

OWATONNA POLICE DEPARTMENT MANUAL

POLICY: 128

EFFECTIVE DATE: July 10, 2025

SUBJECT: UNMANNED AERIAL VEHICLE (UAV) OPERATIONS

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).

POLICY:

Unmanned aerial systems may be utilized to enhance the department'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.

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;
- To document evidence that is at imminent risk of destruction
- 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 a 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 private area with the written consent of the occupant or a public area for officer training or public relations purposes;
- For purposes unrelated to law enforcement at the request of a government entity provided that the government entity mails the request in writing to the law enforcement agency and specifies the reason for the request and proposed period of use;
- To facilitate the active search for a missing person

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;
- 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:
 - Authorized Use:
 - Incident Number to include notes documenting the factual basis for the authorized use of the UAV without a search warrant
 - Use Requiring a Search Warrant or Evidence Collection
 - Written report for any use not authorized without a search warrant
 - Each operator to log every individual deployment on a yearly Deployment Log

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 12, 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 Chief of Police will appoint a program coordinator. 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 an Unmanned Aerial Vehicles" and that all authorized users operate the UAV in accordance to this policy.

DEPLOYMENT OF UAV:

- Any requested deployment of the UAV will be at the discretion of a department appointed operator, who is a current licensed UAV pilot, certificated by the Federal Aviation Administration.