



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Receive Presentation of Unmanned Aircraft System (UAS) Technology and Provide the Milpitas Police Department Staff with Feedback on Policy and the Program (Staff Contact: Jared Hernandez, 408-586-2406)
Category:	Public Safety
Meeting Date:	10/1/2019
Staff Contact:	Captain Jared Hernandez, 408-586-2406
Recommendation:	Receive the presentation of Unmanned Aircraft System (UAS) Technology and provide the Milpitas Police Department staff feedback on program policy and program.

Background:

Public safety agencies throughout the United States have been using UAS (Unmanned Aircraft Systems) to provide critical real-time information and situational awareness during volatile and life-threatening incidents. For example, law enforcement agencies have successfully used UAS to detect explosives, assess hazardous materials incidents, respond to major disasters, assist with hostage rescues, respond to armed and barricaded suspect calls, and find survivors during search and rescue operations.

In June of 2019, Milpitas Police Department staff began research about how the deployment of this tool might enhance our Department's ability to protect and serve the public. Staff determined the benefits of this tool are consistent with our Department's strategic operational goals and guiding principle of reverence for human life.

Analysis:

The Federal Aviation Administration (FAA) maintains authority over the use of UAS by government agencies and private citizens. Certification from the FAA is required in order for government agencies to operate a UAS program. There are regulations governing the use of UAS. The FAA grants various waivers and authorizations to accommodate governmental use of a UAS. The primary type of waiver relevant to law enforcement is the Part 107 and the primary type of authorization is a Certificate of Authorization (COA). The Part 107 waivers allow for the operation of a UAS in various circumstances where flight would otherwise be restricted. A COA is similar to a waiver but authorized flight in various circumstances and airspace.

Integrating UAS technology into the Department's resources will have an immediate positive impact on the safety of our officers and the safety of our community members. UAS can be utilized to perform several mission specific tasks such as search and rescue (e.g., missing person), critical incidents (e.g., barricaded, hostage, and active shooter), bomb investigations, traffic accident reconstruction, crime scene reconstruction, and "hot pursuits" of suspects.

UAS technology would also be useful to other City departments, such as the Milpitas Fire Department and Public Works Department. The Milpitas Fire Department would benefit from such a tool during fires, search and rescue missions and natural disasters. Public Works would benefit from the use of UAS when monitoring flood prone areas during heavy rains, inspections of pipes, roadways and structures.

UAS technology provides a cost effective alternative to traditional aircraft. In addition, this tool can be deployed more rapidly thus improving response time and increasing public safety. Currently, the Milpitas Police Department relies on other agencies for air support. The response times can be lengthy and aircraft or helicopters are often unavailable.

To ensure the privacy of citizens is maintained and respected, policies and procedures, in accordance with the FAA regulations, laws pertaining to government searches, and best practices, will be implemented. The draft policy, which is included in the attachments, will outline approved and prohibited UAS deployment.

Police Department staff has developed a draft UAS policy and will seek feedback from the Public Safety and Emergency Preparedness Commission and other community members. Community outreach will include community meetings and a resident survey through the Nextdoor social media platform.

Upon completion of the community outreach, the Police Department's staff will finalize the policy. Staff intends to return to the City Council with the policy, by the end of the calendar year, for additional feedback.

Policy Alternative:

Alternative: Discontinue UAS policy work and do not pursue the implementation of an Unmanned Aircraft System (UAS) program.

Pros: None.

Cons: The Milpitas Police Department would continue to rely on other cities for similar resources. These resources are not readily available and response times are delayed when assets are coming from other cities. Further, UAS type capabilities would not be available to the Fire and Public Works Departments.

Reason not recommended: The UAS program has the potential to expand the City of Milpitas' services, especially in matters involving public safety and the safety of our police officers.

Fiscal Impact:

A UAS program is estimated to cost \$55,000 to \$65,000. This estimate includes FAA certifications, pilot training, equipment, and accessories.

Funding is currently available in the Capital Improvement Plan for Public Safety and could be allocated to a UAS program. Annual maintenance and/or repair costs are expected to be minimal and can be absorbed by the department's operating budget.

California Environmental Quality Act:

N/A

Recommendation:

Receive the presentation on Unmanned Aircraft Systems and provide the Police Department staff with feedback on the Unmanned Aircraft System policy and program.

Attachments:

- a) Lieutenant Morales' memorandum on Program Review & Recommendation
- b) Draft UAS Policy