



**POLICY**  
**CICERO POLICE DEPARTMENT (PUBLIC POSTING COPY)**

No.  
**1110**

<b>Subject</b> Small Unmanned Aircraft System (sUAS)	<b>Effective Date</b> February 9, 2024	<b>Revised Date</b>	<b>Total Pages</b> 12
<b>Reference</b> P.A. 103-1010 - Drones as First Responders Act 14 CFR PART 107 CPD Policy 804, "Records Release and Security."	<b>Rescinds</b>	<b>Amends</b>	

**POLICY:**

It is the policy of the Town of Cicero Police Department that duly trained and authorized agency personnel may deploy sUAS when such use is appropriate in the performance of their official duties, and where deployment and use and the collection and use of any audio/video recordings or other data originating from or generated by the sUAS comport with the policy provisions provided herein, best practices, the authorized flight operations manual and applicable law.

The purpose of this order is to provide personnel who are assigned responsibilities associated with the deployment and use of small unmanned aircraft systems (sUAS) with instructions on when and how this technology and the information it provides may be used for law enforcement and public safety purposes following the procedures provided herein and applicable law.

The use of sUAS by public safety agencies is increasing nationwide and the department has determined the deployment of sUAS supports the public safety functions of the agency. The Cicero Police Department shall follow the regulations in Illinois Public Act 103-1010 - Drones as First Responders Act.

**I. DEFINITIONS:**

- A. Definitions from 14 CFR PART 107 - The section of the Code of Federal Regulations that governs the operation of sUAS and provides safety rules for those operations.
  - 1. FEDERAL AVIATION ADMINISTRATION (FAA) - this federal agency is responsible for regulatory control of all aircraft and pilots in the U.S., including unmanned aircraft systems.
  - 2. SMALL UNMANNED AIRCRAFT SYSTEM (SUAS) - An unmanned aircraft weighing less than fifty-five pounds that is operated without the possibility of direct human intervention from within or on the aircraft along with the associated systems required for safe and efficient operation in the national airspace.
  - 3. REMOTE PILOT IN COMMAND (RPIC) - Is a person who holds an FAA remote pilot certificate and has the final authority and responsibility for the operation and safety of an sUAS operation. The RPIC is the person tasked to pilot the sUAS during flight operations.
  - 4. VISUAL OBSERVER (VO) - A person who is designated by the RPIC to assist in maintaining visual line of sight of the unmanned aircraft in order to see and avoid other air traffic or objects aloft or on the ground.
- B. Definitions from Illinois Public Act 103-1010 - Drones as First Responders Act:

1. "Authority" means the Illinois Criminal Justice Information Authority.
2. "Drone" means any aerial vehicle that does not carry a human operator.
3. "Information" means any evidence, images, sounds, data, or other information gathered by a drone.
4. "Law enforcement agency" means any agency of this State or a political subdivision of this State which is vested by law with the duty to maintain public order and to enforce criminal laws.
5. "Parade" means a march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls. "Parade" does not include a political protest, march, demonstration, or other assembly protected by the First Amendment.
6. "Routed event" means a parade, walk, or race that:
  - (1) is hosted by the State of Illinois or a county, municipality, township, or park district;
  - (2) is outdoors and open to the public; and
  - (3) has an estimated attendance of more than 50 people."Routed event" does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.
7. "Special event" means a concert or food festival that:
  - (1) is hosted by the State of Illinois or a county, municipality, township, or park district;
  - (2) is outdoors and open to the public; and
  - (3) has an estimated attendance of:
    - (i) 150 or more people in a unit of local government with a population that is less than 50,000;
    - (ii) 250 or more people in a unit of local government with a population that is greater than or equal to 50,000 but less than 100,000;
    - (iii) 350 or more people in a unit of local government with a population that is greater than or equal to 100,000 but less than 500,000; or
    - (iv) 500 or more people in a unit of local government with a population that is 500,000 or more.

"Special event" does not include any political protest, march, demonstration, or other assembly protected by the First Amendment.

