

Request for Board Action Details

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Title: Public Hearing for Unmanned Aerial Vehicles
Sponsors: Sheriff's Office
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Attachments: 1. Public Notice, 2. Draft Policy, 3. Resolution

Date	Ver.	Action By	Action	Result
10/27/2020	1	Board of Commissioners	approved	Pass

Sponsor: Sheriff's Office

Title
Public Hearing for Unmanned Aerial Vehicles

Recommendation

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.

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.

County Goals (Check those advanced by Action)

☒ **X Well-being**

☐ Prosperity

☐ Opportunity

☒ **X Accountability**

Racial Equity Impact

The draft policy recognizes constitutional, privacy, and legal rights. The use of new technology continues to improve public safety, reinforce transparency, and promote accountability. As the Sheriff's Office continues to look at its service delivery through a racial equity lens, the use of UAVs will be closely monitored and reported to the state.

Community Participation Level and Impact

The information about this action is available to the public through County Board documentation that is published on the County's website: <https://www.ramseycounty.us/your-government/leadership/board-commissioners/board-meetings-information>.

In addition, the Sheriff's Office is also accepting public comment via U.S. Mail, email, online, and social media.

☒ Inform ☒ Consult ☐ Involve ☐ Collaborate ☐ Empower

Fiscal Impact

This action brings the county in compliance with state law. In 2021, the Sheriff's Office plans to purchase two UAVs at an estimated cost of \$6,000. Proposed financing will include grant funds and/or the operating budget. As required by state law, an annual report will be submitted to the Minnesota Department of Public Safety with the annual cost of the program.

County Manager Comments

County Board approval is required to set and hold public hearings.

Last Previous Action

None.

Attachments

1. Public Notice
2. Draft Policy