

A nighttime photograph of the Los Angeles County Courthouse, a large, classical-style building with many lit windows. The building is centered in the frame, with a modern glass-walled building to its left and another modern building to its right. The sky is a deep blue. The text "Office of Inspector General" and "County of Los Angeles" is overlaid in a gold, serif font at the top. The name "Max Huntsman" is overlaid in a white, serif font at the bottom of the image.

**Office of Inspector General
County of Los Angeles**

Max Huntsman

**Los Angeles County Sheriff's Department
Unmanned Aircraft System Evaluation**

April 2017

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Introduction

On January 24, 2017, a motion entitled "Transparency Regarding New Technology" was approved by the Los Angeles County Board of Supervisors (Board). The motion directed the Office of Inspector General (OIG) to gather information regarding the Los Angeles County Sheriff's Department's (LASD or Department) planned use of a small Unmanned Aircraft System (UAS) with the following mandates:

- 1) Direct the OIG to gather information regarding the program and report that information to the Civilian Oversight Commission;
- 2) Request that the Civilian Oversight Commission receive the OIG's report and supplement it with input from the LASD and any other source it deems appropriate, as well as public comment;
- 3) Request that the Civilian Oversight Commission provide the Board and the Sheriff with an evaluation of the program reflecting any recommendations the Department has as well as feedback on public comments regarding the program.

On January 12, 2017, the Sheriff of Los Angeles County, Jim McDonnell, held a press conference to announce that the LASD would be deploying an Unmanned Aircraft System. The Sheriff indicated the very limited circumstances in which the Unmanned Aircraft System would be deployed, including:

- Search and rescue
- Explosive ordinance detection
- Hazardous materials incidents
- Disaster response
- Arson fires
- Hostage rescue
- Barricaded, armed suspects

The Sheriff said “these devices can greatly aid law enforcement in protecting the public and deputies and their use deserves strong support.” Following the announcement by the LASD, several groups gathered to advocate a ban on the use of “drones” by the Department. Mr. Hamid Khan, a member of the Stop LAPD Spying Coalition, said his group had been able to stop the Los Angeles Police Department from using drones. He said “We believe the deployment of drones signify (sic) a giant step forward in the militarization of local law enforcement that is normalizing continued surveillance and violations of human rights of our communities.”¹

Mr. Khan and others have expressed concern over the LASD’s past use of surveillance aircraft. In 2012 the LASD used a small airplane to conduct flights over the City of Compton for nine days without public knowledge.² The plane was part of a contracted pilot project to use high resolution photographic surveillance to assist in criminal investigations. Although the LASD informed the public and city officials of a similar project in another part of the county, they did not do so in Compton. As a result, many members of the public have had a heightened concern over the issue of surveillance.

We met with Mr. Khan and Ms. Jamie Garcia to discuss their concerns and they are adamantly opposed to the use of an Unmanned Aircraft System under any circumstances. They prepared the attached letter outlining their concerns, dated March 7, 2017.³

¹ Susan Abram, “Drone use by LA County Sheriff’s Department sparks probe amid privacy concerns,” Los Angeles Daily News, January 24, 2017.

² James Queally, “Protesters fear L.A. County sheriff’s drones could be used for spying,” Los Angeles Times, January 10, 2017.

³ Letter to Office of Inspector from “Stop LAPD Spying Coalition” dated March 7, 2017.

Equipment

A small Unmanned Aircraft System, as defined by statute, is an unmanned aircraft weighing less than 55 pounds.⁴ The small Unmanned Aircraft System that has been purchased by the Department is a lightweight aircraft weighing approximately six pounds that has limited capability in range and flight time. It has the ability to provide video feedback to the operator in addition to recording capabilities. The Unmanned Aircraft System (model HV-44B) was manufactured by a company named DJI which is a large company specializing in the production of Unmanned Aircraft Systems. The Department reports that the Unmanned Aircraft System cost approximately \$10,000.



⁴ Pub. L. No. 112-95 (Feb. 14, 2012) 126 Stat. 11.

The technology is essentially no more than that which may be legally purchased by members of the public online or in a local hobby or electronics type store.

Members of the public have referred to the device as a "drone." The terms Unmanned Aircraft System (UAS), Unmanned Aerial Vehicle (UAV), Unmanned Aircraft (UA), or Remotely Operated Aircraft (ROA) and "drone" can be used synonymously. The term "drone" is frequently associated with usage by the military as a weapons delivery system.