## II. PRIVACY AND LEGAL CONSIDERATIONS

- A. Department owned, sUAS shall be used to support official public safety operations in a constitutionally and legally sound manner.
- B. sUAS missions shall not be authorized to conduct surveillance of citizens inside their homes or place of worship or within the closed confines of their property or other locations where a person would have a reasonable expectation of privacy without first obtaining a search warrant. The only exception shall be when exigent circumstances exist based upon reasonable suspicion that swift action is necessary to prevent imminent danger to human life.
- C. While operating an sUAS, the RPIC will avoid recording data over locations where a person would have a reasonable expectation of privacy while an sUAS is transiting from one location to another.
- D. RESTRICTIONS - The sUAS shall not be:
  - 1. Deployed or used other than in support of official public safety missions.
  - 2. Operated in an unsafe manner or in violation of FAA rules.
  - 3. Operated in a manner that violates any portion of this order or applicable law.
  - 4. Equipped with weapons, weaponized laser, kinetic impact projectile, chemical agent or irritant, or any other lethal or non-lethal weapon. (725 ILCS 167/18)
  - 5. Used in combination with facial recognition software, unless either (i) the law enforcement agency is using a drone to counter a high risk of a terrorist attack by a specific individual or organization and the United States Secretary of Homeland Security has determined that credible intelligence indicates that there is such a risk or (ii) the law enforcement agency possesses 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. (725 ILCS 167/17)
  - 6. Operated outside of the guidelines listed in Small Unmanned Aircraft System (sUAS) Flight Operations Manual.

### III. AUTHORIZED MISSIONS

- A. All deployments of the sUAS must be specifically authorized by the Superintendent of police or his designee.
- B. The Cicero Police Department has authorized the use of the sUAS to provide an aerial perspective in responding to emergencies involving exigent circumstances and for the following specific public safety missions:
  - 1. Situational Awareness: To assist decision makers (e.g. incident command staff, first responders and appropriate governmental officials) in understanding the nature, scale and scope of an incident and for planning and coordinating an effective response.
  - 2. Search and Rescue: To assist in locating critically missing persons, during AMBER Alerts, Silver Alerts and other search and rescue missions.

3. Tactical Deployment: To support the tactical deployment of officers and equipment in emergency situations (e.g. incidents involving hostages, armed barricaded subjects, active shooter response or support for large-scale tactical operations and other temporary perimeter security situations).
  4. Visual Perspective: To provide an aerial visual perspective to assist officers in providing direction for crowd control, traffic incident management, special circumstances, temporary perimeter security, hazardous materials response, train derailments or any other incident where an aerial visual perspective would support the public safety operations of the department.
  5. Scene Documentation: To document a crime scene, accident scene or other major incident scenes (e.g. disaster management, incident response, large-scale forensic scene investigation).
  6. Large Area Search: To conduct a search for property (e.g. lost, stolen, used in crime) when the property may reasonably be located in an area where a visual aerial perspective would benefit the search, such as a remote or inaccessible area.
  7. Critical Incident Response Planning: To assist in preparing for the response to a natural or man-made disaster (e.g. damage survey, pre-planning, etc.).
  8. Training: To provide documentation of department training activities when it would assist in training objectives.
  9. Demonstration Purposes: When it would benefit the department to provide a demonstration of sUAS capabilities and when the demonstration has been authorized.
- C. The Drones as First Responders Act does not prohibit the use of a drone by a law enforcement agency:
1. To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates that there is that risk.
  2. If a law enforcement agency first obtains a search warrant based on probable cause issued under Section 108-3 of the Code of Criminal Procedure of 1963. The warrant must be limited to a period of 45 days, renewable by the judge upon a showing of good cause for subsequent periods of 45 days.
  3. If a law enforcement agency possesses 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 (3) is limited to a period of 48 hours. **Within 24 hours of the initiation of the use of a drone under this paragraph (3), the chief executive officer of the law enforcement agency must report in writing the use of a drone to the local State's Attorney.**
  4. If a law enforcement agency is not undertaking a criminal investigation but is attempting to locate a missing person, engaging in search and rescue operations, or aiding a person who cannot otherwise be safely reached.

5. If a law enforcement agency is using a drone solely for 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 (5) 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 (5) 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. Any law enforcement agency operating a drone under this paragraph (5) shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.
6. If a law enforcement agency is using a drone during a disaster or public health emergency, as defined by Section 4 of the Illinois Emergency Management Agency Act. The use of a drone under this paragraph (6) does not require an official declaration of a disaster or public health emergency prior to use. A law enforcement agency may use a drone under this paragraph (6) 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 (6) is permissible during the disaster or public health emergency and during subsequent response and recovery efforts.
7. To conduct an infrastructure inspection of a designated building or structure at the express request of a local government agency. Any law enforcement agency operating a drone under this paragraph (7) shall make every reasonable attempt to photograph only the building or structure and to avoid other areas.
8. To demonstrate the capabilities and functionality of a police drone for public relations purposes, provided that no information is collected or recorded by the drone during such demonstration.
9. In response to Public Safety Answering Point (PSAP) dispatched calls for service, when the sole purpose for using a drone is for one or more first responders to locate victims, to assist with immediate victim health or safety needs, or to coordinate the response of emergency vehicles and personnel to an emergency. As used in this paragraph (9), "Public Safety Answering Point" and "PSAP" have the meaning given to those terms in Section 2 of the Emergency Telephone System Act.
10. If a law enforcement agency is using a drone at a routed event or special event. The use of a drone under this paragraph (10) requires that:
  - a) notice is posted at the event location for at least 24 hours before the event and clearly communicates that drones may be used at the upcoming event for the purpose of real-time monitoring of participant safety;
  - b) notice is posted, if practical, at major entry points to the event clearly informing the attendees that a drone may be used for the purpose of real-time monitoring of participant safety; and

