



Fremont Fire Department
Policy

<i>Section:</i> OPERATIONAL RESPONSE	<i>Revised:</i> --	<i>Number:</i> 2121.00
<i>Subject:</i> UAS Policy	<i>Reviewed:</i> --	<i>Created:</i> 05/24/17

I. PURPOSE

To establish protocol on the deployment and use of Unmanned Aerial Systems (UAS) including the retention and or destruction of media obtained in accordance with applicable Federal, State and City of Fremont regulations.

II. DEFINITIONS

A Certificate of Authorization (COA) - Given by the FAA granting permission to fly the UAS within specific boundaries and perimeters.

Observer – A member of the Fremont Fire Department or Fremont Police Department trained and authorized to maintain visual observation of the UAV while in flight.

Pilot – A member of the Fremont Fire Department or Fremont Police Department trained, certified and authorized to control a UAV during flight.

Unmanned Aerial System (UAS) – A small unmanned aircraft weighing less than 55 lbs., the command system, a secure control link and other safety and support systems for the operation of the UAS.

Unmanned Aerial Vehicle (UAV) – A small unmanned aircraft weighing less than 55 lbs.

UAS Operations Guideline – A separate document that provides greater detail on the management of the UAS Program.

III. POLICY

It shall be the policy of the Fremont Fire Department to use UAS' to enhance the Department's mission of protecting lives and property. Any use of the UAS will be in strict accordance with constitutional and privacy rights, FAA Regulations and department policy.

IV. PRIVACY

The use of the UAS potentially involves privacy considerations. Personnel will consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the UAS. Pilots will take

reasonable precautions to avoid inadvertently recording or transmitting images that infringe upon an individual's right to privacy. This includes consideration by the Pilot on when to turn on/off the recording function and the route of the UAS during deployment.

V. USE OF THE UAS

- A. It shall be the policy of the Fremont Fire Department that The Fire Chief, Deputy Fire Chief, Division Chief or a Battalion Chief may authorize deployment of the UAS under the following circumstances:
1. Fire Suppression
 2. Mass Casualty Incidents
 3. Disaster Management
 4. Fire Investigation
 5. Missing/Lost Person or Boater
 6. Hazardous Materials Releases
 7. Rescues Operations including Water Rescue
 8. Special Events
 9. Traffic Collision
 10. Training
 11. Water Rescue
 12. In support of the Fremont Police Department when the underlying mission meets the use criteria outlined in Fremont Police Policy 616 Unmanned Aerial Systems (UAS) Operations.
 13. Mutual Aid (County, State or Federal) when the use meets the criteria outlined in this policy or Fremont Police Policy 616.
- B. It shall be the policy of the Fremont Fire Department to prohibit the use of the UAS in the following circumstances:
1. To conduct random surveillance activities
 2. To target persons based solely on individual characteristics, such as race, ethnicity, national origin, religion, disability, gender or sexual orientation
 3. To conduct any personal business other than official Department business.
 4. To be weaponized
- C. It is acknowledged that large scale incidents can quickly tax the resources of the Fire Department, Police Department or both departments. Therefore, it shall be the policy of the Fremont Fire Department and the Fremont Police Department to allow trained, certified and authorized Pilots and Observers from each department to deploy UAS'

for either department. The use of the UAS shall be governed under the policy of the City of Fremont agency having jurisdiction.

- D. Requests for UAS support shall be made via ACRECC Dispatch or by direct request to the North Battalion Chief (Battalion 6). Requests for Fremont Police UAS support shall be directed to Fremont Police Watch Commander through Fremont Police Dispatch.

VI. DIGITAL MEDIA COLLECTION AND RETENTION

- A. Following a UAS operation by the Fremont Fire Department or the Fremont Police Department, a Fremont PD case agent or officer shall meet with the UAS operator to collect the digital media files. The digital media recorded by the Fire Department and/or Police Department will be uploaded into the approved digital evidence management system. The collection and uploading of the digital media will be documented in an ARS report by a Fremont PD case agent or officer.
- B. Digital media files collected by the UAS shall be retained as provided in the established Police Department records retention schedule, or retained as evidence of a crime.
- C. Unauthorized use, duplication, and/or distribution of UAS digital media files are prohibited. Personnel shall not make copies of any UAS digital media files for their personal use and are prohibited from using recording devices (such as a personal camera, tablets, or smart phone) or any secondary video camera to capture UAS systems media including the retention of video cached on the web. All recorded digital media; images and audio are property of the City of Fremont Fire Department and shall not be copied, released or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Fire Chief.
 - 1. Departmental request for a UAS digital media, including requests from the District Attorney's Office or City Attorney's Office, shall be forwarded as a written request via e-mail, to the Police Department Property Division, with sufficient information to locate the UAS camera system file.
 - 2. Non-Departmental Requests for a UAS digital media shall be accepted and processed in accordance with Federal, State, and local laws, and Fire Departmental policy (discovery, media inquiries, subpoenas, Public Records Act requests, etc.).
 - 3. When practical, Department personnel will be advised prior to any release of UAS digital media files under the California Public Records Act (CPRA).

