

**COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK**

GENERAL ORDER POLICE BUREAU	DATE OF ISSUE MAY 29TH, 2020	EFFECTIVE DATE MAY 29TH, 2020	NO. 059-20
SUBJECT: GENERAL ORDER Unmanned Aerial Systems Operations		DISTRIBUTION Police Bureau Personnel	AMENDS
REFERENCE:			RESCINDS NEW ORDER

Purpose: To establish policy and procedures for operation of the Monroe County Sheriff's Office (MCSO) Unmanned Aerial System (UAS) Drone Program.

Policy: This policy will provide members of the MCSO on the deployment of UAS when such use is appropriate in the performance of their official duties or when providing assistance to another agency, and where deployment and use, and the collection and use of any DME or other data originating from or generated by UAS conforms with the policy provisions provided herein, applicable state and federal laws and the Certificate of Authorization (COA) issued by the Federal Aviation Administration (FAA).

Definitions: Unmanned Aerial Vehicle (UAV) or Unmanned Aircraft (UA) - An aircraft that is intended to navigate in the air without an on board pilot. Commonly called a Remotely Piloted Aircraft (RPA), Remotely Operated Vehicle (ROV), or Drone.

Unmanned Aerial System (UAS) - A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.

Authorized Agency Personnel – Personnel assigned by the Captain of the Criminal Investigation Section (CIS) and/or designee, to operate UAVs or any portion of the UAS who has also completed an agency- approved training program, attained FAA Part 107 Remote Pilot certification and meets all conditions of the COA issued by the FAA. Authorized agency personnel include the UAS Coordinator Remote Pilot in Command (RPIC), Person Manipulating the Controls (PMC), and Visual Observer (VO) as defined below.

Authorized Supervisory Personnel – The Captain of CIS and/or designee will have full access to and user rights within the Digital Multimedia Evidence (DME) storage system. The Captain of CIS and/or designee can authorize UAV operations, control passwords, delete non- evidentiary recordings, and conduct audits and quality control reviews.

UAS Coordinator – The Captain of CIS will designate a UAS Coordinator. The UAS Coordinator will maintain a current FAA Part 107 Remote Pilot certificate. The UAS Coordinator will be the designated Chief Pilot to oversee all UAS operations. The UAS Coordinator will be responsible for UAS program oversight, collection of flight information and reporting to the FAA, filing of required monthly COA reports, assignment and tracking of equipment, equipment maintenance and availability of UAS, deployment documentation and reporting, UAS unit training and records, and compliance with MCSO policy and procedure and FAA regulations.

Certificate of Authorization (COA) or Certificate of Waiver (COW) prior to usage of a UAV all government agencies, including law enforcement, must register the specific UAV and all intended uses with the FAA and obtain a Certificate of Authorization (COA) authorizing them to use a UAV within a certain air space, to be determined by the FAA in consultation with the applying agency.

In an emergency, as described below, an agency can request that the FAA issue and Emergency COW. The request for an airspace waiver shall be made through the FAA's Specialty Government Interest (SGI) amendment process pursuant to FAA order JO 7200.23A.

Emergency COW – The FAA issues COWs to an agency's existing COA on an emergency basis for:

1. Incident Awareness and Analysis
2. Damage assessments supporting disaster recovery related insurance claims.
3. Media coverage providing crucial information to the public.
4. A situation exists in which there is distress or urgency and there is an extreme possibility of a loss of life.
5. The requesting agency has determined that manned flight operations cannot be conducted efficiently.
6. The proposed UAS is operating under a current, approved COA or by an FAA Part 107 Remote Pilot holding a current certificate and operating under Part 107 authorization for a different purpose or location.

Defined Incident Perimeter - A location with a defined perimeter to be determined based on the scope of the operation and a defined operational ceiling at or below 400 feet Above the Ground Level (AGL) or 400 feet above a feature/structure that is within the scope of the UAV operations.

Digital Multimedia Evidence (DME) - Digital recording of images, sounds, videos, and associated data captured by a UAV or UAS.

Remote Pilot in Command (RPIC/PIC) – A person operating a UAS must hold a current remote pilot airman certificate with a small UAS rating by successfully passing the FAA Part 107 Airmen Knowledge Test. The RPIC will function as the team leader of the UAS crew and the operator of the UAS. The RPIC will be ultimately responsible for the operation and solely responsible for the input of commands/piloting of the UAS during flight. The RPIC will be responsible for UAS assembly, UAS flight preparation, UAS flight, UAS post flight procedures, and UAS disassembly and storage. The RPIC will appoint a camera operator, visual observer, and safety officer at his/her discretion.

