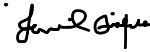


July 1, 2025

**TO: Mike Lambert
Director**



**FROM: Jared K. Redulla
Deputy Director**

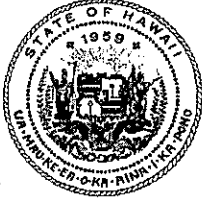


SUBJECT: Temporary Directive on Use of Unmanned Aerial Systems

I am requesting your review and temporary approval for issuance to DLE's unmanned aerial systems pilots the attached draft policy for use of unmanned aerial systems.

A permanent policy is being drafted by CALEA staff. However, because of the exigencies of law enforcement service, our systems have been called to use by our Department and other agencies. Consequently, your approval for adoption of this temporary directive shall guide the use of DLE's systems by DLE's pilots during operations and training while the permanent policy is completed.

As this directive temporarily adopts a policy draft for guidance, DLE pilots shall be advised to follow the directive as substantially as possible with an emphasis on three equal areas: 1) safe operation of equipment, 2) compliance with applicable laws and regulations, and 3) significant regard for the privacy rights of citizens. Once a permanent policy is adopted, this temporary directive shall cease and the permanent policy shall control.

	DEPARTMENT OF LAW ENFORCEMENT <i>KA 'OIHANA HO'OKŌ KĀNĀWAI</i>	POLICY NO: LAW.01.47
	Policy and Procedures	Effective Date: Draft
	Subject: SMALL UNMANNED AIRCRAFT SYSTEMS	Approved By: Mike Lambert Director
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Version Control:		

1.0 PURPOSE

To establish a small Unmanned Aircraft Systems (sUAS) program in the Department of Law Enforcement and provide guidance and general procedures for its use in enhancing public safety and law enforcement capabilities in accordance with the DLE's mission and applicable local, state, and federal laws.

2.0 SCOPE

This statewide policy applies to all DLE Employees.

3.0 POLICY

The DLE may use sUAS/Drones in accordance with our mission to stand for safety with respect for all by engaging in just, transparent, unbiased and responsive law enforcement.

The DLE's use of sUAS/Drones shall follow the Federal Aviation Administration's (FAA) Title 14 CFR part 107 regulations and applicable waivers/authorizations, or a Certificate of Authorization (COA) issued by the FAA.

4.0 DEFINITIONS AND FORMS

1.1 Definitions

- a. Small Unmanned Aircraft System (sUAS): A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft that weighs less than fifty-five (55) pounds and is consistent with Federal Aviation Administration (FAA) regulations governing model aircraft.

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- b. Air Traffic Control (ATC): A service provided by ground-based air traffic controllers who direct aircraft on the ground and through controlled airspace and can provide advisory services to aircraft in non-controlled airspace.
- c. Categorizing: Classifying recordings by type of event or incident (e.g., felony, misdemeanor, or non-evidentiary).
- d. Certification of Authorization (COA): Authorization issued by the FAA that grants approval to fly a specified aircraft, for a specified purpose, within a specified area. Except for training and practice flights, use of an sUAS requires a valid COA. A copy of the COA, including the special limitations, shall be readily available at each sUAS operation location. The HPD falls under a jurisdictional COA that covers the entire island of Oahu and up to three nautical miles offshore.
- e. Common Traffic Advisory Frequency (CTAF): The designation given to the radio frequency used for air-to-air communication.
- f. Deployment: Active sUAS flight operations excluding training and practice.
- g. Federal Aviation Administration (FAA): An agency of the United State Department of Transportation which has the authority to regulate and oversee all aspects of civil aviation in the United States.
- h. FAA Title 14 CFR Part 107 (FAA Part 107): Federal rules governing non-hobbyist, small unmanned aircraft operations to include public safety operations. The rules cover commercial, and government uses for drones weighing less than 55 pounds with a maximum ground speed of 100 miles per hour (MPH).
- i. FAA Title 14 CFR Part 91 Federal rules governing General Aviation operations including Law Enforcement Agencies operating sUAS under waivers.
- j. sUAS Pilot/ crew member Flight Log: A document for an sUAS operation that contains the mission summary (e.g., specifics of the request, performance, abnormalities, date and time, etc.), identifies the operator, observer, and the total time that the aircraft was in flight.
- k. Labeling: The attaching of identifying information of the police incident to an sUAS recording (e.g., police report number and incident date).

