

Board of Commissioners Resolution

B2020-217

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-83506

Sponsor: Sheriff's Office

Meeting Date: 10/27/2020

Item Number: 2020-429

Title: Public Hearing for Unmanned Aerial Vehicles

Background:

In 2016, the Ramsey County Sheriff's Office began researching the feasibility of establishing an unmanned aerial vehicle (UAV) program to support community and public safety goals. At the time, both federal and state laws and regulations were not reflective of current technical advancements.

Over the years since 2016, laws and rules were modernized and implementation became more practical. From 2017 to 2020, legislation went into effect that provided clearer guidance on the use of UAVs by local law enforcement agencies. Specifically, these legislative changes included the following requirements:

- Accepting public comments at a regularly scheduled meeting (Minn. Stat. § 626.19, subds. 9, 10).
- Accepting public comments via U.S. mail and electronically (Minn. Stat. § 626.19, subd. 9).
- Prohibiting facial recognition, other biometric-matching technology, and use at public protests or demonstrations unless authorized by a warrant (Minn. Stat. § 626.19, subd. 4(b)).
- Requiring a warrant be obtained for criminal and investigative purposes (Minn. Stat. § 626.19, subd. 2).
- Banning equipping or adding weapons to UAVs (Minn. Stat. § 626.19, subd. 4(c)).
- Mandating compliance with all Federal Aviation Administration (FAA) requirements and guidelines (Minn. Stat. § 626.19, subd. 4).
- Providing guidance on data classification (public information) and retention (Minn. Stat. § 626.19, subd. 4(a)).
- Requiring written policies and procedures (Minn. Stat. § 626.19, subd. 10).
- Establishing annual reporting requirements to the state (Minn. Stat. § 626.19, subd. 12).

This legislation also authorizes use of UAVs in specific circumstances, including but not limited to: during or in the aftermath of an emergency situation that involves the risk of death or bodily harm to a person; preventing the loss of life and property in natural or man-made disasters and facilitating operational planning, rescue, and recovery operations in the aftermath of these disasters; conducting a threat assessment in anticipation of a specific event; and, collecting information for crash reconstruction purposes after a serious or deadly collision occurring on a public road (Minn. Stat. § 626.19 subd. 3).

It is estimated that over 347 law enforcement agencies in 43 states have UAV programs. UAV programs are present in the Sheriff's Offices of Hennepin County, Dakota County, Anoka County, Saint Louis, and Wright County, and well as several local police departments, including in the cities of Edina, Eden Prairie, Rochester, and Stillwater.

Potential uses in Ramsey County, to support community and public safety goals, include:

- Assisting in the search for missing children and adults, including those with special needs and tendencies to wander.

- Providing support during water or public area searches, rescues, and recoveries.
- Locating missing or stolen property.
- Supporting crime prevention goals.
- Helping to prevent the loss of life and property in natural or man-made disasters.

As required by state statute, the County Board must provide an opportunity for public comment at a regularly scheduled meeting (Minn. Stat. § 626.19, subds. 9, 10). Public comments are sought relating to the purchase and use of UAVs, as well as the proposed policy governing the use of UAVs. The Sheriff's Office website has a public comment section and continues to accept public comments. The Sheriff's Office is also accepting public comments via U.S. mail, electronically, and on social media.

A draft copy of the policy related to UAVs is available for public comment on the Sheriff's Office website (www.RamseyCountySheriff.us). The draft policy was developed based upon a model policy by Lexipol and in consultation with the Office of the Ramsey County Attorney. In addition, policies of other law enforcement agencies and information provided by the League of Minnesota Cities was utilized. For reference, the Sheriff's Office is following the same process for public input as was done with the implementation, purchase, and policy related to body-worn cameras that occurred in 2019.

This action also aligns with recommendations from President Obama's Task Force on 21st Century Policing. The Task Force noted that (1) implementing new technologies can provide opportunities to engage and educate communities in a dialogue about expectations for transparency, accountability, and privacy; (2) public engagement and collaboration should take place when developing a policy for the use of a new technology; and, (3) model policies and best practices should be adopted for technology-based community engagement that increases community trust and access.

Recommendation:

The Ramsey County Board of Commissioners resolved to:

Set the Public Hearing date of November 24, 2020, at 9:00 am, or as soon thereafter as possible in the Council Chambers of the Ramsey County Courthouse, 15 W. Kellogg Boulevard, St. Paul, MN 55102, on the purchase and use of unmanned aerial vehicles.

A motion to approve was made by Commissioner MatasCastillo, seconded by Commissioner McGuire. Ayes – 7: Frethem, MatasCastillo, McDonough, McGuire, Ortega, Reinhardt, Carter. Motion passed.

By: _____
Janet M. Guthrie, Chief Clerk – County Board