- c) the drone is flown in accordance with Federal Aviation Administration safety regulations.
11. If a law enforcement agency is using a drone at a routed event or special event, a law enforcement agency may use the drone:
- a) in advance of an event, before event participants have begun to assemble, for the sole purpose of creating maps and determining appropriate access routes, staging areas, and traffic routes, provided that no personal identifying information is recorded and provided further that no recorded information is used in any criminal prosecution; or
  - b) during the event to proactively support public safety personnel by monitoring the event footprint in real time:
    - (1) to detect a breach of event space, including a breach by an unauthorized vehicle, an interruption of a parade route, or a breach of an event barricade or fencing;
    - (2) to evaluate crowd size and density;
    - (3) to identify activity that could present a public safety issue for the crowd as a whole, including crowd movement;
    - (4) to assist in the response of public safety personnel to a real-time public safety incident at the event; and
    - (5) to assess the traffic and pedestrian flow around the event in real time.

D. sUAS DEPLOYMENT PROCEDURES:

Unless the RPIC or other UAS flight team member is engaged in a law enforcement related activity while in direct contact with a member of the public, their body-worn camera (BWC) does not need to be activated. Once a flight mission is initiated, procedures including but not limited to the following shall be followed:

1. An RPIC for the authorized flight mission shall be established;
2. A preflight briefing (referenced in this policy) shall be completed by the RPIC or their designee;
3. A preflight inspection (referenced in this policy) of the UAS shall be completed by the RPIC or their designee;
4. As soon as feasible, Cicero Consolidated Dispatch (CCD) personnel shall be notified of the location of the anticipated flight mission by the RPIC or their designee via the police radio;
5. As soon as feasible, Cicero Consolidated Dispatch (CCD) personnel shall be notified via the police radio by the RPIC or their designee once the sUAS has taken flight;
6. As soon as feasible, Cicero Consolidated Dispatch (CCD) personnel shall be notified via the police radio by the PIC or their designee once the UAS flight mission has been terminated; and

7. After each UAS flight mission, the RPIC or their designee shall make proper notification of the flight mission to the sUAS Program Manager and submit a sUAS flight report. When applicable, the RPIC shall also complete a case report or supplemental report, as applicable.

E. REQUESTS FOR ASSISTANCE

1. Requests for the deployment of department-owned sUAS by other law enforcement agencies, public safety organizations, or government entities shall be considered on a case-by-case basis.
2. All such deployments of sUAS must be specifically authorized by the Superintendent of Police, or his designee, and shall comply with the procedures herein, FAA regulations, and applicable law.

F. Community Engagement and Training

The Cicero Police sUAS Team may use the sUAS for Community Engagement and Team Training purposes in line with the restrictions of this policy and the Drones as First Responders Act.

G. Flight Restrictions and no-fly zones-

1. The sUAS flights should be flown within the Town of Cicero unless authorized by the on-duty watch commander or higher authority.
2. The sUAS shall be flown following FAA regulations regarding flight restrictions and no-fly zones.
  - a) Minimum weather visibility is three (3) miles from your control station.
  - b) Maximum allowable altitude is 400 feet above the ground (higher if your sUAS remains within 400 feet of a structure).
  - c) Maximum operational speed is 100 mph (87 knots).
  - d) Particular attention shall be taken by all sUAS pilots regarding the sUAS's altitude and flight paths in relation to the flight paths of Midway airport.
  - e) sUAS pilots with all established FAA no-fly zones.
  - f) sUAS's will generally not be flown over or near medical facilities or schools (during school operating hours) unless the nature of the flight requires such. In this event, the CCD will be notified to contact the school or medical facility in question of the flight).
3. General Operating Requirements:
  - a) Always avoid manned aircraft.
  - b) Never operate the sUAS in a careless or reckless manner.
  - c) Keep the sUAS within sight. Have a visual observer always keep the sUAS within unaided sight.
  - d) You cannot be a pilot or visual observer for more than one sUAS operation at a time.

