

**ANOKA COUNTY PUBLIC SAFETY COMMITTEE AGENDA
and Meeting of the Anoka County Board of Commissioners****

January 5, 2021- 1:00 P.M.

Bunker Hills Activities Center – Maple Room
550 Bunker Lake Blvd NW
Andover, MN 55304

ACTION ITEMS

Sheriff

1. Consider recommending adoption of Resolution #2021-PS01, Accepting Dedicated Donation from Anonymous Anoka County Residents. *See attached* PSC Worksheet and resolution.
2. In accordance with Minn. Stat. § 626.19, accept public comment regarding the Anoka County Sheriff's Office Unmanned Aerial System Program. *See attached* PSC Worksheet and Unmanned Aerial System Operations Policy.

INFORMATION

Emergency Communications

3. Information Update

MISCELLANEOUS

4. Other
5. Public comments are welcome at this time. In consideration of others wishing to speak, please limit comments to 2 minutes.

*** Actions taken by this Committee do not bind the County Board. In addition to the County Commissioners appointed to this committee, additional County Commissioners may attend. Non-committee Commissioners may choose to participate in the discussions and/or ask questions, but they will **not** vote on any item, nor will they agree to take a specific action on business conducted by the committee. If their attendance and limited participation in the committee meeting is considered a meeting of the County Board, this shall serve as notice of a County Board meeting. This shall also serve as notice of a County Board Meeting for any committee comprised of four or more members of the board.*



ANOKA COUNTY ACTION ITEM

January 5, 2021

Anoka County Sheriff's Office

ACTION REQUESTED	Recommend adoption of Resolution #2021-PS01, Accepting Dedicated Donation from Anonymous Anoka County Residents.
BACKGROUND	<p>Anonymous Anoka County Residents, through Attorney Barry Newman, Dorsey & Whitney, 50 South Sixth Street, Suite 1500, Minneapolis, MN, have donated one hundred \$50 Pizza Ranch gift cards to be used by the Sheriff's Office for office events and/or county training.</p> <p>The Anonymous Anoka County residents wish to show their support to the Anoka County Sheriff's Office and a local restaurant during the COVID-19 Pandemic.</p>
Contract Number Amount of Contract	
CONCLUSION	
RECOMMENDATIONS	Recommend adoption of the resolution accepting the dedicated donation from Anonymous Anoka County Residents, in accordance with the donors' terms.

RESOLUTION #2021-PS01

**ACCEPTING DEDICATED DONATION
FROM ANONYMOUS ANOKA COUNTY RESIDENTS**

WHEREAS, Anonymous Anoka County Residents have donated to the County of Anoka on behalf of the Sheriff's Office, one hundred \$50 Pizza Ranch gift cards to be used for office events and/or county training; and,

WHEREAS, Minnesota Statute § 465.03 requires a county to accept the gift by resolution expressed in terms prescribed by the donor in full; and,

WHEREAS, acceptance of the gift in accordance with the donors' terms is in the best interest of the County of Anoka:

NOW, THEREFORE, BE IT RESOLVED that the Anoka County Board of Commissioners does accept the above-described gift from Anonymous Anoka County Residents and extends its grateful appreciation.



PUBLIC SAFETY COMMITTEE ACTION ITEM

January 5, 2021

Anoka County Sheriff's Office

ACTION REQUESTED	In accordance with Minn. Stat. § 626.19, accept public comment regarding the Anoka County Sheriff's Office Unmanned Aerial System Program.
BACKGROUND	<p>The Sheriff's Office started its Unmanned Aerial System Program in 2016 and complies with Federal Aviation Administration requirements and guidelines.</p> <p>Effective August 1, 2020, Minn. Stat. § 626.19, subd. 9 requires a law enforcement agency to provide an opportunity for public comment electronically or by mail regarding its Unmanned Aerial Vehicles. It also requires the governing body with jurisdiction over the budget of a local law enforcement agency to provide an opportunity for public comment at a regularly scheduled meeting.</p> <p>Minn. Stat. § 626.19, subd. 10 requires the Sheriff's Office to post its Unmanned Aerial System Operations policy on its website. <i>See attached</i> Sheriff's Office Policy #613.</p> <p>On December 8, 2020, the policy was posted on the Sheriff's Office website and started accepting public comment electronically. To date, the Sheriff's Office has received no comments.</p>
CONCLUSION	To comply with Minn. Stat. § 626.19, accept public comment regarding the Sheriff's Office Unmanned Aerial System Program.
RECOMMENDATIONS	In accordance with Minn. Stat. § 626.19, accept public comment regarding the Anoka County Sheriff's Office Unmanned Aerial System Program.

Unmanned Aerial System (UAS) Operations

613.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval, and dissemination of images and data captured by the UAS (Minn. Stat. § 626.19).

613.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled without the possibility of direct human intervention from within or on the aircraft (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means (Minn. Stat. § 626.19).

613.2 POLICY

Unmanned aerial systems may be utilized to enhance the office's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights.

613.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

613.4 PROGRAM COORDINATOR

The Sheriff will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and office-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

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Unmanned Aerial System (UAS) Operations

- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
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- Developing an operational protocol governing the deployment and operation of a UAS, including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Sheriff.
- Developing protocols for reviewing and approving requests for use of the office UAS by government entities (Minn. Stat. § 626.19).
- Preparing and submitting the required annual report to the Commissioner of Public Safety (Minn. Stat. § 626.19).
- Posting the office policies and procedures regarding the use of UAV on the office website, as applicable (Minn. Stat. § 626.19).
- Reviewing the program and UAS use for compliance with Minn. Stat. § 626.19.

613.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

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Unmanned Aerial System (UAS) Operations

Members shall not use a UAS without a search warrant, except (Minn. Stat. § 626.19):

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

613.5.1 DOCUMENTATION REQUIRED

Each use of a UAS should be properly documented by providing the following (Minn. Stat. § 626.19):

- (a) A unique case number
- (b) A factual basis for the use of a UAS
- (c) The applicable exception, unless a warrant was obtained

613.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized (Minn. Stat. § 626.19).

613.6.1 ADDITIONAL PROHIBITIONS

Unless authorized by a warrant, a UAS shall not be deployed with facial recognition or biometric-matching technology (Minn. Stat. § 626.19).

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Unmanned Aerial System (UAS) Operations

Unless authorized by a warrant or for purposes of a permitted use outlined in this policy, a UAS shall not be used to collect data on public protests or demonstrations (Minn. Stat. § 626.19).

613.7 RETENTION OF UAS DATA

The Records Section supervisor shall ensure that data collected by the UAS is disclosed or deleted as required by Minn. Stat. § 626.19, including the deletion of collected data as soon as possible, and in no event later than seven days after collection, unless the data is part of an active criminal investigation (Minn. Stat. § 626.19).