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- l. sUAS Program Coordinator: The person responsible for the overall management of the sUAS program.
- m. Remote Pilot in Command (RPIC): A person who holds a current Federal Aviation Administration (FAA) Remote Pilot Certification as defined by 14 CFR part 107. The RPIC is responsible for the operation of the sUAS, even when not physically operating the sUAS. All flight decisions made by the RPIC are final.
- n. Visual Observer (VO): A sUAS crew member for a flight mission who's purpose is to scan the airspace where the sUAS is operating for any potential collision hazard; and maintain awareness of the position of the sUAS through direct visual observation. The VO must maintain effective communication with the RPIC at all times.
- o. sUAS Team: The group consisting of sworn officers, an FAA Part 107 certified Pilot/ RPIC, Visual Observer (VO), or other persons that are predetermined as a team and is responsible for sUAS operations.
- p. Temporary Flight Restrictions (TFR): A regulatory action that temporarily restricts certain aircrafts to operate within a defined area because doing so may endanger any persons or damage property in the air or on the ground.
- q. Visual Flight Rules (VFR): A set of rules by which a pilot operates an aircraft in generally clear weather conditions that allow the pilot to see where the aircraft is going.
- r. Visual Line of Sight (VLOS): Establishing and maintaining, with unaided vision except for corrective lenses, a direct and unobstructed sight of an sUAS in flight to determine position, environment, safety, and other factors as required by FAA regulations.

1.2 Forms

- a. UAS Program Application
- b. SUAS Deployment log/LAW 0930
- c. SUAS Proficiency in Operation Checklist
- d. LAW 0931 SUAS Pre-Flight Inspection
- e. LAW 0932 sUAS Pilot/ Crew Member Flight Log

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5.0 PROCEDURES

1.3 Organization,

- a. The Director shall designate a sUAS Program Coordinator who shall be responsible for the overall management of the sUAS program.
- b. The sUAS Program shall be under the Special Operations Section.
- c. Only personnel trained and authorized may participate in the DLE sUAS/Drone program.
- d. Selection and training criteria, standards, and training records shall be maintained by the sUAU Program Coordinator.
- e. During visual operations, each deployment shall include a RPIC (pilot) and a VO (Visual Observer).
- f. Duties, and Responsibilities
- g. The RPIC shall:
 1. Be designated before any sUAS operation is authorized;
 2. Be responsible for the overall management of the sUAS operation;
 3. Ensure that the sUAS be operated to minimize undue hazard to other people, aircraft, or property. and
 4. Ensure that the sUAS operation complies will all applicable FAA regulations regarding operations of the sUAS.
 5. The RPIC shall, with consultation from the on-scene supervisor, have operational command of sUAS flight approvals and disapprovals..
- h. The VO shall:
 1. Maintain effective communication with the RPIC;
 2. Coordinate with the RPIC to scan the airspace where the sUAS is operating for any potential collision hazard, safety issues, and other concerns; and

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3. Maintain awareness of the position of the sUAS through direct VLOS.

- i. A hard and digital copy of the flight log shall be kept on file for each mission. These files shall be maintained within the element that performed and was responsible for the particular sUAS operation. Specifically, Patrol sUAS RPIC, Special Operations Section Fugitive Unit sUAS RPIC, and Investigations sUAS RPIC.

Remote Operations...

1.4 sUAS Deployment

Operations for which a sUAS can be employed by the DLE include but are not limited to the following:

- a. Search and rescue; To assist in missing person investigations, AMBER Alerts, Silver Alerts, Endangered persons and other search and rescue
- b. Critical Incident: To assist decision makers (e.g., Incident Command personnel, first responders, county, state, and federal officials, etc) in understanding the nature, scale, and scope of an incident and for the planning and coordinating of an effective response.
- c. Tactical Operations ; To support the tactical deployment of deputies and equipment in emergency situations (e.g., hostage/ barricaded subjects, large scale tactical operations, temporary perimeter security situations, etc.
- d. Crowd management; To provide an ariel visual perspective to assist deputies in providing direction for crowd control.
- e. Scene Documentation: To document a crime scene, accident scene, or other major incident scene (e.g., disaster management, incident response, large scale forensic scene investigation, etc.)
- f. Support of other law enforcement agency operations;
- g. Training activities; To document various training scenarios in order to provide enhanced law enforcement training and knowledge, and
- h. Other situations authorized by the Director.