- e) Do not fly a sUAS over people unless they are directly part of the operation.
- f) Do not operate your sUAS from a moving vehicle.

#### IV. STAFFING

- A. The Superintendent of Police may designate a supervisor to act as the sUAS Program Manager and to exercise overall management and administrative authority over the sUAS program.
  - 1. Duties and responsibilities of the sUAS Program Manager (UPM):

The UPM will ensure that Cicero Police Department sUAS policies and procedures conform to the current laws, regulations, and best practices. The UPM will also have additional responsibilities that include but are not limited to:

    - a) Maintaining a record of authorized members in the Cicero Police Department's sUAS Program who have a valid FAA Part 107 Commercial Pilots License and ensuring that licenses are renewed before expiration.
    - b) Ensuring that all authorized operators have completed current department-approved training in sUAS operation, applicable laws and policies.
    - c) Facilitating law enforcement access to images and data captured by the UAS.
    - d) Developing operational protocols, such as, but not limited to, maintenance, pre-deployment information requirements, flight log requirements and after-action documentation.
    - e) Ensuring that established protocols are followed by monitoring UAS use and providing periodic program reports to the Superintendent of Police.
    - f) Reporting annually, by April 1, to the Illinois Criminal Justice Information Authority the number of sUAS's owned by the Cicero Police Department and all other information required as outlined in this order and the statute. (725 ILCS 167/35)
    - g) Preparing the Report to the State's Attorney's Office of Small Unmanned Aircraft Flight Operations form and submitting it to the State's Attorney's Office within 24 hrs. of the flight's purpose was to prevent imminent harm to life, to prevent imminent escape of a suspect, and/or to prevent the destruction of evidence (an immediate notification of the flight to the Superintendent will be made, as well as a copy of the State's Attorney's Report sent to the Office of the Superintendent).
    - h) Recommending enhancements regarding safety, information security, current technology and equipment at least annually.
    - i) Develop and or coordinate in-service sUAS quarterly training for members of the sUAS Team.
- B. The sUAS program may be staffed by as many police officers and supervisors as the Superintendent of Police may determine necessary.



- C. Sworn members wishing to be considered for assignment to the sUAS unit must submit a written request to the Superintendent of Police including a written recommendation from their current immediate supervisor.
- D. Selection shall be made upon the review of individual requests and the needs of the department.
- E. Only those members who have been selected, trained, and authorized by the Superintendent of Police shall utilize department owned equipment assigned to the sUAS program.
- F. Violations of Policy and Drones as First Responders Act (725 ILCS 167/45)
  - 1. **Violations of this policy or related acts will be initially investigated by the sUAS Program Manager or their designee and the sUAS Manager** shall immediately take actions to prevent future violations of the Act through any one or more of the following means: training, discipline, including progressive discipline for repeat violations, or other means that will prevent repeated violations of the Act by law enforcement.
  - 2. If the Department learns of willful and wanton violations of this Act, the sUAS Manger or Department shall immediately remove the pilot from its drone program and take action to prevent future willful and wanton violations of the Act. Further investigation by the Office of Professional Standards may also be warranted as determined by the Department.

## V. TRAINING

- A. Every RPIC shall possess a valid FAA Remote Pilot Certificate and shall be responsible for recertifying as required by the FAA.
- B. An RPIC shall be required to successfully complete an applicable training course, that includes flight operations, before being allowed to conduct any sUAS mission.
- C. Every RPIC shall be required to demonstrate proficiency during flight maneuvers while complying with all procedures contained herein, FAA regulations and applicable laws.
- D. All other personnel assigned to the sUAS unit (camera operator, visual observer) shall receive applicable training before participating in sUAS missions and shall demonstrate proficiency as required.

## VI. RECORDINGS

- A. Digital media recorded by an sUAS may include:
  - 1. Video/Audio.
  - 2. Photographs.
  - 3. GPS Logs.
- B. Digital media secured as case records shall be retained on Evidence.com, in accordance with CPD Policy 804, "Records Release and Security" and the Drones as First Responders Act.
  - 1. Information retention. (725 ILCS 167/20)

