Police Foundation
Checklist for Planning and Implementation of a Law Enforcement sUAS Program

Conduct background research

1. Research and select the sUAS system that fits with the program's mission

   ☐ Consider all possible benefits and challenges

2. Lay the legal groundwork

   ☐ Research the legal the legal environment in your jurisdiction and work with city attorney/DA to lay out the legal grounds for use and restrictions to protect privacy, civil rights, and First Amendment protected activities.

   ☐ Research system requirements for acquiring and storing relevant data collected.

   ☐ Research potential issues regarding public access to the data captured with UAS, including open records and Freedom of Information Act requirements, discovery obligations, and Privacy Act restrictions that may require sophisticated editing to blur faces or other identifying characteristics of individuals appearing in the videos.

   ☐ Begin to research the Federal Aviation Administration Regulations related to civil and public sUAS operations.

   ☐ Consider developing a privacy impact assessment or something similar. Accept that privacy concerns will be a major source of opposition and confront them directly. A Privacy Impact Assessment (PIA) is a decision - making tool used to identify and mitigate privacy risks at the beginning and throughout the development life cycle of a program or system. PIAs help the public understand what information is being collected and how it will be used, shared, accessed and stored.

Conduct a needs assessment

3. Determine whether your community is ready for a sUAS, a critical component of a needs assessment.

☐ Gather community and stakeholder input around the issue and build dialogue around the sUAS with the community, policymakers, and other stakeholders such as state lawmakers.

☐ Ensure that policymakers and the public are aware of the parameters of the system and who will have access to the data and under what circumstances.

☐ Conduct cost-benefit research or identify research demonstrating that a sUAS is an appropriate and cost effective method for addressing the law enforcement purpose for which it will be used.

☐ Include the findings from legal research, cost-benefit research, and community and stakeholder input in the final determination of need.

Planning and preparation

4. Develop a written operating/work plan for the sUAS.

   ☐ Define under what circumstances the sUAS will be used; how the team will ensure procedures are followed; measures to ensure operating safety; measures to ensure privacy and civil rights protections; when a warrant will be sought; and procedures for operations that do not require a warrant.

5. Develop formal departmental sUAS policies and procedures.

6. Assemble sUAS Team/Crew.

   ☐ Identify supervising officer, pilot in command (PIC) or operator, and observer. Also, consider other crew members such as a video sensor operator.

   ☐ Begin operational training.

7. Present plans for the sUAS to policymakers, public and media.

   ☐ Establish community-focused approach to transparency and engagement, making it clear that the department has considered and laid plans to protect safety and privacy.

   ☐ Modify these plans as necessary in response to feedback from policy makers and the public.

Implementation and maintenance

8. Acquire sUAS.

☐ Continue training.

☐ Provide public updates on training and development progress.

☐ Continue outreach with community and stakeholder groups.

☐ Set up system to evaluate program impact.

9. Complete training and fully implement sUAS operations.

☐ Announce completion of training and operational status to public.

☐ Ensure all sUAS policies and procedures are followed.

☐ Evaluate program impact.

10. Maintain continued sUAS communication.

☐ Maintain internal notification protocol to ensure departmental staff, particularly the Public Information Officer, knows of sUAS operations.

☐ Provide regular reports on sUAS operations to the public, with reminder of how safety and privacy are being protected. Plan for major public announcements when the sUAS is successfully deployed to benefit the public.

☐ Publicly address any misuse, which will reinforce community confidence that oversight mechanisms are effective.

☐ Establish procedure for periodically reviewing policy to address any lessons learned during implementation and use, particularly, if new uses are developed.