1.5 Training and Qualification

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- a. The training for new sUAS personnel shall be provided by sUAS personnel operating under a department-approved training program. The training and qualifications include a sUAS related:
 1. FAA Part 107 pre-test class;
 2. VO Certification; and
 3. Operator RPIC Certification.
- b. All DLE personnel involved in the flight operation of an sUAS shall be FAA Part 107 certified. Certification will be maintained and renewed every two (2) years as mandated by FAA regulations. Division commanders shall ensure that their respective sUAS personnel maintain a current FAA certification, maintain sufficient training, and complete Department sUAS Proficiency Evaluation.
- c. sUAS Unit training will be conducted at least monthly to ensure continued effective use and operation of all sUAS equipment. All equipment will be inspected and the results documented to include proper calibration and performance at each monthly training to ensure operational readiness..
- d. All department personnel assigned to the sUAS unit will be trained in the county, state, and federal laws and regulations, as well as policies and procedures governing the deployment and use of the sUAS.
- e. All training and related documents shall be filed with the Training Services Division (TSD).

1.6 Restrictions

- a. Only department approved sUAS shall be used.
- b. Only personnel authorized by the RPIC or their designee shall operate Departmental sUAS.
- c. The sUAS will be deployed and used only to support official law enforcement, public safety missions, and other official agency use approved by the Sheriff, sUAS Supervisor, or their designee.
- d. All sUAS operations will be conducted in compliance with State Laws, Departmental Policy and FAA Guidelines.

1.7 Privacy

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The sUAS team shall adhere to all state and federal laws, departmental policies, and regulations concerning privacy. Additionally, sUAS teams shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy.

1.8 Safety and Proper Operation

a. Safety responsibilities of the sUAS team include the following:

1. The DLE will obtain all applicable authorizations, permits, and certificates required by the FAA prior to deploying or operating the sUAS. All authorizations, permits, and certificates will be maintained and remain current.
2. The sUAS pilot/ RPIC will complete a documented inspection and testing of all sUAS equipment prior to each deployment to verify functioning and airworthiness of the device.
3. The RPIC shall halt any sUAS operation that may impact the safety of ground or airborne personnel or any property involved;
4. The RPIC must maintain communication with the scene supervisor and air traffic control towers operating in the area. A VO who is working in close proximity to the RPIC may be assigned this responsibility;
5. An assigned VO must maintain a VLOS of the sUAS and communication with the RPIC;
6. Use of multiple VOs is prohibited unless otherwise authorized by a special provision;
7. For night operations the sUAS must have lighted anti-collision lighting visible for at least 3 miles statutes that has a flash rate sufficient to avoid a collision. The remote pilot in command may reduce the intensity of, but may not extinguish, the anti-collision lighting if he or she determines that, because of operating conditions, it would be in the interest of safety to do so.

b. Operation of an sUAS is restricted to a certified RPIC. However, a VO may operate an sUAS in an emergency under the direction of the RPIC in accordance with FAA regulations; and

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- c. Overall safety of an sUAS operation is the responsibility of the attending RPIC.

1.9 Use and Request Move to 1.4

- a. Requests and/or deployment of an sUAS shall be made through the Commander of the Sheriff Special Operations Section.
- b. Should a request be authorized, an operational “for use” plan shall be submitted by the requesting agency or PIC (Pilot-in-Command) to the Commander of the Sheriff Special Operations Section.
- c. The sUAS will be under the direction of a FAA certified RPIC and will be operated only by personnel (pilots and crew members) who have been trained and/or certified in the operation of the system.
- d. All sUAS equipment is the responsibility of the Sheriff Special Operations Section. Equipment malfunctions will be brought to the attention of the sUAS supervisor as soon as possible so the appropriate repair can be made or replacement unit can be procured.
- e. All flights will be documented in the Pilot/ RPIC flight log, and all flight times will be accurately recorded. In addition, each deployment will be recorded in the sUAS log and will include:
 - 1. Reason for flight;
 - 2. Date and time;
 - 3. location
 - 4. Name of requesting supervisor;
 - 5. Responding flight crew members, and;
- f. Summary of activities covered, actions taken, and outcomes of deployment
- g. sUAS deployment requests to the divisions below and for the purposes noted for each shall be made by the scene supervisor via the Communications Division. Use of an sUAS by any of the divisions below must be authorized by that division's commander or designee:

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1.10 Recorded Images

- a. Except in situations described below, sUAS recordings shall be retained for thirteen months from the recorded date.
- b. All recorded media is considered confidential and property of the Hawaii Department of Law Enforcement; as such, will not be copied, released, shared, or disseminated, in any form outside the parameters of this policy or for unofficial purposes without prior written authorization and approval from the Sheriff, the sUAS Supervisor, or their designee.
- c. Any sUAS recordings that have evidentiary or exculpatory value for use in a criminal or civil case shall be retained for the period of the applicable statute of limitations or until the final disposition of the case, whichever is shorter.

6.0 REFERENCES

1.11 Hawaii Revised Statutes (HRS)