall only occur in accordance with SPPD policy and applicable laws, and all operations shall only be done by SPPD employees. The use of a UAS system in this type of deployment must be approved by a commander or above, and the on-call chief should be notified. The use of a UAS system in training with other government entities may be approved by the UAS program coordinator.

VI. Prohibited Uses and Limitations

A. An UAS will not be used in violation of the United States Constitution, federal law, including FAA Rules, the Minnesota State Constitution, state and local laws, Minnesota Statutes section 626.19, or this General Order.

As provided by Minnesota Statute section 626.19, Subd. 4, this General Order incorporates the following limitations:

1. The agency must comply with all FAA requirements and guidelines.
2. The agency must not equip a UAS with weapons.
3. The agency must not use a UAS to collect data on public protests or demonstrations.
4. The agency must not use a UAS to conduct random surveillance activities. Any surveillance conducted must only occur pursuant to an active criminal investigation and in accordance with applicable laws and constitutional rights and expectations.
5. The agency must not deploy a UAS with facial recognition or other biometric-matching technology.
6. UAS equipment must not be used to target a person based solely on actual or perceived characteristics such as an individual's race, color, creed, religion, ethnic/national origin, gender, gender identity, age, disability (including pregnancy), or characteristics identified as sexual orientation, affectional preference, marital status, familial status, status with regarding to public assistance or veteran status.
7. UAS equipment must not be used to harass, intimidate, or discriminate against any individual or group.
8. UAS equipment must not be used to conduct personal business of any type.

B. Upon completion of the required tasks, or if the mission requires an alternate approach, UAS operators will cease operation of an UAS and return to routine procedures as dictated by the situation. The UAS program coordinator or on-call chief may discontinue UAS deployment at any time.

VII. Privacy

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

VIII. Reporting

A. **Incident Reporting -** At the completion of each UAS operation in response to a call for service, the pilot must complete an SPPD RMS report regardless of whether the team responded within the city or outside of the city assisting another law enforcement agency. Each SPPD RMS report must have a unique case number and include the factual basis of the operation, the approving supervisor, and any applicable authorization under Minnesota Statute section 626.19. A report is only required if the UAS was deployed.

B. **Flight Log -** Every operation of a UAS, including for training or in response to a call for service, must be recorded in the UAS flight log. Each flight log entry must include:

   a. Date
   b. Time of operation
   c. Location
   d. Purpose for operation (to include any statutory exception)
   e. Names of the pilot and visual observer of the mission
   f. Case number
   g. Summary of events
   h. Equipment/Aircraft used

IX. Annual Reporting

As prescribed in Minnesota Statute section 626.19, the UAS program coordinator must prepare an annual report to the Office of the Chief through their chain of command for the purpose of reporting to the Commissioner of Public Safety. The annual report must include the following information:

A. The number of times a UAS was deployed without a search warrant, identifying the date of deployment and the authorized use of the UAS under Minnesota Statutes section 626.19, Subd. 3; and

B. Total cost of the department's UAS program.

The UAS program coordinator's annual report must be provided to the Deputy Chief of Support Services no later than January 10th of each year to facilitate a report to the Commissioner of Public Safety by January 15th of each year.

X. Data Classification

UAS data is classified in Minnesota Statute section 626.19, Subd 6 - Data collected by a UAS is private data on individuals or nonpublic data, subject to the following:

A. If the individual requests a copy of a recording, if one exists, data on other individuals who do not consent to its release must be redacted from the copy,

B. UAS data may be disclosed as necessary in an emergency situation under Minnesota Statutes section 626.19, Subd.3, (1),

C. UAS data may be disclosed to the governmental entity making a request for UAS use under Minnesota Statute section 626.19, Subd. 3, (9),

D. UAS data that is criminal investigative data is governed by Minnesota Statute Section 13.82, Subd. 7; and

E. UAS data that is not public data under other provisions of Minnesota Statutes Chapter 13 retains that classification.

F. Minnesota Statute section 13.04, Subd. 2, does not apply to data collected by a UAS.

G. Notwithstanding Minnesota Statutes section 138.17, the agency must delete data collected by a UAS as soon as possible and in no event later than seven days after collection, unless the data is part of an active criminal investigation or a data request has been made prior to the seventh day.

XI. Program Coordinator

The UAS program coordinator (UAS PC) shall be a rank Sergeant and will report directly to the Special Operations Unit command staff, who will report to the Deputy Chief of Support Services. The UAS PC is responsible for the day-to-day operations of the program under the supervision of a Special Operations Unit commander and is responsible for the following:

A. Certificate of Authorization (COA) – the UAS PC shall coordinate the FAA (COA) application process and ensure the COA is current.

B. Training – the UAS PC shall ensure all authorized pilots have completed all required FAA and SPPD approved training in the operation, applicable laws, policies, and procedures regarding the use of the UAS.

C. Requests for Deployment – The UAS PC shall develop a uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. This includes protocols for reviewing and approving requests for the use of an SPPD UAS by government entities, as required by Minnesota Statute section 626.19, Subd. 10.

D. Operations - The UAS PC shall develop an operational protocol governing the deployment and operation of a UAS, including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.

E. Documenting Missions – The UAS PC shall develop a protocol for documenting all missions.

H. Review - The UAS PC is responsible for the daily oversight of the UAS program. The UAS PC, or their designee, is responsible for reviewing flight logs and information to

ensure compliance with FAA rules and regulations, State Statute 626.19, and department policy.

F. Inspection and Maintenance - The UAS PC shall develop a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.

G. Data Access and Storage - The UAS PC shall develop protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to the chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

H. Law Enforcement Access - The UAS PC shall facilitate law enforcement access to images and data captured by the UAS.

I. Submit Required Reports - The UAS PC shall prepare and submit the required annual report to the Commissioner of Public Safety, per Minnesota Statute Section 626.19, Subd. 12. Additionally, the UAS PC will ensure all protocols are being followed by monitoring and providing quarterly reports to the Deputy Chief of Support Services.

J. Post Policy – The UAS PC shall ensure the SPPD policy regarding the use of UAS is posted on the agency website, as applicable, per Minnesota Statute Section 626.19, Subd. 10.

Effective February 7, 2025