D. Request for Deletion of Accidental Recording

In the event of an accidental activation and/or recording, the recording employee may contact the UAS Coordinator and request that the UAS digital media file(s) be

deleted. The employee shall provide the UAS Coordinator sufficient information to locate the UAS system file to be deleted. The UAS Coordinator shall consult with the Operations Division Chief, review the file and affirm that the file does not contain images that represent a breach of privacy or have evidentiary value and make a recommendation to the Operations Division Chief to approve or deny the deletion request. Upon approval the request for deletion shall be sent to Fremont Police Department System Administrator.

E. Copying Procedures

1. Request for copies of UAS digital media files shall be approved by the Operations Division Chief and submitted to the Fremont Police Property Division.
2. Fremont Police Property Officers will be responsible for handling and processing requests for DVD copies and/or online sharing of files for court and other approved request approved by the Fire Chief or his/her designee.

F. Training

1. A UAS digital media file may be utilized as a training tool for individuals, specific units, and the department as a whole.
2. Fire Department Personnel requesting utilization of a UAS digital media file for training purposes shall submit the recommendation through the chain of command to the Operations Division Chief.
3. The Operations Division Chief approving the utilization of a UAS file for training will send an email to Fremont Police Property Division requesting a copy of the recording be placed in the UAS Training file on the shared T:drive. This file will hold all training recordings. Recordings may not be moved to other files, copied or sent beyond this file.

VII. RESPONSIBILITIES

A. UAS Coordinator

1. The UAS Coordinator shall manage the UAS Program and ensure the program operates in accordance with all Federal, State, Alameda County and Fremont regulations.
2. The UAS Coordinator will authorize personnel as Pilots and Observers.
3. The UAS Coordinator shall maintain files for Pilots and Observers which include copies of FAA certifications, training records, etc.
4. The UAS Coordinator shall copy and circulate pertinent safety information and bulletins.
5. The UAS Coordinator shall develop and maintain the UAS Operational

Guideline and Maintenance Manual.

B. Pilots

1. Pilots interacting with Air Traffic Control (ATC) shall have sufficient expertise to perform task readily. Pilots must have an understanding of, and comply with, FAA regulations applicable to the airspace where the UAS will operate.
2. The Pilot's primary duty is the safe and effective operation of FFD's UAS in accordance with the manufacturers approved flight manual, FAA regulations and agency's policy and procedures. Pilots must remain knowledgeable of all FAA regulations, UAS manufacturers' flight manual and FFD's policy and procedures.
3. The department's UAS Coordinator shall maintain a file for each Pilot which shall include copies of FAA certifications, training records, etc.
4. The Pilot shall complete the UAV Deployment Report for every UAS deployment, including training missions. UAV Deployment Reports for incidents shall be attached to the FireRMS report. UAV Deployment Reports for Training shall be submitted to the UAS Coordinator.
5. The Pilot shall document all deployments in the FAA Logbook, including training missions.

C. Observer

1. Observers shall be sufficiently trained to communicate clearly to the Pilot any turning instructions required to stay clear of conflicting traffic. Observers shall receive training on rules and responsibilities expected of holding the position. This training shall include right of way rules, cloud clearance, in flight visibility and ATC terminology.
2. The Observers primary duty is to operate the UAS equipment, including cameras, FLIR, radio communications, as well as, be an observer for anything that may affect the Pilot's primary duty.
3. Observers shall use "see-and-avoid tactics" for any obstacle that will lessen safety during the mission.
4. Observers shall operate any attachments to the UAS, allowing the Pilot to maintain complete focus on the operation of the UAS.
5. Observers shall remain alert for persons or activities on the ground that could

distract the Pilot.

6. Observers shall monitor the radio updates.
7. Observers shall assist the Pilot in the main objective of safe operations of the UAS.

D. Public Information Officer

Inquiries from the news media will be forwarded to the public information officer. Pilots/Observers shall follow currently established Department policy regarding interactions and inquiries from the media.

E. Division Chief of Operations

Complaints or inquiries regarding the UAS operations shall be forwarded to the Division Chief of Operations.

VIII. SAFETY RESPONSIBILITIES

It is the duty of every member within the UAS unit to contribute to the goal of continued safe operations.

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