

# ILLINOIS STATE POLICE DIRECTIVE

## OPS-086, UNMANNED AIRCRAFT SYSTEM OPERATION

<b>RESCINDS:</b> OPS-086, 2019-008, revised 11-06-2019.	<b>REVISED:</b> 01-03-2023 <span style="float: right;"><b>2023-095</b></span>
<b>RELATED DOCUMENTS:</b>	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b>

### I. POLICY

The Illinois State Police (ISP) will establish guidelines for the operation and maintenance of Unmanned Aircraft Systems (UAS).

### II. AUTHORITY

- II.A. 20 ILCS 3305/4, "Definitions"
- II.B. 725 ILCS 5/108-3, "Grounds for search warrant"
- II.C. 725 ILCS 167, "Freedom from Drone Surveillance Act"
- II.D. FAA Modernization and Reform Act of 2012 (FMRA), Pub. L. No. 112-95, 126 Stat. 11 (Feb. 2012)
- II.E. 14 CFR Ch. 1, Subch. F. Pt. 107 – Small Unmanned Aircraft Systems

### III. DEFINITIONS

- III.A. Federal Aviation Administration (FAA) – The division of the United States (U.S.) Department of Transportation that inspects and rates civilian aircraft and pilots, enforces the rules of air safety, and installs and maintains air-navigation and traffic-control facilities.
- III.B. Unmanned Aircraft System (UAS) – A remote-control aircraft that does not carry a human operator.
- III.C. UAS Program Manager – The Bureau Chief of the Air Operations Bureau or their designee. The UAS Program Manager will hold the rank of Master Sergeant or higher or Code equivalent.
- III.D. Chief Pilot – An ISP employee assigned to each division electing to operate UAS. The Chief Pilot is accountable for all UAS operations within their respective division and serves as the Division liaison to the UAS Program Manager. The Chief Pilot will hold the rank of Master Sergeant or higher or Code equivalent. The UAS Program Manager will serve as the Chief Pilot for the Division of Criminal Investigation.
- III.E. Pilot in Command (PIC) – An ISP employee authorized to operate UAS.

### IV. RESPONSIBILITIES

- IV.A. The oversight and management of all ISP UAS operations will be the responsibility of the UAS Program Manager. Oversight and management for all UAS Operations includes:
  - IV.A.1. Compliance with all FAA regulatory requirements
  - IV.A.2. UAS safety procedures
  - IV.A.3. UAS PIC training and development program
  - IV.A.4. UAS accident reporting
  - IV.A.5. All statutory and regulatory reporting requirements for UAS operations
  - IV.A.6. UAS airframe review, maintenance, and approval
- IV.B. The UAS Program Manager will develop and maintain the UAS Program Manual. All ISP UAS operations shall be governed by requirements outlined in the UAS Program Manual.
- IV.C. The Deputy Director of each division electing to operate UAS must designate a Chief Pilot. The Chief

Pilot is responsible for the oversight of all UAS operations within their division. The Chief Pilot will ensure all division missions comply with statutory and regulatory requirements as well as the UAS Program Manual.

IV.D. Any Troop, Zone, Command, Bureau, or work unit electing to utilize a UAS shall establish a management system to ensure compliance with the UAS Program Manual. Each division Chief Pilot will ensure the management system of all work units within their respective division complies with all operational and administrative requirements.

IV.E. An ISP employee may only operate a UAS after successful completion of the PIC training program as outlined in the UAS Program Manual. All PICs shall comply with statutory and regulatory guidelines during UAS operations as well as operational and administrative requirements in the UAS Program Manual.

## V. PROCEDURES

### V.A. USE OF THE UAS

V.A.1. All ISP UAS missions shall be flown in compliance with Illinois state law, federal law, applicable FAA regulations, and the airframe manufacturer's guidelines.

V.A.2. ISP will utilize the UAS for the following purposes only in compliance with the Freedom from Drone Surveillance Act.

V.A.2.a. Pursuant to a determination by the United States Secretary of Homeland Security that credible intelligence indicates that there is a high risk of a terrorist attack by a specific individual or organization.

V.A.2.b. Pursuant to a search warrant based on probable cause issued under Section 108-3 of the Code of Criminal Procedure of 1963.

V.A.2.c. Pursuant to a reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence. The use of a drone under this paragraph is limited to a period of 48 hours. Within 24 hours of the initiation of the use of a drone under this paragraph, the UAS Program Manager will submit a report in writing the use of a drone to the local State's Attorney.

V.A.2.d. To locate a missing person, and while also not undertaking a criminal investigation.

V.A.2.e. For the purposes of crime scene and traffic crash scene photography. Crime scene and traffic crash photography must be conducted in a geographically confined and time-limited manner to document specific occurrences. The use of a drone under this paragraph on private property requires either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search. The use of a drone under this paragraph on lands, highways, roadways, or areas belonging to this State or political subdivisions of this State does not require a search warrant or consent to search. ISP shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.

V.A.2.f. During a disaster or public health emergency, as defined by Section 4 of the Illinois Emergency Management Agency Act. The use of a UAS under this paragraph does not require an official declaration of a disaster or public health emergency prior to use. ISP may use a drone under this paragraph to obtain information necessary for the determination of whether or not a disaster or public health emergency should be declared, to monitor weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. The use of a drone under this paragraph is permissible during the disaster or public health emergency and during subsequent response and recovery efforts.

V.A.3. The UAS may be used for training purposes in accordance with the Freedom from Drone Surveillance Act and FAA regulations. When a UAS is used for training purposes, it shall

not be used to gather and retain information for law enforcement purposes such as evidence, images, sounds, or data.

V.B. PROHIBITED USE

V.B.1. Except as provided in Section V.A. above, the ISP may not use a UAS for any other purpose.

V.C. REQUESTING THE UAS

V.C.1. The UAS may be requested for incidents meeting the criteria listed in paragraph V.A. of this directive through a PIC or the respective Division Chief Pilot.

| Indicates new or revised items.

**-End of Directive-**