Visual Observer (VO) – A person who maintains visual observation of the UAV while it is in flight and alerts the RPIC of any conditions (obstructions, terrain, structures, air traffic, weather, etc.) which may affect the safety of the flight. The VO will be responsible for all aviation related communications required by the FAA. To accomplish this effectively, the VO will be in close proximity to the RPIC to ensure instant relaying of information. The VO will also assist the safety officer in completing his/her functions.

Camera Operator – Will be responsible for camera operations during a given UAS mission. To qualify to be a Camera Operator, a person must be trained and vetted by the Chief Pilot.

Safety Officer- Will complete all ground operations regarding the UAS to include site selection and preparation and launch and landing preparations. During flight, the safety officer will ensure that the entire operations area remains secured and that the RPIC, camera operator, and visual observer are not interrupted.

Person Manipulating the Controls (PMC) – A person manipulating the controls must be under the direct supervision of the RPIC. To qualify to be a PMC, the person must be trained and vetted by the MCSO Chief Pilot.

Night Operations – Night as defined in FAA 14 CFR §1.1 is the time between the end of evening civil twilight and the beginning of morning civil twilight, as published in the Department of the Navy United States Naval Observatory Air Almanac, converted to local time.

I. Authorized Missions

- A. Missing Persons Searches.
- B. Search and Rescue Operations.
- C. Collision Scene Investigations, Reconstruction and Documentation.
- D. Crime Scene Investigations and Documentation.
- E. K-9 Missions.
- F. Hazardous Material Responses (HazMat).
- G. SCUBA Team Missions.
- H. Special Weapons and Tactics (SWAT) team missions.
- I. Marine Unit Missions
- J. Rail Train Emergencies.
- K. Scene reconnaissance, damage assessment, and documentation of natural and man-made disasters.
- L. As directed by the Sheriff.

II. Organization

- A. The following shall be the chain-of-command for the UAS Unit.
 - 1. The Sheriff
 - 2. The Undersheriff
 - 3. Chief Deputy
 - 4. Major of Operations
 - 5. Captain of Criminal Investigations Section (CIS)
 - 6. Lieutenant of Criminal Investigations Section
 - 7. Supervisor of the Technical Services Unit
 - 8. UAS Unit Coordinator/Chief Pilot.
 - 9. UAS Remote Pilot in Command/Pilot in Command (RPIC/PIC)
 - 10. UAS Unit Crew Member (camera operator, visual observer, and safety officer).

III. Structure

- A. The UAS Unit shall have a number of members, as directed by the Sheriff.
- B. The unit shall have a UAS Unit Coordinator/Chief Pilot, trained and certified FAA pilots (remote pilot in command/pilot in command), trained visual observers, trained camera operators and safety officers.
- C. The UAS Coordinator/Chief Pilot shall appoint a unit training officer(s). The unit training officers, in consultation with the UAS Coordinator will develop, prepare and keep records of training initiatives for the unit. The UAS Coordinator shall forward copies of all training records to the MCSO Training Unit for inclusion in agency training files.
- D. The UAS Coordinator/Chief Pilot shall appoint a unit equipment technician(s). Unit equipment technicians will be responsible for the upkeep of equipment, identification of equipment in need of repair, and equipment maintenance logs.

IV. UAS Unit Member Selection

- A. Authorized agency personnel selected by the Captain of CIS will consist of sworn MCSO Police Bureau personnel.
- B. Any sworn police bureau member of the MCSO, who is interested in the FAA Part 107 Commercial Remote Pilot Certification or a UAS Unit Crew Member position, and who has an interest in participating in the drone program as a: Remote Pilot in Command/Pilot in Command, Person Manipulating the Controls, Camera Operator, Visual Observer, or Safety Officer shall submit an MB-090 Intra-Departmental Request Form, and send the request to the UAS Unit Coordinator. Applicants should include in the request any previous UAV/UAS operation experience, photography/videography, or other special skills possessed that would enhance the UAS program.
- C. A list of recommendations will be forwarded to the Sheriff for final approval.

