

SEATTLE POLICE DEPARTMENT - BRIEFING MEMO

Date: May 1, 2012

To: Council President Sally Clark and Council Committee on Public Safety, Civil Rights, and Technology

From: John Diaz 
Chief of Police

Subject: Unmanned Aerial Systems

Briefing Objective: To discuss the policy, use and implications of the deployment of Unmanned Aerial Systems by the Seattle Police Department.

Recent publicity surrounding the purchase of two drones, or Unmanned Aerial Systems (UAS), by the Police Department has generated Council interest in the Department's UAS program. Herein, the Department will address all issues raised in Peter Harris' memo, dated April 23, 2012, specifically. Mr. Harris' questions are italicized below.

What did the drones cost? From what Budget Control Level (BCL) was the purchase made? What is the relationship between the purpose of this BCL and the purpose of the purchase?

In December 2008, City Ordinance 122886 was approved by both City Council and the Mayor's Office. This Ordinance accepted grant funds from the Department of Homeland Security (DHS) through the Urban Areas Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08) and increased appropriations in the Police Department's Chief of Police BCL (P1000) by \$2,331,078 in the 2009 budget. In 2010, the Department purchased two UAS for \$82,553.00, using UASI 08 funds. The purchase was made from the Chief of Police BCL, under the Grants Program. In recent years, all Department grants were collocated in the Chief of Police Grants Program for organizational purposes, even though the associated work may be performed elsewhere. The purchase of UAS is consistent with the purpose of the UASI grant, to fund equipment, training, planning and management needs associated with preventing, responding to, and recovering from, threats or acts of terrorism. The purchase was made in partnership with the King County Sherriff's Office.

Are the trainees sworn or civilian? How many trainees are there? In what unit do they work, and what BCL funds this unit? Approximately how many hours will the trainees and their supervisors devote to this program this year?

With regards to staffing, the UAS trainees are all sworn and assigned to the Homeland Security Section. The Department has less than ten trainees at this time. However, training is still in development, and additional trainees may be added with further program implementation. The Homeland Security Section of the Department is funded by the general fund, under the Special Operations BCL (P3400), and grant

funds, including the UASI grant that has been renewed annually since 2003. Trainees and their supervisors will devote hours as needed to respond to in progress events, crime scene investigations and processing and life safety incidents. Training hours will be completed around daily work schedules, and any additional staff support will be provided by pre-identified Patrol Units, also on an as needed basis.

What is the estimated life cycle cost of the drones, including training and operating costs?

The estimated life cycle cost of the UAS, including training and operating costs, will have little to no impact on the general fund. As previously discussed, the initial equipment purchase was funded by UASI 08, and past, current and future training costs will likely be eligible for reimbursement through Homeland Security grants. Operating and training costs are expected to be minimal as the operators will be on shift and will fit in training between work assignments. With regards to lifespan, while the UAS are already a few years old now, they can be expected to last at least three to four more years, excluding battery replacement. Maintenance costs, including replacement parts (e.g., rotor blades, motors), are also expected to be minimal.

What policy goals motivated the purchase? What problem will the drones solve? What if any alternative solutions to this problem were considered, and how does the cost of the drone program compare to the cost of these alternative solutions? Did the Department prepare a business case for this new program?

The policy goals motivating this purchase include, but are not limited to, Department-wide goals of Life Safety, Incident Stabilization, and Property Conservation, as part of police response to calls for service, which are addressed under this purchase by providing real time Situational Awareness to field units and incident commanders to increase community and first responder safety at hazardous crime or disaster scenes. Once deployed, the UAS will allow the Department to assess a crime scene, critical incident or natural disaster from an elevated platform in real time. The Department could not accomplish this feat without this type of equipment, and instead, would be forced to rely solely upon regional aviation assets. This would have a negative impact on the Department's ability to respond to the above-identified incidents in a timely manner. The UAS will not replace the need to call upon regional aviation assets. Instead, the Department's UAS program will complement regional assets by providing a solution for a range of aerial needs. For longer incidents and rescue operations, the Department will continue to work in conjunction with regional aviation assets. Two other alternatives to the UAS include full-size, occupied, fixed-wing or rotary-wing assets, however, both are extremely cost prohibitive for the Department.

