



GENERAL ORDER

Unmanned Aerial System

Purpose and Scope

This order sets forth the Sacramento County Probation Department's guidelines governing the use of Unmanned Aerial Systems (UAS).

Affected Personnel

All Sworn Employees

Authority

Government Code Sections 7070-7075
Penal Code Section 647.9
Title 14 Code of Federal Regulations (14 CFR)

Effective Date

To be determined

Definitions

Unmanned Aerial System (UAS): an unmanned aircraft and all associated support equipment, control station, data links, telemetry, communications, and navigation equipment necessary to operate the unmanned aircraft.

I. Privacy

Officers shall ensure the protection of individual civil rights and the reasonable expectation of privacy prior to and during the deployment of a UAS.

II. Use of the Unmanned Aerial System (UAS)

Officers shall adhere to current local, state, and federal laws regarding the use of UAS.

- A. For all pre-planned operations, where the use of the UAS would aid an operation, an Operational Outline shall be submitted to the Field Watch Commander, or authorized designee for approval.
- B. The Field Watch Commander, or their designee can authorize deployment of a UAS during an emerging or ongoing incident.
- C. The use of a UAS will be considered when an aerial view would assist officers during the following circumstances:
 1. Criminal investigations;

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2. Crime scene preservation and documentation;
3. Perimeter searches;
4. Homeless outreach;
5. Youth Detention Facility security;
6. Recruiting;
7. Community events;
8. Routine training; and
9. Requests from local, state, or federal law enforcement authorities.

III. Field Watch Commander

- A. The Field Watch Commander will ensure policies and procedures conform to current law, regulations, and best practices. The Field Watch Commander shall:
1. Coordinate the Federal Aviation Administration (FAA) Certificate of Waiver or Authorization (COA) application process and ensure the COA remains current;
 2. Ensure all authorized operators and required observers have completed required FAA and department approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS;
 3. Ensure that officers adhere to all local, state, and federal laws regarding the use of UAS;
 4. Implement a system for public notification of the UAS deployment;
 5. Oversee operational protocols as governed Title 14 Code of Federal Regulations (14 CFR);
 6. Ensure that an Operational Outline has been submitted for all preplanned operations where the UAS will be utilized;
 7. Oversee documentation of all UAS missions, including but not limited to post flight checklist and Event Report submissions.
 8. Oversee UAS inspections, maintenance and record keeping ensuring continued airworthiness of UAS equipment;
 9. Ensure all data intended to be used as evidence is accessible, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements;
 10. Ensures retention and purge periods are maintained in accordance with established Records Retention policy;
 11. Ensure release of records and information complies with department policies and state guidelines.
 12. Recommend program enhancements, particularly regarding safety and information security; and
 13. Ensure that all established procedures are being followed by reviewing reports of UAS usage and providing periodic written reports to the Chief Probation Officer or their designee.

IV. Training

UAS equipment shall only be utilized by designated personnel after applicable training has been completed as directed by the Field Watch Commander or authorized designee.

V. UAS Emergency Procedures

- A. In the event a UAS causes injury to any person, damage to property, or the UAS equipment is damaged, an officer shall immediately inform a supervisor.
 - 1. It is the primary responsibility of the officer on scene to ensure immediate medical response and provide medical aid as necessary.
 - 2. The officer shall document the incident in an Event Report as well as any other reports specified by law.

VI. Prohibited Use of the Unmanned Aerial System (UAS)

- A. Officers shall not utilize the UAS for the following circumstances:
 - 1. To conduct unauthorized surveillance;
 - 2. To harass, intimidate, or discriminate against any individual or group;
 - 3. To conduct aerial imaging of a person based solely on individual characteristics such as, but not limited to, race, ethnicity, national origin, disability, gender, or sexual orientation.
 - a. This does not apply in situations where these characteristics are specified and paramount to the identification and/or apprehension of a particular person or groups of people that have committed or are committing a certain felony.
 - 4. To conduct personal business of any type.

VII. Mechanisms to Ensure Compliance

- A. Refer to existing department policies and FFA Regulations:
 - 1. [Internal Affairs Administrative Investigations](#);
 - 2. [Peace Officer Conduct](#); and
 - 3. [Federal Aviation Administration \(FAA\) Part 107 Code of Federal Regulations](#).

VIII. Retention of Unmanned Aerial System Data

- A. UAS's recordings shall only be downloaded/uploaded to department-approved secure storage.
- B. Data related to a government claim or litigation involving the County of Sacramento shall be retained in accordance with applicable law and Sacramento County litigation-hold policies.
- C. Recordings captured by a UAS may provide evidentiary value and shall be stored in accordance with proper handling of evidence.
- D. Evidentiary data shall be retained for a minimum of two years when the recording:
 - 1. Involves the use of force by a peace officer or an officer-involved shooting;
 - 2. Is of an incident that leads to the detention or arrest of an individual; or
 - 3. Is relevant to a complaint against an officer or the department.
- E. If evidence that may be relevant to a criminal prosecution is obtained from a UAS recording, the recording shall be retained for any time in addition to two years, and in the same manner as is required by law for other evidence that may be relevant to a criminal prosecution.

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- F. Non-evidentiary data shall be retained for a minimum of two years, after which it may be erased, destroyed, or recycled. Non-evidentiary data may be stored for longer than two years to have it available in case of a civilian complaint and to preserve transparency.
- G. Accidental recordings approved for deletion shall be retained for 60 days.
- H. Records of logs of access and deletion of data from UAS's shall be retained permanently.

IX. Public Record Act Requests

- A. The [California Public Records Act](#) (PRA) provides public access to state and local government records, unless a specific exemption applies. ¹
- B. UAS recordings are subject to the PRA (Government Code §6250 et seq.) and shall be released and redacted in accordance with applicable law and department guidelines.
- C. All PRA requests received shall be processed according to the guidelines set forth in the [Public Records Act Requests Departmental Guidelines](#).

X. Citizen Complaints

All members of the public seeking to file a complaint regarding the use of military equipment can complete a Citizen Complaint Form. Citizen's Complaint forms are available [online](#) or at any Probation Department facility.

Attachments

N/A

Amends/Replaces Previous Procedure

N/A

Authorized By



Marlon Yarber, Chief Probation Officer

Date

9/25/24

¹ California Government Code sections 6250 et seq, Penal Codes 832.7 & 832.8