V. Qualifications

UAS Unit members must be certified in the operation of the UAS by successfully completing training conducted by the UAS Unit Coordinator/Chief Pilot and the New York State Division of Homeland Security and Emergency Services (DHSES). UAS Unit members must meet the standards required by the FAA, must pass the required knowledge test for an FAA remote pilot certificate, and must keep their aeronautical knowledge up to date.

- A. Remote Pilot in Command (RPIC/PIC) – A person operating a UAS must hold a current remote pilot airman certificate with a small UAS rating by successfully passing the FAA Part 107 Airmen Knowledge Test. The RPIC will function as the team leader of the UAS crew and the operator of the UAS. The RPIC will be ultimately responsible for the operation and solely responsible for input of commands/piloting of the UAVs during flight. The RPIC will be responsible for UAS assembly, UAS flight preparation, UAS post flight procedures, and UAS disassembly/storage. The RPIC will appoint a camera operator, visual observer, and safety officer at his/her discretion. An FAA Part 107 certified pilot must be the Remote Pilot in Command for any flight mission.
- B. Safety Officer- Will complete all ground operations regarding the UAS to include site selection and preparation and launch and landing preparations. During flight, the safety officer will ensure that the entire operations area remains secured and that the RPIC, camera operator, and visual observer are not interrupted.
- C. Visual Observer (VO) - A person who maintains visual observation of the UAS while it is in flight and alert the RPIC of any conditions (obstructions, terrain, structures, air traffic, weather, etc.) which may affect the safety of the flight. The VO will be responsible for all aviation related communications required by the FAA. To accomplish this effectively, the VO will be in close proximity to the RPIC to ensure instant relaying of information. The VO will also assist the safety officer in completing his/her functions.
- D. Person Manipulating the Controls (PMC) – A person manipulating the controls must be under the direct supervision of the RPIC. To qualify to be a PMC, the person must be trained and vetted by the MCSO Chief Pilot.
- E. Camera Operator – Will be responsible for camera operations during a given UAS mission. To qualify to be a Camera Operator, a person must be trained and vetted by the Chief Pilot.

VI. Training Proficiency

- A. Initial UAS training will be accomplished by the UAS Coordinator/Chief Pilot. If serving as a RPIC/PIC, the UAS Unit member must obtain and maintain a current FAA Part 107 remote pilot certification. FAA part 107 Pilots must recertify every 24 months to maintain a current certification.
- B. Within one (1) year of being selected to serve as a RPIC/PIC, the member must attend the New York State Division of Homeland Security and Emergency Services (NYS DHSES) UAS Operator Course (or available comparable course approved by the UAS Coordinator/Chief Pilot).
- C. Within two (2) years of successful completion of the NYS DHSES UAS Operator Course, UAS Unit members serving as a RPIC/PIC and maintaining a FAA Part 107 remote pilot certification, must attend the NYS DHSES Advanced UAS Operator Course (or available comparable Advanced UAS Operator Course approved by the UAS Coordinator/Chief Pilot).
- D. Recurrent training of all UAS Unit members will be conducted on a monthly basis (a minimum of twelve training sessions per calendar year). Recurrent training will consist of eight (8) hours of combined ground and flight training. The training will consist of a minimum of two (2) take-off and landing events (commonly referred to as currency events), in order to meet FAA proficiency and currency requirements. The training will be scheduled so as to include day light and night training exercises.
- E. Interoperability training of all UAS Unit members will be conducted on a monthly basis (a minimum of twelve sessions per calendar year). Interoperability training will be conducted in addition to recurrent full unit monthly training.
 - 1. Interoperability training will be conducted with the MCSO special teams (K-9 Unit, SCUBA Team, SWAT Team, Hazardous Device Squad), the MCSO specialized units (CIS, TSU, Marine Unit, Warrants), the Monroe County HAZMAT Team and the Monroe County Fire Bureau.
 - 2. The UAS Coordinator/Chief Pilot will coordinate the interoperability training in conjunction with the respective special teams, specialized unit, team or bureau Commanders monthly training schedules.
 - 3. The UAS Coordinator/Chief Pilot will ensure that interoperability training is conducted with each of the special teams, specialized units, and/or bureaus with enough frequency so as to provide safe, efficient and effective operations.