We have been assured by the Department that its Unmanned Aircraft System is *not* armed in any way, nor are there any plans to change that. In addition, we have inspected the Unmanned Aircraft System and verified that it is not armed or equipped in any way to accommodate weapons.

The deputies who will be operating the LASD Unmanned Aircraft System have received a great deal of training and have passed a Federal Aviation Administration (FAA) certification test. The certification that they receive from the FAA is known as the "Remote Pilot" certificate. During the initial training two inexpensive, personally owned, Unmanned Aircraft Systems were used to minimize the possibility of damaging the Department owned Unmanned Aircraft System. In addition to the deputy operating the Unmanned Aircraft System, it is required that a second deputy be present as an observer. The deputies, all of whom are assigned to the Special Enforcement Bureau (SEB), are among the most highly trained deputies in the Department. The Special Enforcement Bureau is responsible for handling high-risk tactical operations involving barricaded suspects, hostage situations, and high-risk warrant services. Additionally, search and rescue, arson fire investigations and the bomb squad fall under the purview of the SEB.

However, past experience has led to concerns that the devices could be used for more controversial purposes. Because drones are used by the military to carry weapons and conduct covert operations, the name carries a threatening connotation.

Federal Aviation Administration (FAA)

The regulation of Unmanned Aircraft Systems is covered by the United States Code of Regulations (CFR) 14 - Part 106 and 107. Part 106 regulates the private use of Unmanned Aircraft Systems and part 107 regulates the commercial use of Unmanned Aircraft Systems such as for photography, real estate sales, and a variety of agricultural purposes. Additionally, news media currently use this equipment.

Governmental uses such as those proposed by the LASD are regulated by what is known as a Certificate of Waiver or Authorization typically referred to as a (COA). The COA becomes the set of "rules and regulations" for the deployment of the Department's Unmanned Aircraft System. The Department has entered into such an agreement with the FAA dated May 18, 2016. There are limitations as to when the Unmanned Aircraft System may be deployed and requirements for its use. For example, a Notice to Airmen (NOTAM) is a notice that advises aircraft of unusual circumstances in the vicinity of airports and controlled airspace. The COA requires that the Department issue a NOTAM a minimum of 30 minutes prior to the deployment of the Unmanned Aircraft System unless such notification will compromise the safety of the public agency. The COA also mandates that the Unmanned Aircraft System cannot be flown higher than 400 feet above ground level or be operated at night. Additionally, it must remain within visual line of sight. The COA also requires the Department to report monthly on the usage of the Unmanned Aircraft System and to document training. The FAA doesn't regulate the law enforcement purposes for which Unmanned Aircraft Systems are used, only the manner of their safe deployment.

The requirements mandated in the Department's COA with the FAA are more stringent than those required for the private or commercial usage of an Unmanned Aircraft System. We met with the deputies who are most knowledgeable about the deployment of the Unmanned Aircraft System. We found them to be very well informed and extremely dedicated to the safe and ethical operation of the Unmanned Aircraft System.

As of March 7, 2017 the Department has only deployed the Unmanned Aircraft System on one occasion. It was used during a situation involving a barricaded, armed suspect. This use is consistent with the stated intent as described by Sheriff McDonnell.

Department Policy

The LASD has implemented SEB Unit Order#2017-01 entitled "Utilization of Unmanned Aircraft System (UAS) Platform."⁵

This Unit Order includes the mission for the system which "is to protect the lives and property of residents and visitors of Los Angeles County in a constitutionally and legally sound manner in compliance with Federal Aviation Administration (FAA) regulations. A Unmanned Aircraft System may be utilized in circumstances which would save life and property, as well as in situations to detect possible dangers that could not otherwise be seen."

The Unit Order covers what types of situations the Unmanned Aircraft System may be used for and the process for deployment, including approval by a SEB Team Commander. We met with the SEB Captain, who was very helpful in clarifying the policy and intent regarding the use of the Department's Unmanned Aircraft System. He

⁵ See attached copy of the LASD Special Enforcement Bureau Unit Order 2017-01, *Utilization of Unmanned Aircraft System (UAS) Platform*, dated January 10, 2017.

assured us that there was no intention of ever using the system for non-emergency surveillance, only for evaluating and responding to potential hazardous situations.