The Department did not prepare a Business Case for the deployment of the UAS. On the other hand, these units were carefully screened through the Department and approved by the Bureau Commander, following an internal review that took into consideration safety, size, ease of operation, capability and control.

At what level within the Executive Branch was this new program approved? When was it approved?

As noted above, UASI 08 was approved by the Council and the Mayor in Ordinance 122886, which passed in December 2008. Funds were appropriated by this ordinance for equipment, training, planning and management needs associated with preventing, responding to, and recovering from, threats or acts of terrorism. The UASI grant program is administered by the Grants and Contracts Section of the Department. All associated expenditures are subject to the terms and conditions of the grant contract, and are reviewed by the Grant Administrator to ensure that equipment purchases satisfy all grant requirements. This purchase, specifically, was subject to the terms outlined in the UASI 08 contract, which requires items to be selected from an approved equipment list and then approved by a State subcommittee.

How and when will this part of the policy be developed? Who will approve it? What will be the parameters for this policy? For example, how will it compare to the letter and spirit of Ordinance 108333?

The Department policy regarding the deployment of the UAS is in the development stage. At present, we are addressing the current and new FAA issues surrounding flight requirements, operator and observer requirements, and monitoring issues. The policy will be vetted and approved within the Department, after engagement with key stakeholders and the Executive Branch.

At a minimum, the Department policy will contain specific criteria that will limit use to authorized law enforcement functions only, such as in progress responses (e.g., missing child/lost adult, natural disaster, tactical incidents), accident/crime scene investigations and processing, or hazardous situations. Further, it has already been determined that video acquired via the UAS with no evidentiary value will be destroyed at the conclusion of an operation, in a manner consistent with the State records retention schedule. This will not include specific training videos filmed while in a training area, on identified training days, in an effort to provide on-going learning material for the pilot and observer teams.

With regards to Ordinance 108333, the Department will make every effort to develop a policy that is consistent with this and all other city ordinances governing the collection and use of information for law enforcement purposes.

What is the basis for assuming that once this policy is developed, the acceptable use of the drones will have greater benefits than costs?

To date, the operating cost of this program for both the City and the Department has been minimal as the funding for operations, training and units has come from Homeland Security grants, while the mere possession of this equipment provides the Department with the benefit of increased capacity to respond to future public safety needs. Once a policy is developed and the UAS are deployed, the basis for determining whether the benefits outweigh the costs will be expanded to include at least the following factors: 1) frequency of use, 2) informational benefit for field responders and commanders, 3) response and application times, 4) ease of operation, and 5) malfunction rates. The results of this analysis will be

the starting point for any future assessment of whether or not resources should continue to be assigned on a part-time basis or if there is value in allocating resources to the program on a full-time basis.

Given the many other large demands on the Department, including SPD 20/20, the 3rd Avenue Initiative, the City's budget situation, and the continuing requests from neighborhoods throughout the city for more patrol officers and more effective policing, what convinced you that this new program warrants the resources and management attention it will require, now?

This program has been in the works for a few years and has been publicly disseminated via media interviews and direct conversation with the ACLU, which took place over a year ago. Staff resources have been and will continue to work on this program in addition to their other task assignments within the Homeland Security Section. Patrol support for this program will be an ancillary duty of pre-identified patrol units, who will function as support to the pilot(s). This program is merely an expansion of the daily task of patrol officers to collect all information necessary to safely and effectively respond to calls for service and accomplish law enforcement goals. The increased response capability is intended to support police operations and will potentially reduce the time officers spend on some calls, returning them to duty faster than without this capability.

Should you have any questions, please contact Assistant Chief Paul McDonagh at (206) 386-0061. Thank you.

CC.

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