VII. Team Activation

- A. Request for Emergency Activation
 - 1. Requests for activation of the UAS Unit shall be made through on-duty MCSO Patrol Command Officer(s) of the district within which the UAS mission is being requested.
 - 2. Requests for activation of the UAS Unit may also be made directly to the UAS Coordinator/Chief Pilot. If requests are made directly to the UAS Coordinator, the UAS Coordinator shall notify the on-duty MCSO Patrol Command Officer(s) of the district within which the UAS mission is being requested.

3. The UAS Coordinator/Chief Pilot will notify UAS Unit members and determine the number of unit members required to respond for the requested mission.
 4. The UAS Coordinator will notify the Captain of the CIS or his/her designee of all UAS Unit activations.
- B. Request for Non-Emergency Activation
1. Requests for non-emergency activation of the UAS Unit shall be made through the UAS Coordinator/Chief Pilot in a timely manner.
 2. Decisions concerning the response of the UAS Unit will be made by the Captain of the CIS in consultation with the UAS Coordinator.

VIII. Response

The UAS Unit shall, if available, respond to all other public safety municipalities requesting assistance.

- A. The UAS unit shall respond to the County of Monroe municipalities and municipalities outside of the County of Monroe as requested and approved by the Sheriff or his/her designee.
- B. The UAS Coordinator/Chief Pilot or designee will respond to the designated command post and consult with the incident commander to determine the scope of the requested UAS mission.
1. The UAS Coordinator/Chief Pilot or designee will determine the number of UAS Unit personnel necessary to perform the requested UAS mission. The UAS Coordinator/Chief Pilot or designee will notify the necessary UAS unit personnel and request that they respond to the designated command post or appropriate staging area.
 2. The UAS Coordinator/Chief Pilot, in consultation with responding UAS unit RPIC/PICs will determine if safe operations of the UAS can be accomplished as requested.
 3. The decision to fly will be contingent upon several factors, to include but not limited to, the ability of the UAS to operate within a defined incident perimeter, physical features of the area, and obstructions to flight, terrain, and weather.
- C. A minimum of two (2) UAS unit personnel are required for all UAS missions, unless authorized by the UAS unit Coordinator/Chief Pilot, Undersheriff or Sheriff.
- D. When sufficient UAS unit personnel and equipment arrive, appropriate steps should be taken to complete the mission. This should include, but is not limited to:
1. Establish a safe working area.
 2. Plan the mission prior to safety checks and flight initiation.
 3. Perform safety checks with the aid of the MCSO UAS Operations Checklist (appendix A).
- E. All UAS activations will require the designation of a safety officer. The safety officer is empowered to immediately stop any activity when he/she observes such as being dangerous to the life and health of persons or property.

IX. Safety of Operation

- A. Safety of the UAS operations (including persons and property) is the responsibility of the entire UAS crew. UAS crew members should bring to the attention of other members any condition which they feel is a safety concern.
- B. Except as required by the mission, all UAS crew members will ensure that no persons are in the vicinity of the UAS during operations to avoid flying over uninvolved persons or vehicles.
- C. Under no circumstances shall the UAS be utilized directly over large gatherings of people, as a chase vehicle in a vehicle pursuit, or operated from a moving vehicle or vessel unless otherwise stipulated in the COA, COW, and/or FAA Part 107 Waivers.
- D. Except for the purpose of training or with the approval of the UAS Coordinator, only UAS crew members who meet the requirements set forth in Section V of this order, will be permitted to act as a UAS crew member.
- E. UAS crew members will comply with the UAS Operator Manual, warning, limitations, placards, and/or checklists at all times unless an emergency dictates otherwise.
- F. UAS unit RPIC/PICs are authorized to evaluate and accept or decline any mission or portion thereof which affects the safety of UAS operations.
- G. All UAS Operations will be conducted in day light visual meteorological conditions only, unless otherwise stipulated in the COA(s), COW, and or FAA Part 107 Waiver(s).
- H. All UAS crew members will be familiar will the agency COA(s) and/or FAA Part 107 waivers which relate to operation of the UAS and comply with same.