“The SEB UAS operator is directly responsible for, and is the final authority over, the actual operation of the UAS.”⁶ Additionally, “[e]ach SEB UAS operator shall be cognizant of, and sensitive to, the privacy rights of individuals when operating the UAS. The default mode of the UAS shall be non-recording.”⁷

There appear to be proper safeguards within the Unit Order to operate the Unmanned Aircraft System in a responsible and safe manner keeping privacy rights in mind.

In addition to a Unit Order, most departments operating Unmanned Aircraft Systems have some type of document or operations manual that goes into more detail about the operational use of the Unmanned Aircraft System and training requirements for personnel who will be deploying the system. Currently, the Department does not have such a document or operations manual.

Privacy Issues

The benefits of commercial and private Unmanned Aircraft Systems are substantial. This technology is rapidly developing and the potential uses are continually evolving. While this means we can quickly benefit from these changes, it also leads to legitimate privacy concerns and the fear that law enforcement will use an Unmanned Aircraft System in an unexpected way without public knowledge or input.

⁶ LASD Special Enforcement Bureau Unit Order #2017-01, Utilization of Unmanned Aircraft System (UAS) Platform, dated January 10, 2017. Procedure #5.

⁷ LASD Special Enforcement Bureau Unit Order #2017-01, Utilization of Unmanned Aircraft System (UAS) Platform, dated January 10, 2017. Procedure #6.

As a public agency, the LASD is governed by the privacy protections set forth in the Fourth Amendment of the United States Constitution.⁸ The Fourth Amendment protects people from unreasonable searches and seizures by the government. It is not a guarantee against all searches and seizures, but only those deemed unreasonable under the law. A reviewing court will determine whether the government conducted an improper “search” by asking whether it invaded a person’s “reasonable expectation of privacy” without legal justification.⁹

A search conducted without a warrant is *per se* unreasonable under the Fourth Amendment. However, one of the established exceptions to the warrant requirement is when a search is based upon exigent circumstances.¹⁰ An “exigent circumstance” is an emergency situation requiring swift action to prevent imminent danger to life, serious damage to property, or to forestall the imminent escape of a suspect or the destruction of evidence.¹¹

As stated above, the LASD Unit Order relating to the use of an Unmanned Aircraft System sets forth the situations in which an Unmanned Aircraft System may be deployed:

Authorized missions are search and rescue missions, explosive ordnance detection missions, disaster response, barricaded suspects, hostage situations and other high-risk tactical operations, hazardous materials incidents, and fire related incidents.¹²

⁸ *Burdeau v. McDowell* (1921) 256 U.S. 465, 475.

⁹ See *Katz v. United States* (1967) 389 U.S. 347, 361-362 (Harlan, J., concurring).

¹⁰ *Mincey v. Arizona* (1978) 437 U.S. 385, 393-394..

¹¹ *People v. Superior Court [Chapman]* (2012) 204 Cal.App.4th 1004, 1011; quoting *People v. Ramey* (1976) 16 Cal.3rd 263, 276.

¹² LASD Special Enforcement Bureau Unit Order #2017-01, *Utilization of Unmanned Aircraft System (UAS) Platform*, dated January 10, 2017.

As each of the missions outlined in the LASD Unit Order involves an emergency situation requiring swift action to prevent imminent danger to life, serious damage to property, or to forestall the imminent escape of a suspect or the destruction of evidence, these missions will likely fall within the “exigent circumstances” exception to the Fourth Amendment. Moreover, there is no “expectation of privacy” for missions conducted in public places and such occurrences would not constitute a search under the Fourth Amendment. Likewise, there is generally no “expectation of privacy” for barricaded suspects or those holding hostages. As such, the Unmanned Aircraft System missions set forth in the LASD Unit Order will likely survive Fourth Amendment scrutiny.

Lastly, the LASD Unit Order explicitly states that “[t]he UAS SHALL NOT be used for surveillance missions or missions that would violate the privacy rights of public.”¹³ The LASD Unit Order appears to be narrowly tailored to public safety missions to prevent imminent danger to life or serious damage to property and does not allow for the improper surveillance of the public.