- a) If a law enforcement agency uses a drone, the agency shall destroy all information gathered by the drone within the following timeframes:
    - (1) All information gathered pursuant to paragraph (1), (2), (3), (4), (5), (6), or (9) of 725 ILCS 167 Section 15 shall be destroyed within 30 days after being gathered.
    - (2) All information gathered pursuant to paragraph (10) of 725 ILCS 167 Section 15 shall be destroyed within 24 hours after being gathered.
    - (3) All information gathered pursuant to paragraph (7) of 725 ILCS 167 Section 15 shall be turned over to the requesting local government agency as soon as practicable, and all gathered information shall be destroyed immediately after the information has been turned over.
  - b) Notwithstanding subsection (a), a Cicero Police supervisor may retain particular information if:
    - (1) there is reasonable suspicion that the information contains evidence of criminal activity;
    - (2) the information is relevant to an ongoing investigation or pending criminal trial;
    - (3) a supervisor at the agency deems that the information will be used exclusively for training purposes, provided that any such information shall not contain any personally identifiable information; or
    - (4) the information consists of only flight path data, metadata, or telemetry information of the drone.
- C. Information disclosure. (725 ILCS 167/25)
1. If a law enforcement agency uses a drone in accordance with the Drones as First Responders Act, the agency shall not disclose any information gathered by the drone, except that a supervisor of that agency may disclose particular information to another governmental agency if (1) there is reasonable suspicion that the information contains evidence of criminal activity or (2) the information is relevant to an ongoing investigation or pending criminal trial.
  2. Records of drone usage, including flight path data, metadata, or telemetry information of specific flights, if available, may be disclosed subject to the Freedom of Information Act and rules adopted under that Act.
  3. The Department shall neither sell any information gathered by the drone nor disclose any information gathered by the drone to any person to whom disclosure is not authorized under this Section.
  4. Nothing in this Act prevents the disclosure of information through a court order or subpoena in connection with a criminal proceeding or if the disclosure is in regard to a completed traffic crash investigation.

**VII. REPORTING/RECORD KEEPING**

- A. The supervisor assigned as the program manager may cause a report detailing all aspects of sUAS operations to be completed and delivered to the Superintendent of Police at his request. This report may include:
1. The number and types of missions conducted using department sUAS.
  2. Training attended by members of the sUAS program.
  3. A review of privacy considerations and any applicable changes to law or regulations.
  4. The costs and benefits associated with the sUAS program and the feasibility of continuing the program.
  5. Any other data requested by the Superintendent of Police.
- B. All record keeping shall comply with the sUAS manufacturer's guidelines, FAA regulations, the procedures contained herein, and applicable law. The following records shall be maintained:
1. Aircraft Maintenance Log - Records shall be kept while an sUAS remains in service with the department. These records shall provide an accurate accounting of the missions flown by the sUAS, preventative maintenance, repairs, and any other applicable information.
  2. RPIC Logbooks - The RPIC shall be responsible for documenting each sUAS mission for which they were responsible. At a minimum, this shall include the date, time, mission length, mission type, and any other applicable information.
  3. Program Records - Accurate records of training, missions completed, equipment maintenance, and any other applicable information shall be maintained.
  4. Accident Reports - Any accident involving a department owned sUAS shall be documented in a written report delivered to the Superintendent of Police. In addition, the accident shall be reported to the FAA if required by CFR Part 107.
- C. Reporting requirements (725 ILCS 167/35)
1. The Department shall report in writing annually by April 1 to the Authority the number of drones that it owns, the number of times a drone was used pursuant to each paragraph of 725 ILCS 167 Section 15, including the date of use, time of use, reason for use, location, whether video was recorded, and whether the video is designated for retention for training purposes. The report shall contain a copy of the agency's latest policy concerning drones as of the most recent April 1.
  2. On July 1 of each year, the Authority shall publish on its publicly available website a concise report that lists every law enforcement agency that owns a drone, and for each of those agencies, the number of drones that it owns, the number of times a drone was used pursuant to each paragraph of 725 ILCS 167 Section 15, including the date of use, time of use, reason for use, location, whether video was recorded, whether the video is designated for retention for training purposes. The report shall contain a copy of the agency's latest policy concerning drones as of the most recent April 1.

3. Reporting in writing by the Superintendent of Police to the Cook County State's Attorney's Office (form initially filled out by sUAS Program Manager and submitted) of a sUAS (Drone) flight to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence.
4. Making this policy publicly available on the Town of Cicero's official website.

**VIII. MAINTENANCE**

- A. The maintenance of the sUAS will be coordinated through the program supervisor in conjunction with the licensed pilots.
- B. Only authorized sUAS maintenance and repair providers will be used to provide such maintenance and repair.

By Order of:

*Thomas P Boyle*

(Actual signature on file)

Thomas P. Boyle

Superintendent of Police