X. Normal Operations

- A. Operations Area: the operation area selected by the UAS crew shall be located within a secure incident perimeter whenever possible. The area should be evaluated for adequate space and clearances in order to safely assemble, launch, fly and recover the UAS. Attention should be given to overhead obstacles and obstructions that may pose a risk to the UAS during operation. The site selected and utilized by the UAS crew should be restricted and access granted to personnel for operational purposes only.
- B. UAS Assembly: the UAS will be assembled on site by the UAS crew.
- C. Flight Procedures: a pre-flight check of UAS will be completed in accordance with the UAV manufacturer's recommendations and applicable FAA recommendations utilizing the MCSO UAS Operations Checklist (appendix A).
- D. A copy of the current valid COA(s), FAA Part 107 waivers, and RPIC's FAA Part 107 remote pilot certification shall be present whenever UAS operations are conducted.
- E. The lost link response shall be set to "turn around, return on previous flight path", and the maximum altitude set in accordance with the altitude limit of the COA(s) and/or FAA Part 107 waivers.

XI. Night Flight Operations

All night time deployments of UAS will conform to the agency COA, applicable COW, FAA Part 107 Remote Pilot regulations, FAA Part 107 Night Waivers, and the policy and procedures for flight operations defined herein. The UAS shall be operated in accordance with UAV manufacturer specifications and applicable FAA limitations and restrictions.

- A. Procedure – All night deployments of the UAS shall follow these procedures to assure authorized usage, safe operation, secure storage, and documentation of usage of UAV. Procedures for the night deployment of UAVs shall include but are not limited to the following:
1. Prior to and during night deployment of UAVs, UAS crew members will obtain and maintain:
 - a. Registration and authorization from the FAA.
 - b. Permit(s) from the controlling agency, if necessary.
 - c. A COA, emergency COA or Part 107 Night Waiver, if necessary.
 2. UAV's operated at night shall be operated solely by UAS crew members trained in an agency approved course for UAV and UAS night operations.
 3. All night UAS operations conducted under the approved COA or Part 107 night waiver must use one or more VO.
 4. UAS crew members shall only deploy UAV's in accordance with the agency COA, emergency COA, Part 107 Remote Pilot regulations, or Part 107 Night Waiver, which outlines the necessary requirements and UAS capabilities needed for safe night operation.
 5. UAS crew members shall inspect and test UAV's prior to each night deployment to verify maintenance, proper functionality, general airworthiness, mission specific airworthiness and proper radio frequency pursuant to UAV manufacturer recommendations.
 6. UAS crew members shall inspect flight readiness, lighting, conspicuity of UAS, visual line-of sight (VLOS), mandatory lighting, safety equipment, flying area, pre-flight check of area, procedure for loss of VLOS, method to detect and avoid aircraft, method to detect and avoid people and obstacles, telemetry, altitude, and weather conditions prior to each night deployment to verify suitability for flight. Inspections of flight readiness, lighting, conspicuity of UAS, VLOS, mandatory lighting, safety equipment, flying area, pre-flight check of area, procedure for loss of VLOS, method to detect and avoid aircraft, method to detect and avoid people and obstacles, telemetry, altitude, and weather conditions shall conform to the following:
 - a. Flight Readiness: UAS crew members shall conduct a preflight briefing at which they shall review mission, goals, methods and procedures; UAV battery charge and Global Positioning System (GPS) strength; personnel communication procedures; emergency/contingency procedures, including but not limited to, UAV malfunction/failure, flight termination, flight diversion and lost link procedures; contents of COA and/or Part 107 Remote Pilot regulations and Part 107 Night Waivers; radio frequency to be used; take-off and landing site, including alternates; defined incident perimeter and flight perimeter.

- b. Lighting: The UAV must be equipped with lighted anti-collision lighting visible from a distance of no less than 3 statute miles. The intensity of the anti-collision lighting may be reduced if, because of operating conditions, it would be in the interest of safety to do so. The DJI Phantom 4 PRO will be equipped with two Lume Cube lights which are capable of being seen from 3 statute miles away.
- c. Conspicuity of UAS: One ARC High Intensity Cree LED strobe light, manufactured by Firehouse Industries, will be added to the top of the aircraft in addition to the Lume Cube lights. The ARC LED light will increase conspicuity of the UAV so that it may be seen from above, below and to the sides. In addition to lights, red DOT reflective stickers will be affixed to the front, back and sides of the UAV to aid in visibility of the UAV.
- d. Visual Line-of-sight (VLOS): UAS crew members shall review the intended flight pattern of UAVs for hazards prior to each deployment. UAS crew members shall only deploy UAVs under Visual Flight Rules within line of sight of the RPIC/PIC and/or VO in an attempt to detect and avoid hazards such as aircrafts, trees and property.
- e. Mandatory Lighting: The RPIC will maintain visual line of sight and orientation during darkness by using the Lume Cube LED lights placed on the two landing gear arms of the UAV that are visible up to 3 statute miles away.
- f. Safety Equipment: All crew members will utilize the following:
 - i. High visibility reflective vests: Each crew member will wear a department issued high visibility reflective vest.
 - ii. Flashlight: Each crew member will possess at least one flashlight.
 - iii. Headlamp: Each crew member will possess a headlamp with a red lens cover.
 - iv. Green/Red position lighting: The green/red position lighting on UAV will be engaged.
- g. Pre-flight check of flight area: When UAS missions allow, the RPIC will scout the flight area during daylight hours at least 24 hours prior to flight, to make notes and a detailed map with heights of objects, to be used during night operations.