In the past, courts have found that the use of aircraft for surveillance in public areas or places viewable from public areas in navigable air space, such as back yards, is lawful.¹⁴ There are no cases specifically regarding Unmanned Aircraft Systems at this time. However, the LASD Unit Order has made it clear that the Unmanned Aircraft System will never be used for non-exigent surveillance.

¹³ LASD Special Enforcement Bureau Unit Order #2017-01, *Utilization of Unmanned Aircraft System (UAS) Platform*, dated January 10, 2017.

¹⁴ *California v. Ciralo* (1986) 476 U.S.207.

Recommendations

- 1) The Department should continue its commitment to transparency in their operation of the Unmanned Aircraft System by providing information to the public on the uses of its Unmanned Aircraft System.
- 2) The Department should develop a department wide policy on the use of Unmanned Aircraft System which would ban the use of ANY Unmanned Aircraft System by any other units or deputies during the course of their official duties.
- 3) The current SEB Unit Order should be clarified with regard to "random surveillance missions." The primary mission/focus of utilizing a UAS appears to be gaining situational awareness in life threatening situations. This should be emphasized in the policy. The term "non-emergency surveillance" would better describe the expressed intent of the LASD not to use an Unmanned Aircraft System for gathering criminal evidence outside of emergency situations. In addition, one of the listed uses in the Unit Order should include an "active shooter" type situation since these incidents do not always include barricades or hostages.
- 4) The Department should provide a record of usage, flight time, training and maintenance issues along with copies of all NOTAMs issued as a result of the Unmanned Aircraft System deployment. These documents/logs should be addressed within an operational type manual.
- 5) The Department should continually research and implement "Best Practices" regarding the use of these systems.

Department Review

The Department was provided a draft of this report for verification purposes on March 9, 2017. We have been informed that the Department is in the process of developing a Department-wide policy for the deployment of the Unmanned Aircraft

System. The proposed policy has been reviewed by the OIG. The Department has agreed to incorporate changes suggested by the OIG into the policy.¹⁵

Conclusion

There are many very valuable uses for this technology that will undoubtedly save lives over time. The primary purpose of the Unmanned Aircraft System is to promote public safety by giving deputies the best vantage point possible, while keeping them out of harm's way. However, should the Department consider other non-emergency uses for the Unmanned Aircraft System such as aerial crime scene photography, it should be recognized that such a use requires further legal analysis and evaluation and that the Department should seek and receive public input prior to implementation.

It is incumbent upon the Department to use Unmanned Aircraft Systems technology in an ethical, legal and professional manner while ensuring that the privacy rights of individuals are not violated. The law with regard to the use of these types of systems is continually evolving and must be a primary consideration both in regards to privacy rights and also FAA regulations. However, the Sheriff has stated his intent to take steps beyond the minimum standards of the law to ensure that this new technology is used in a way that does not compromise privacy. The OIG will review on a regular basis the Department's Unmanned Aircraft System deployment practices.

The Sheriff's decision to provide the public and the Civilian Oversight Commission the opportunity to examine his plans in advance should be viewed as a best practice in the use of this technology.

¹⁵ See attached proposed Manual Revision #2017-003-02

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service Since 1850

DATE: January 10, 2017

OFFICE CORRESPONDENCE FILE:FROM: **JACK W. EWELL, CAPTAIN** TO: **ALL SEB PERSONNEL**
SPECIAL ENFORCEMENT BUREAUSUBJECT: **UNIT ORDER 2017 - 01****UTILIZATION OF UNMANNED AIRCRAFT SYSTEM (UAS) PLATFORM****PURPOSE:**

The purpose of this Bureau Order is to establish procedures governing the utilization and deployment of a Special Enforcement Bureau (SEB) Unmanned Aircraft System (UAS) platform.

SCOPE:

This order applies to all personnel requesting or operating an SEB UAS platform.

OVERVIEW:

SEB is tasked with responding to high risk tactical/rescue/HazMat emergencies throughout the County's 4,061 square miles, on a 24 hour / 7 day a week basis. It is the preeminent responsibility of SEB to respond to those incidents that exceed the scope, skills, and resources of patrol/detective personnel. In these situations of extreme threat the deployment of an SEB Unmanned Aircraft System (UAS) may be authorized. Authorized missions are search and rescue missions, explosive ordnance detection missions, disaster response, barricaded suspects, hostage situations and other high-risk tactical operations, hazardous materials incidents, and fire related incidents. A UAS can support personnel in these all-hazards incidents which would benefit from an aerial perspective. The use of an SEB UAS platform will allow for the enhanced protection of the public in high risk environments. The UAS SHALL NOT be used for random surveillance missions or missions that would violate the privacy rights of the public.

