



Faribault County Sheriff's Office

Office: (507) 526-5148 • Fax: (507) 526-3051
320 Dr. H. Russ Street • Blue Earth, MN 56013

1500 UNMANNED AERIAL VEHICLE POLICY

Issued Date:	02/2021
Revised Date:	04/2023
Approved By:	Mike Gormley, Sheriff; Scott Adams, Chief Deputy

PURPOSE:

The purpose of this policy is to establish guidelines for the use of an unmanned aerial vehicle (UAV) and for the storage, retrieval, and dissemination of images and data captured by the UAV.

Unmanned aerial vehicles may be utilized to enhance the **Faribault County Sheriff's Office's** mission of protecting lives and property when other means and resources are not available or are less effective. Any use of an Unmanned Aerial Vehicle will be in strict accordance with all Federal Aviation Administration (FAA) requirements and guidelines and Minnesota State Statute 626.19 Use of Unmanned Aerial Vehicles.

DEFINITIONS:

Unmanned Aerial Vehicle (UAV): means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

PROCEDURE:

Use Of The UAV; Limited.

Except as provided by Authorized Use, as listed below, a UAV must not be used without a search warrant.

Authorized Use Without a Search Warrant:

- During or in the aftermath of an emergency situation that involves the risk of death or bodily harm to a person.
- Over a public event where there is a heightened risk to the safety of participants or bystanders.
- To counter the risk of a terrorist attack by a specific individual or organization if the agency determines that credible intelligence indicates a risk.
- To prevent the loss of life and property in natural or man-made disaster and to facilitate operational planning, rescue, and recovery operations in the aftermath of these disasters.
- To conduct a threat assessment in anticipation of a specific event.
- To collect information from a public area if there is reasonable suspicion of criminal activity.
- To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road.
- Over a public area for officer training or public relations purposes; and
- For purposes unrelated to law enforcement at the request of a government entity provided that the government entity makes the request in writing to the law enforcement agency and specifies the reason for the request and proposed period of use.

Limitations On Use:

- Must not deploy a UAV with facial recognition or other biometric-matching technology unless expressly authorized by a warrant.
- Must not equip a UAV with weapons.

FARIBAULT COUNTY SHERIFF'S OFFICE

- Must not use a UAV to collect data on public protests or demonstrations unless expressly authorized by a warrant or an exception listed above.

Documentation Required:

- Each deployment of a UAV requires:
 - Unique incident/report number(s) to include an incident report that documents the factual basis for the use of the UAV and identify the applicable authorized use.

Data Classification; Retention

Data collected by a UAV is classified as private data on individual or nonpublic data, exceptions include:

- If a data subject requests a copy of the recording, data on other individuals who do not consent to its release must be redacted from the copy.
- UAV data may be disclosed as necessary in an emergency situation that involves the risk of death or bodily harm to a person.
- UAV Data may be disclosed to the government entity making a request for UAV use for non-law enforcement purposes.
- If UAV data is criminal investigative data, this data is governed by Minnesota State Statute section 13.82, subdivision 7; and
- UAV data that are not public data under other provisions of chapter 13 retain that classification.
 - Section 13.04, subdivision 2, does not apply to data collected by a UAV.
 - Notwithstanding section 138.17, a law enforcement agency must delete data collected by a UAV as soon as possible, and in no event later than seven (7) days after collection unless the data is part of an active criminal investigation.

Evidence:

- Information obtained or collected in violation of MN State Statute 626.19 is not admissible as evidence in a criminal, administrative, or civil proceeding against the data subject.

Reporting

- Pursuant to Minnesota State Statute 626.19 subdivision 11, by January 15th of each year UAV use shall be reported to the Commissioner of Public Safety the following information for the preceding calendar year:
 - Date(s) of UAV deployment
 - The number of times a UAV was deployed, organized by the types of incidents and the justification for deployment.
 - The number of criminal investigations aided by the deployment of UAV's.
 - The number of deployments of UAV's for reasons other than criminal investigations; and
 - The total cost of the UAV program

Program Coordinator:

The Sheriff, Chief Deputy, and/or the Sheriff's designee will appoint a program coordinator(s). The program coordinator will ensure that use of the UAV conforms with Federal Aviation Administration requirements and guidelines, Minnesota State Statute 626.19 "Use of Unmanned Aerial Vehicles" and that all authorized users operate the UAV in accordance with this policy.

FARIBAULT COUNTY SHERIFF'S OFFICE

Deployment Of UAV:

- Any deployment of the UAV must be authorized by The Sheriff, Chief Deputy, and/or the Sheriff's designee
- A UAV must be operated by a current Federal Aviation Administration licensed UAV pilot.