- h. Procedure for Loss of VLOS: All VOs and flight crew will be provided with LED flashlights. Should the RPIC lose visual contact with the UAV all flight operations will be suspended, leaving the UAV in hover, and LED flashlights will be switched on and used to scan the airspace for the UAV, using the UAV's flight telemetry to assist in the search. The UAV's camera feed will also be used to scan for the ground based lights by staying in hover and rotating 360 degrees. The UAV will also be equipped with DOT reflective tape making it easier to reacquire visual contact with the UAV. The UAV will also be kept within a 200 foot radius of the RPIC narrowing the search area. Once visual contact has been regained the UAV will be landed and all flight crew will meet to discuss how visual contact was lost and how it can be prevented. Once it has been determined the UAV can be made safe to fly in the conditions, flight operations will continue. If it cannot be made safe to fly all flight operations will be suspended until the RPIC deems operations can be safely performed.
- i. Method to detect and avoid aircraft: VOs will be in place to scan the sky to detect aircraft in the area. The VOs will be in contact with the RPIC at all times before, during, and after operations. On applicable DJI UAV's, the Flight Radar application will also be used to detect aircraft in the area. The Flight Radar application provides real-time live air traffic showing: distance, location, altitude, speed, flight number, and registration number. A hand held VHF aviation radio will also be used to listen for radio traffic from any nearby aircraft. If aircraft are detected in the flight operations area the RPIC will employ "see and avoid" to avoid any aircraft and will immediately suspend all operations until the aircraft has left the area and the area has been deemed safe to fly by the RPIC.
- j. Method to detect and avoid people and obstacles: All UAS crew members will be wearing high visibility reflective vests so as to ease detection. The UAV will remain within Visual Line of Sight of the RPIC at all times during operations making it easy to detect any people or obstacles in the flight area and a manageable area to keep visuals on people and obstacles. The UAV will also be equipped with Lume Cube spotlights to illuminate the flight area to detect any people or obstacles in the area. This will enable the RPIC to "see and avoid" any obstacles in the flight area. The Lume Cube spotlights also provide enough light for the UAV's obstacle avoidance sensors to work properly in the low light. If people are detected in the flight area, flight operations in the area will be suspended until they can be removed from the flight area. The take-off and landing area will be well lit and blocked off from any people in the area using a designated landing pad, reflectors, yellow caution tape, and reflective traffic cones.
- k. Telemetry: The RPIC/PIC will also use the Aircraft telemetry showing the aircraft's altitude, attitude, speed, distance, direction, and position during operations to be able to continuously know and determine the position, altitude, attitude, and movement of the UAV.
- l. Altitude: All UAV night flights shall be conducted at less than 400 feet Above Ground Level unless otherwise noted in the COA, COW, or FAA Part 107 Night Waiver.

m. Weather

- i. Temperature: UAS crew members shall only deploy UAVs when the temperature is within the parameters set forth by the manufacturer's recommended operational guidelines of the UAV being deployed.

Note: UAS crew members shall adjust UAV battery and flight length as necessary according to temperature.

- ii. Wind: UAS crew members shall measure wind velocity prior to each deployment and shall consider deploying UAVs when the wind velocity is within the parameters set forth by the manufacturer's recommended operational guidelines of the UAV being deployed.

- iii. Precipitation and Other Weather Phenomenon: Prior to deployment of a UAV, UAS crew members shall assess whether precipitation or other weather phenomenon may decrease visibility or overall safety of the intended mission. UAS Crew members may deploy UAVs if weather conditions do not prevent personnel from adhering to line-of-sight and minimum weather requirements.