MISSION:

The mission of the SEB unmanned aircraft system (UAS) is to protect the lives and property of residents and visitors of Los Angeles County in a constitutionally

UNIT ORDER 2017 - 01

and legally sound manner in compliance with Federal Aviation Administration (FAA) regulations. A UAS may be utilized in circumstances which would save life and property, as well as in situations to detect possible dangers that could not otherwise be seen.

PROCEDURES:

The following are the procedures for the deployment and use of an SEB UAS:

1. SEB will maintain a cadre of individuals certified by Federal Aviation Administration (FAA) regulations to operate a UAS.
2. Only those personnel authorized by the SEB unit commander to operate a UAS will be charged with doing so.
3. The minimum personnel required on ALL UAS missions will be a two person team consisting of a qualified operator and observer.
4. All requests for the use of the UAS will be evaluated and authorized or denied by a SEB Team Commander prior to deployment.
5. The SEB UAS operator is directly responsible for, and is the final authority over, the actual operation of the UAS. SEB UAS operators have absolute authority to reject a flight based on personnel safety, public safety or violation of FAA regulations. SEB UAS operators are responsible for compliance with this order, department policy and procedure and FAA regulations.
6. Each SEB UAS operator shall be cognizant of, and sensitive to, the privacy rights of individuals when operating the UAS. The default mode of the UAS camera shall be non-recording. If circumstances require use of the recording function of the camera, the operator shall obtain authorization of the SEB Team Commander to turn on the record function of the camera. The use of the record function shall be noted on the incident report, and the footage shall be retained for a period of two years. An exception to this is training video. Video can be retained for training purposes if no one outside of LASD personnel are identifiable in the video.
7. The SEB UAS operator is responsible for making a public notice to airman and all required FAA notifications prior to operating an SEB UAS.
8. An SEB Team Commander is responsible for notifying and coordinating with the Aero Bureau watch commander, rank of sergeant or above, prior to any SEB UAS operations.



Stop LAPD Spying Coalition

March 7, 2017

Office of Inspector General
Los Angeles Sheriff's Department

Re: Stop LAPD Spying Coalition Opposition to the use of Drones by LA Sheriff's Department

The Stop LAPD Spying Coalition rejects the use of Drones aka Un-manned Aerial Vehicles (UAV) by the Los Angeles Sheriff's Department (LASD) and demand that the LASD be prohibited from using them. The Coalition is comprised of a cross section of concerned individuals, including human and civil rights, and privacy rights organizations, faith based and community based organization. The Coalition's rejection of the deployment of Drones by LASD arises from deep concerns and history of violence, brutality, disregard for privacy rights, and several other factors including:

Militarization:

- The LASD is already one the most militarized police departments in the world using massive amount of tactical weapons, and human and electronic surveillance technology.¹ The addition of Drones would further signify the structural and operational formation of LASD as an occupying institution that operates as a counter-insurgency force.
- The LASD is in the process of creating a massive facial recognition and biometric database with the capacity to hold information on 15 million individuals.² This will be the largest database platform of any law enforcement agency outside of the FBI.

Mission Creep:

- LASD will broaden its usage of drones within the context of "mission creep." Mission creep alludes to the application of a specific tactic expanded beyond the original stated scope towards new and enlarged purposes. For example, the LASD Suspicious Activity Reporting (SAR) - Tips and Lead and the See Something, Say Something programs originally intended for counter-terrorism, are now LASD's insidious tool for everyday policing. The SAR program has resulted in rampant racial profiling and the opening of thousands of secret files on people engaging in innocent behavior such as photography.³
- A June 2014 report from American Civil Liberties Union, "The War Comes Home: The Excessive Militarization of American Policing," gives a stark example of mission creep revealing the Special Weapons and Tactics (SWAT) teams very often deployed—unnecessarily and aggressively—to execute search warrants in low-level drug investigations.⁴
- Another glaring example of mission creep arises from the August 2015 passage of legislation in North Dakota legalizing armed police drones with weapons such as tasers and rubber bullets.⁵

Distrust:

