

[PROPOSED DRAFT]

LOS ANGELES POLICE DEPARTMENT

SMALL UNMANNED AERIAL SYSTEM PILOT PROGRAM

DEPLOYMENT GUIDELINES AND PROCEDURES

The Department intends to implement a one-year pilot program to evaluate whether a small unmanned aerial system (sUAS) will enhance the ability of LAPD's Metropolitan Division, Special Weapons and Tactics team to safely resolve dangerous, high-risk tactical situations and improve situational awareness capabilities during natural disasters and catastrophic incidents.

BACKGROUND

Public safety agencies throughout the United States have been using sUASs to provide critical real-time information and situational awareness during volatile and life-threatening incidents. For example, law enforcement agencies have successfully used sUASs to detect explosives, assess hazardous materials incidents, respond to major disasters, assist with hostage rescues, respond to armed and barricaded suspect calls, and find survivors during search and rescue operations.

The deployment of an sUAS will enhance the Department's ability to protect and serve the public. It can be effective as a de-escalation tool in preservation of life situations, to identify suspect locations that otherwise would be inaccessible without the introduction of an armed officer or K9, and to locate victims in active shooter or mass casualty incidents thus increasing the ability to render assistance more quickly—all strategic operational goals consistent with the Department's guiding principle of reverence for human life.

The Department conducted an extensive review of existing sUAS policies, procedures and legal restrictions to develop guidelines and procedures that consider community concerns and privacy interests. The Department remains steadfastly committed to protecting the community and ensuring public safety by adhering to the law and building public trust. Accordingly, this pilot program will be strictly controlled and monitored with appropriate oversight by the Board of Police Commissioners and its Office of the Inspector General.

DEFINITIONS

Small Unmanned Aerial System (sUAS) refers to a remotely-operated, lightweight aircraft and its associated components.

The Special Weapons and Tactics Team (SWAT) is a highly trained and specialized cadre of Department personnel under the command of Metropolitan Division and the Counterterrorism

and Special Operations Bureau (CTSOB). SWAT personnel respond to high-risk tactical incidents including hostage situations, active shooter incidents, and counterterrorism operations, and are trained to operate specialized equipment and technology to safely resolve incidents.

The Program Manager is a supervisor assigned to Air Support Division (ASD) responsible for ensuring compliance with laws and regulations, acquiring Federal Aviation Administration (FAA) waivers and certificates of authorization, training of sUAS operators, and providing information and assessments for the evaluation of the pilot program.

sUAS Deployment Log is the written documentation report completed by the officer in charge (OIC) of SWAT after the approval or denial of an sUAS at the scene of a tactical incident (Addendum 1).

The Remote Pilot in Charge (RPIC) is a specially-trained SWAT officer holding a remote pilot certificate with an sUAS rating and who is responsible for the safe operation of the sUAS.

The Office of Special Operations Commission Liaisons are two members of the Board of Police Commissioners designated by the Commission President to review the Department's use and deployment of the sUAS.

RESPONSIBILITIES

The sUAS will be assigned to the RPIC only and operated in coordination with the Program Manager from ASD.

SWAT personnel will be responsible for the safe operation of the sUAS during approved deployments and for documenting the use and deployment of the aircraft.

The Office of Special Operation's Counter-Terrorism and Special Operations Bureau will be responsible for the oversight and evaluation of the sUAS Pilot Program.

APPROVAL FOR DEPLOYMENT

Any deployment involving the use of an sUAS shall be approved by the on-scene or responding CTSOB or Office of Special Operations Staff Officer (i.e., Commander or above) and the Commanding Officer (i.e., Deputy Chief) of CTSOB. In addition, after deployment has been approved by the CTSOB Commanding Officer, notification shall be made to the Director (i.e., Assistant Chief), Office of Special Operations, the Chief of Police, and the Office of Special Operations Commission Liaisons.

PERMISSIBLE USES

An sUAS may be deployed to provide enhanced situational awareness solely during the following circumstances or types of incidents:

- Barricaded Suspects;¹
- Active Shooter Incidents;
- Assessments of Explosive Devices and Explosions;
- Hostage Situations;
- Natural Disasters;
- Hazardous Materials Incidents;
- Search and Rescue Operations; and,
- Perimeter Searches of Armed Suspects with Superior Firepower, an Extraordinary Tactical Advantage, or Who are Wanted for Assault with a Firearm Against a Police Officer.

PROHIBITED USES

An sUAS shall not be deployed or used in violation of the law or Constitution. Unless a lawful exception applies, Department personnel shall obtain a search warrant or other lawful process when required under the Fourth Amendment or other provision of the law.

An sUAS shall not be deployed when weather conditions or other hazards prevent the safe operation of the aircraft. In addition, an sUAS shall not be deployed in a manner that exceeds the manufacturer's recommendations.

An sUAS shall not be deployed or used with any weapons capabilities including any non-lethal or less-than-lethal weapon systems.

¹ The SWAT response criteria for a barricaded suspect is as follows:

1. The suspect is probably armed; **and**
2. Probable cause exists to believe that the suspect has been involved in a criminal act **or** is a threat to the lives and safety of the community and/or police; **and**
3. Is in a position of advantage, affording cover and/or concealment; **or** is contained in an open area and the presence or approach of police officers could precipitate an adverse reaction by the suspect; **and**
4. The suspect refuses to submit to a lawful arrest.

VIDEO RECORDINGS

Absent exigent or unexpected circumstances, such as a malfunction or technical issue, the RPIC shall ensure that video transmissions from the sUAS are recorded and retained in accordance with City retention requirements.

DOCUMENTATION AND INSPECTION PROCEDURES

The request and approval or disapproval of an sUAS deployment shall be documented in an sUAS Deployment Log by the assigned SWAT OIC.

After each deployment of an sUAS, the assigned SWAT OIC shall complete the sUAS Deployment Log and ensure that a copy is forwarded to the Commanding Officer, CTSOB and Director, Office of Special Operations within two business days after the incident has been resolved. The Office of Special Operations shall also forward a copy of the sUAS Deployment Log to the Office of Special Operations Commission Liaisons.

The Program Manager shall conduct a monthly inspection of logged missions that will compare data downloaded from the sUAS to ensure all flight time, including training flight time, is accounted for. The inspection will include the total number of missions for the reporting period, total flight time for the reporting period, and matrix of mission purposes. A copy of the monthly inspection report shall be forwarded to the Commanding Officer, CTSOB and Director, Office of Special Operations. The Office of Special Operations shall also forward a copy of the report to the Office of Special Operations Commission Liaisons.

STATUS REPORTS AND PROGRAM EVALUATION

The Department will provide quarterly status reports to the Office of Special Operations Commission Liaisons on the use and deployment of an sUAS and a copy of the report, with any necessary redactions, shall also be submitted to the Board of Police Commissioners and publicly released.

At the end of the pilot program, the Department will provide a Final Report on the Evaluation of the sUAS Pilot Program to the Board of Police Commissioners. The Final Report will be reviewed by the Chief of Police and the Office of Special Operations Commission Liaisons prior to a public presentation to the Board of Police Commissioners and shall include:

- An analysis of the use of an sUAS, including results of monthly audits measuring performance relative to the adherence of deployment and accountability rules;
- The number of sUAS deployments;
- The types of situations in which an sUAS was deployed;
- The overall results and effectiveness of an sUAS in resolving incidents;

- Whether an sUAS mitigated the risk of harm to officers, suspects, and the public;
- Whether deployment of an sUAS reduced costs associated with responding to similar incidents; and,
- Recommendations on whether the use of an sUAS should be continued and, if so, any modifications to these guidelines or other policies and procedures that should be considered.

PILOT PROGRAM TIME PERIOD

Subject to the approval of these guidelines by the Board of Police Commissioners, the Department shall have one year to deploy an sUAS consistent with these guidelines. The one-year period shall begin on the date the first sUAS is granted a Certificate of Aircraft Registration by the Federal Aviation Administration.