7. When a mission requires flight in controlled airspace around airports, the RPIC/PIC or other Part 107 Remote Pilot crew member must, if not already authorized in the agency COA(s), receive airspace authorization from the FAA prior to the flight. The RPIC/PIC or other UAS crew member will obtain authorization through the FAA's Low Altitude Authorization and Notification Capability (LAANC) program utilizing an approved FAA UAS Service Supplier (USS). The RPIC/PIC must still check NOTAMS, weather conditions, and abide by all airspace restrictions.

8. All night UAV flights shall be documented on a form or databases designed for that purpose and shall include, but are not limited to, the following:

- a. The reason for the flight.
- b. Date, time, duration and location of the flight.
- c. List of UAS crew assigned to flight.
- d. Summary of actions taken, activities, and outcomes from deployment.
- e. Brief description of captured DME and storage location.

D. Training of UAS Crew Members for Night Time Operations

1. UAS Crew members selected to operate UAVs at night must complete an agency-approved night training program, maintain current FAA Part 107 Remote Pilot certification, and meet all conditions of the COA, COW, and/or Part 107 Night Waiver. UAS Crew members assigned to operate UAV's at night should also receive additional training at regular intervals to ensure continued effective use, operation, calibration and performance of UAV's and to incorporate changes, updates, revisions and advances in policies and procedures in the deployment and use of UAV's.

2. Prior to conducting night operations that are the subject of a COA, COW, or a Part 107 Night Waiver, the RPIC/PIC and VO must be trained to recognize and overcome visual illusions caused by darkness, and understand physiological conditions which may degrade night vision.
3. All UAS crew members will be trained using the Aeromedical Factors Chapter of the Pilot's Handbook of Aeronautical Knowledge and the NuAIR Alliance Night SUAS Operations Ground Training Course as the basis of training. Prior to engaging in night operations, all involved crew members will receive a minimum of four hours of training in night operations.
4. All personnel with responsibilities related to the Unmanned Aerial System (UAS) shall be trained in applicable local and federal laws, regulations, operational guidelines for missions conducted under authorization of a COA, COW, and/or a Part 107 Night Waivers, and the policies and procedures defined herein which govern the night deployment of UAVs.

XIII. UAS Policies

This policy shall be reviewed at least every three years to ensure changes in technology and UAS regulations are adopted promptly.

A. Privacy Protection

1. Data Collection and Use

- a. The MCSO shall only collect information using UAS or use UAS collected information to the extent that such collection or use is consistent with and relevant to an authorized purpose.
- b. All video, audio and data captured by the UAS, irrespective of the content, are at all times the property of the Monroe County Office of the Sheriff. Members may not copy, publish, share or disseminate any audio, video, image or data to anyone except as authorized. Furthermore, members may not edit, delete, or alter any video or audio captured by the UAS.

2. Retention

- a. The Monroe County Office of the Sheriff shall be in compliance with the minimum standards required by the New York State Archives, which requires law enforcement data captured from a mobile recording device be retained for a minimum of 180 days regardless of whether or not the data is evidentiary or non-evidentiary.
 - i. The established retention schedule can be extended beyond 180 days minimum as necessary.
- b. Non-evidentiary data will be maintained for a minimum of 180 days.
- c. Any data determined to have a long-term investigation, administrative or civil proceedings impact should be appraised for archiving in accordance with applicable statutory timeframes.
- d. If no extension of video data retention is required, the UAS Coordinator may destroy recordings in accordance with the Monroe County Sheriff's Office's retention procedures and with the approval of the Sheriff.

- e. If recording is deemed to be useful as a training tool, the recording may be kept for as long as practicable with the approval of the Sheriff.
 3. Dissemination: UAS collected information that is not maintained in a system of records covered by current NYS policy shall not be disseminated outside of the agency unless dissemination is required by law, or fulfills an authorized purpose and complies with agency requirements.
 4. Misuse and Abuse
 - a. Violation of the policy as specified herein shall be cause for internal investigation.
 - b. The Sheriff or his/her designee shall review complaints and/or allegations of misconduct and determine the necessary action.
 5. Access: The Sheriff, his/her designee and UAS Unit members will be permitted to review footage of any incident for the purpose of:
 - a. Preparing written reports to help ensure the accuracy and consistency of the incident.
 - b. Criminal investigation.
 - c. Training.
 - d. Involvement in an IA investigation.
 6. Assignment and Identification: Members shall utilize the VeriPic Digital Evidence Manager to identify all recordings with the following:
 - a. The Case Number ID field shall be assigned a unique case number, commonly referred to as a crime report number (CR). The CR will consist of the last two digits of the current calendar year, followed by a 6 digit unique number assigned to only that incident/investigation (Example: 20-012345).
 - b. A Title shall be assigned using the following format: Year, Month, Day (of UAS mission), Incident type (UAS mission), and Camera Operator (last name of camera operator). Example: 20.01.01 UAS Mission (Smith)
 - c. The Notes field may be used to enter notes, comments, and/or additional descriptive information pertaining to the incident (Example: Rochester PD Assist).
- B. Civil Rights and Civil Liberties Protections: to protect civil rights and civil liberties:
1. The MCSO affirms that policies are in place to prohibit the collection, use, retention, or dissemination of data in any manner that would violate the First Amendment or in any manner that would discriminate against persons based upon their ethnicity, race, gender, national origin, religion, sexual orientation, or gender identity, in violation of law;
 2. The MCSO affirms that UAS activities are performed in a manner consistent with the Constitution and applicable laws, Executive Orders, and other Presidential directives;
 3. The MCSO affirms that adequate procedures are in place to receive, investigate, and address, as appropriate, privacy, civil rights, and civil liberties complaints.

4. The MCSO affirms that UAS-recorded data will not be collected, disseminated or retained solely for the purpose of monitoring activities protected by the U.S. Constitution, such as the First Amendment's protections of religion, speech, press, assembly, and redress of grievances (e.g., protests, demonstrations).
5. The MCSO affirms that the collection, use, dissemination, or retention of UAS-recorded data will not be based solely on individual characteristics (e.g., race, ethnicity, national origin, sexual orientation, gender identity, religion, age, or gender), which is a violation of the law.

C. Accountability

1. The MCSO affirms that oversight procedures for UAS use, including audits or assessments, comply with existing policies and regulations.
2. The MCSO affirms that adequate procedures are in place to receive, investigate, and address, as appropriate, privacy, civil rights, and civil liberties complaints.
3. The MCSO affirms that any data-sharing agreements or policies, data use policies, and record management policies applicable to UAS conform to applicable laws, regulations, and policies.
4. This policy shall serve to authorize the use of UAS in response to a request for UAS assistance in support of Federal, State, local, tribal, or territorial government operations, at the Sheriff's discretion.
5. The UAS Coordinator should conduct periodic audits of those with access to sensitive information to prevent misuse of data.

D. Transparency/Public Disclosure of Data

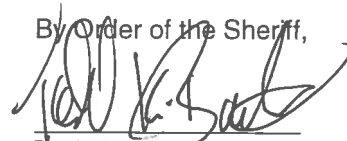
1. Any and all disclosure of UAS data must be consistent with the Office record release policy and possibly applicable statutes addressing, but not limited to, evidence discovery and disclosure, such as the CPL, the Freedom of Information Law (FOIL), the Public Employees' Fair Employment Act, and Section 50-a of the Civil Rights Law. Any requests for such data should be reviewed by the Sheriff's Attorney.
2. When the UAS data is disseminated outside of the agency, the UAS Coordinator shall document the reason and identify the requesting person and/or agency and the rationale used for determining why or why not data is released. This written documentation will be forwarded to the Sheriff for final determination.

Note: UAS data will not be disseminated outside of the agency without prior approval from the Sheriff or UA Coordinator and the Sheriff's Attorney.

3. Unauthorized access or release of data is prohibited outside the permitted review of footage detailed herein.
4. The MCSO shall provide notice to the public regarding where the agency's UAS are authorized to operate in the National Airspace System (NAS).
5. The MCSO shall keep the public informed about the agency's UAS program as well as changes that would significantly affect privacy, civil rights, or civil liberties.

6. The MCSO shall make available to the public, on an annual basis, a general summary of the agency's UAS operations during the previous fiscal year, to include a brief description of types or categories of missions flown, and the number of times the agency provided assistance to other agencies, or to State, local, tribal, or territorial governments.

By Order of the Sheriff,

A handwritten signature in black ink, appearing to read "Todd K. Baxter", written over a horizontal line.

Todd K. Baxter