- In 2014 it was revealed that in 2012 LASD secretly used a small aircraft equipped with mass surveillance technology over a period of two weeks over the City of Compton, CA. This was a flagrant violation of privacy of Compton residents.⁶

¹ <http://shq.lasdnews.net/pages/patrolstation.aspx?id=SEB>

² <https://www.revealnews.org/article/los-angeles-sheriff-invests-in-new-tech-to-expand-biometric-database/>

³ <https://www.aclusocal.org/en/cases/nee-v-lasd>

⁴ <https://www.aclu.org/sites/default/files/assets/jus14-warcomeshome-report-web-rel1.pdf>

⁵ <http://www.thedailybeast.com/articles/2015/08/26/first-state-legalizes-armed-drones-for-cops-thanks-to-a-lobbyist.html>

⁶ <https://www.theatlantic.com/national/archive/2014/04/sheriffs-deputy-compares-drone-surveillance-of-compton-to-big-brother/360954/>

- Since 2012, the LA Sheriff's Department has ranked amongst the top five police departments in the country for killing the most people, while leading the country with most killings in 2013 and 2014. In 2015 LASD ranked second in the country for killing the most people, falling behind the Los Angeles Police Department.⁷
- There have been countless examples of community members calling LASD in moments of crisis that have resulted in lethal use of force against the very people requesting help for themselves and/or their loved ones.
- For more than four decades LASD has been a target of court decisions, lawsuits and federal investigations. Most recently there have been several indictments, convictions, and resignations of several Sheriff's Deputies, the former Assistant Sheriff Paul Tanaka and the former Sheriff Lee Baca.⁸

Safety and Trauma:

- Drones are globally associated with death and destruction. In the people's consciousness, drones represent the murder of thousands of people including children.
- According to a Washington Post study, 400 U.S. military drones crashed in major accidents worldwide between Sept. 11, 2001 and December 2013.⁹
- Recent reports by the Federal Aviation Administration (FAA) have highlighted the increasing menace in our skies by private user of Drones resulting in dangerously close call with airliners, 700 just between January and August of 2015. The FAA "has acknowledged growing concern about the problem and its inability to do much to tame it."¹⁰

The Coalition has also engaged in extensive community outreach seeking feedback from members of diverse communities on the use of Drones by law enforcement. To date we have collected over 3200 signatures, conducted extensive surveys, organized community townhalls and outreach events, held numerous press conferences and in December 2015 released "The Drone Report."¹¹ The results have been unanimous - *Angelenos overwhelmingly reject the use of drones by law enforcement under all circumstances.*

Please feel free to contact us by email at stoplapdspying@gmail.com or by phone at (562) 230-4578.

On behalf of the Stop LAPD Spying Coalition.

Sincerely,



Hamid Khan

⁷ <http://assets.lapdonline.org/assets/pdf/UOF%20Executive%20Summary.pdf>

⁸ <https://www.aclusocal.org/en/node/2578>

⁹ http://www.washingtonpost.com/sf/investigative/2014/06/20/when-drones-fall-from-the-sky/?utm_term=.70b5e84e62fb

¹⁰ https://www.washingtonpost.com/world/national-security/faa-records-detail-hundreds-of-close-calls-between-airplanes-and-drones/2015/08/20/5ef812ae-4737-11e5-846d-02792f854297_story.html?utm_term=.cd9f5c06a297

¹¹ <https://stoplapdspying.org/?s=Drone+Report>

EXECUTIVE SUMMARY

This amendment to the Los Angeles County Sheriff's Department's Manual of Policy and Procedures (MPP) will add section 5-09/550.00, Unmanned Aircraft System. This addition will implement a policy for the use of unmanned aircraft systems by Department personnel.

This proposed amendment to the Los Angeles County Sheriff's Department's Manual of Policy and Procedures supersedes all previous versions of this policy.

This proposed amendment was submitted by Captain Jack W. Ewell, Special Enforcement Bureau, at 323-881-7823.

Staff Assignment: Sergeant John Rossi or Deputy Suzie Ferrell, Field Operations Support Services, at (323) 890-5411.

This proposed amendment is presented in legislative format. Proposed additions, amendments, and/or revisions are **highlighted**. Deletions to existing policy/text are indicated by ~~strikeout~~.

5-09/550.00 UNMANNED AIRCRAFT SYSTEM

For purposes of this section, unmanned aircraft system (UAS) is defined as a small unmanned aircraft that weighs less than 55 pounds, including any attachments.

Special Enforcement Bureau (SEB) responds to high-risk tactical/rescue/hazmat emergencies. In these situations of extreme threat, the deployment of an UAS may be authorized. SEB is the only unit authorized to operate an UAS and is the lead point of contact between the Federal Aviation Administration (FAA) and LASD for UAS operations. No other member of the Department shall deploy their own personal UAS during the course of their duties.

Authorized UAS operations are search and rescue missions, explosive ordnance detection missions, disaster response, barricaded suspects, hostage situations, active shooters, hazardous materials incidents, fire-related incidents, and other high-risk tactical operations. The UAS **shall not** be used for non-emergent surveillance missions or missions that would violate the privacy rights of the public.

SEB shall maintain a cadre of individuals certified by the FAA to operate an UAS. Only those personnel authorized by the SEB unit commander to operate an UAS shall operate an UAS. An UAS operation shall require a two-person team of SEB personnel consisting of a qualified operator and observer.

An UAS is not a substitute for Aero Bureau. It may compliment Aero Bureau but has different missions and capabilities.

5-09/550.10 UNMANNED AIRCRAFT SYSTEM PROCEDURES

All requests for the use of the unmanned aircraft system (UAS) shall be evaluated and authorized or denied by the Special Enforcement Bureau (SEB) team commander.

The UAS operator shall be responsible for, and is the final authority over, the actual operation of the UAS. UAS operators have an absolute authority to reject or ground flights based on personal safety, public safety, or violation of Federal Aviation Administration (FAA) regulations. UAS operators shall be responsible for compliance with SEB unit orders, Department policy, and FAA regulations.

UAS operators shall be cognizant of, and sensitive to, the privacy rights of individuals when operating the UAS. The default mode of the UAS camera shall be non-recording. If circumstances require use of the recording functions of the camera, the operator shall obtain authorization from the SEB team commander to turn on the record function of the camera. The use of the record function shall be noted on the initial incident report by the handling deputy. The video footage shall be retained for a period of ten years when a case is not filed. If a case is filed, the video footage shall be retained until the case is adjudicated, but no less than two years from date of incident. Video footage may be retained for training purposes if no one outside of LASD personnel are identifiable in the video.

UAS operators are responsible for making a Public Notice to Airmen (NOTAM) and all required FAA notifications prior to operating an UAS.

An SEB team commander shall be responsible for notifying and coordinating with the Aero Bureau watch commander, rank of sergeant or above, prior to any UAS operations.

JIM McDONNELL, SHERIFF

Drafted February 1, 2017



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF

March 30, 2017

Max Huntsman, Inspector General
Los Angeles County Office of Inspector General
513 South Hill Street, 5th Floor
Los Angeles, California 90015

Dear Mr. Huntsman:

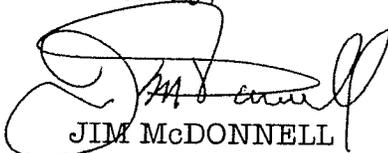
RESPONSE TO THE LOS ANGELES COUNTY OFFICE OF INSPECTOR GENERAL
EVALUATION OF THE UNMANNED AIRCRAFT SYSTEMS

The Los Angeles County Office of Inspector General (OIG) recently conducted an evaluation of the Los Angeles County Sheriff's Department (Department) use of Unmanned Aircraft Systems (UAS). The OIG produced a report consisting of recommendations in five areas: (1) commitment to operational transparency, (2) developing a Department-wide policy limiting deployment to qualified Special Enforcement Bureau personnel, (3) clarification of conditions for deployment, (4) record keeping of training, maintenance, and deployment, and (5) continuous research and implementation of best practices regarding the use of UAS.

The effort and dedication made by members of the OIG to execute this evaluation are greatly appreciated by the Department. The Department values the comments relating to the development of policies and procedures for UAS measures. The Department concurs with the recommendations and will continually strive to meet and/or exceed the expectations of this report.

The Audit and Accountability Bureau has the responsibility to monitor and document Department responses related to this evaluation and analysis. Should you have any questions, please contact Captain Steven E. Gross at (323) 307-8302.

Sincerely,



JIM McDONNELL
SHERIFF

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —