



Sheriff's Office Training Bulletin

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SWORN PERSONNEL SHALL UNDERSTAND THE PROVISIONS OF THE POLICY MANUAL PERTAINING TO UNMANNED AERIAL SYSTEM (UAS) OPERATIONS.

Sworn personnel must have a complete understanding of Sheriff's Office policy regarding unmanned aerial system (UAS) operations. All personnel shall be familiar with the policy and what it contains. Policy 347 establishes the Sheriff's Office policy regarding unmanned aerial system (UAS) operations. The following are excerpts from that policy. *Sworn personnel must be familiar with the entire Policy as stated in the Policy Manual.*

DEFINITIONS

- ✓ Certificate of Authorization (COA) – Authorization issued by the Federal Aviation Administration (FAA) which grants permission to fly within specific boundaries and limitations.
- ✓ Unmanned Aerial System (UAS) – An unmanned aircraft of any type that is capable of

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Sheriff's Office UAS Unit – DJI Matrice M300



FROM THE TRAINING MANAGER:

The Training Unit would like to congratulate Lt. Richard Cheechov on his promotion. We thank him for his years of service as the Training Manager and wish him well in his new assignment. I've been appointed as the new Training Manager and look forward to continuing the mission. Feel free to reach out to me.

As the COVID-19 pandemic restrictions have eased in most cases, a return to in-person training has begun statewide. Demand for training has increased, so please sign up well in advance to secure a class seat with a properly submitted Training Request Form (TRF). As a reminder, all overnight stays require an Assistant Sheriff's approval. When completing your TRF, please refer to the current GSA Per Diem rates for meals and hotels (if applicable). All GSA daily rates are associated with the state and city where you will be attending training. On the first day and last day of travel, the meal Per Diem rate is less than the standard rate. Refer to [this GSA website](#) when calculating your travel expense Per Diem rates for your TRFs.

- Sgt. Jason Leone

CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

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sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV), and all the supporting or attached systems designed for gathering information through imaging, recording or any other means.

POLICY

Unmanned aerial systems may be utilized to enhance the Sheriff's Office mission of protecting lives and property. Any use of a UAS

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will be in strict accordance with constitutional and privacy rights and FAA regulations. Safety, above all else, is the primary concern in every operation, regardless of the nature of the mission.

PRIVACY

The Sheriff's Office recognizes that use of a UAS involves potential privacy considerations and is committed to using a UAS in a manner that respects privacy rights. UAS operators will consider individuals' civil rights and reasonable expectations of privacy as key components of any decision made to deploy the vehicle.

UAS operators will ensure that operations of the UAS appropriately balance operational needs with maintaining public privacy and freedom from intrusion. To ensure that legitimate privacy considerations are observed, UAS operators will:

- ✓ Absent a warrant or exigent circumstances, 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.

- ✓ Take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.
- ✓ During flight, direct onboard cameras to face away from occupied structures not related to the mission, to minimize the inadvertent capture of video or still images of uninvolved persons.
- ✓ Maintain all video and still images in compliance with State law and San Mateo County Sheriff's Office policy and procedure.

USE OF UNMANNED AERIAL SYSTEMS

Only authorized operators who have completed the required training shall be permitted to pilot the UAS. All use shall be authorized by the on-duty supervisor. Pre-planned events shall be authorized by the Program Coordinator. UAS may be authorized for deployment under the following circumstances:

- ✓ Search and rescue missions.
- ✓ Investigative scenes for video/photograph documentation.
- ✓ Hazardous Materials (hazmat) response.
- ✓ Public safety and life preservation missions (i.e., barricaded suspects, hostage situations, active shooters, high-risk tactical operations) to reduce risk to department personnel, suspects and community members.
- ✓ Disaster response (i.e., flood, earthquake, fire).
- ✓ Suspected explosive devices.
- ✓ Pursuant to a warrant (search or arrest).
- ✓ Special events.
- ✓ Outside public agency assists and mutual aid support when the underlying mission meets the uses outlined in this policy.
- ✓ Training flights as required to meet FAA and Sheriff's Office certification standards with the express permission of the Sheriff or his/her designee as long as consistent with this policy.
- ✓ Searching for wanted suspects.

- ✓ Demonstrations to the public—i.e., flight demonstrations to the public.

PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- ✓ To conduct random surveillance activities.
- ✓ To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- ✓ To harass, intimidate or discriminate against any individual or group.
- ✓ To conduct personal business of any type.

Members are prohibited from retaining UAS recordings of activities obtained while on-duty. Members shall not duplicate or distribute such recordings, except for authorized legitimate Sheriff's Office business purposes. All such recordings shall be retained at the Sheriff's Office.

GUIDELINES

- ✓ The ground speed of a UAS must not exceed 100 mph.
- ✓ The Office must comply with 14 CFR 91.119(a). No person may operate an aircraft anywhere below an altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface.
- ✓ The Office must report any accident or incident resulting in any human injury during COA operations over human beings.
- ✓ For those operations where it is necessary to operate over human beings in order to safeguard human life, the remote pilot in command must not operate any lower or in proximity to human beings necessary to accomplish the operation.
- ✓ The UAS shall not be weaponized.

MEMBER PRIVACY EXPECTATION

All recordings made by members on any office-issued device at any time, and any recording made while acting in an official capacity for this office, regardless of ownership of the device it was made on, shall remain the property of the Sheriff's Office. Members shall have no expectation of privacy or ownership interest in the content of these recordings. ☆

MEDICAL TESTIMONY WAS SUFFICIENT TO ESTABLISH A SUSPECT'S GUILT FOR LEAVING THE SCENE OF AN ACCIDENT RESULTING IN PERMANENT, SERIOUS INJURY.

Under what circumstances does an injury constitute permanent, serious injury?

The victim of a traffic accident left his house early one morning. He was on his way to his construction job, dressed in jeans, a neon yellow shirt, a bright orange sweatshirt, and a multicolored vest with reflective stripes. The victim lived with his parents and two brothers.

The victim made a detour to look at a flat tire on one of his brothers' car, which was parked across the street from their house. His mother followed him outside. She stood in the driveway.

As the victim crouched down to inspect the tire, a red car approached at a high rate of speed. The victim's mother yelled at him to "watch out." It was too late. The victim did not have enough time to react. The car hit him, causing him to fly in the air before he landed on the ground under the back of his brother's car. The driver of the car did not stop or slow down. He continued to drive, turning onto a nearby dead-end street.

The victim's father heard his wife scream. He ran outside and his wife quickly told him what had occurred. As the victim's mother sought aid, the victim's father got into his truck and drove to the dead-end street and saw the red car that had just hit his son. The victim's father parked his

truck to block the red car's exit from the street. The driver was apprehended.

California Vehicle Code section 20001(a)(b)(2) makes it a felony for a person to leave the scene of an accident resulting in permanent, serious injury to another person. Vehicle Code section 20001(d) defines "permanent, serious injury" as "the loss or permanent impairment of function of a bodily member or organ."

After the accident, the victim underwent surgery to repair his damaged left tibia and fibula. A metal plate and screws were placed in his leg. Another surgery took place six months later.

The victim's orthopedic surgeon later testified that the victim suffered from a left open tibia fracture with delayed union or nonunion. He further testified that the victim suffered an injury sufficient enough for the broken bones to poke outside his body and that the injury had failed to heal in a sufficient amount of time. He stated that he performed the victim's second surgery and that if the bone did not heal after the second surgery, the victim would need several other surgeries in order to get the bone to heal. He said that he was not sure if the victim would need additional surgeries and hoped he would not.

The doctor also later testified that in the future the victim was at risk for chronic pain both to the knee and to the ankle, including stiffness, and was at risk for complications of multiple surgeries, including stiffness, scar tissue, and chronic pain. He said that sometimes, a lot of the surgical interventions do not work. He said it was "possible" that the victim could run again, but that it was likely that the injured leg would never heal in a way that it will be as good as it was prior to the accident or be as good as the non-injured leg. The doctor testified that the victim will never have 100 percent healing in the sense that he will just in general never be in as good of shape as he was prior to the accident.

In the case of People v. Chavez, the California Court of Appeal ruled that the testimony of the surgeon, coupled with other factors, was sufficient to constitute an accident resulting in permanent, serious injury to the victim.

MISSION STATEMENT

The San Mateo County Sheriff's Office is dedicated to protecting lives and property and is committed to providing the highest level of professional law enforcement and correctional services. We pledge to promote public trust through fair and impartial policing and will treat all persons with dignity, compassion and respect.

COMMITMENT

We are committed to protecting life and property and preserving the public peace by acting professionally, with integrity, and without prejudice, even in the most challenging circumstances, when no one is watching, and on and off duty. We hold others accountable to the same standards and challenge any inappropriate behavior.

INTEGRITY

We are committed to ethics, equity and excellence. We understand that making a difference in the quality of life is an opportunity that policing and correctional services provides. We provide excellent service by respecting and upholding the rights and freedoms of all people in all our interactions, free from bias or stereotype, seeking to understand and help others by making a difference.

COMPASSION

We understand that sometimes we interact with the community during their most trying times. We are committed to treating all people with compassion, empathy, and respect; going the extra mile to ensure others feel safe, supported, included, engaged and valued; standing up for those who cannot stand up for themselves; and valuing others' life experiences.

INNOVATION

We promote an environment that encourages continuous improvement and innovation. We strive to be leaders in modern policing, acting on input and feedback from our communities and colleagues; constantly implementing best-practices; and exploring alternative solutions to current issues.

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The Court stated, "Evidence Code section 801(b) [states] that the matter relied on [by an expert witness] must provide a reasonable basis for the particular opinion offered, and that an expert opinion based on speculation or conjecture is inadmissible. In other words, assumptions which are not grounded in fact cannot serve as the basis for an expert's opinion: The expert's opinion may not be based on assumptions of fact without evidentiary support, or on speculative or conjectural factors."

The Court noted that the fact that the doctor did not state his opinions to a more specific degree of certainty does not render those opinions speculative. The Court stated, "In a criminal prosecution, a medical diagnosis based on probability is admissible; the lack of scientific certainty does not deprive the medical opinion of its evidentiary value. . . . Moreover, appellant's assertion that [the doctor]'s opinions were speculative erroneously conflates the doctor's opinion that the function of [the victim]'s leg is permanently impaired with the doctor's testimony regarding whether the leg would ever heal without further surgeries.

[The doctor] acknowledged it was too soon to tell whether [the victim]'s broken bones would heal without further surgeries, then set forth a 'scenario' describing the issues [the victim] 'would or could' face even if no further surgeries were necessary. Although the doctor noted that the full extent of the impairment was contingent upon how well the leg ultimately healed, this did not undermine his opinion that the function of the leg was permanently impaired. As the People aptly put it, '[t]here is nothing in the record or the law to suggest [the doctor] would not be able to render a reliable expert opinion on whether his patient, nine months after the injury, who still has an open wound and cannot run or work, would ever be 100 percent again.'" ☆

FROM THE RANGEMASTER

RDS transition course feature on Police1.com

As many of you know, we have been issuing the new Sig Sauer P320 XCARRY model duty handgun to sworn staff. As issued, our new 9mm caliber issued handgun comes with a Streamlight TLR-1 HL weapon light and a Sig Sauer ROMEO1PRO red dot sight (RDS). Since firing a handgun equipped with an RDS requires new training (different aiming principles than iron sights), we've developed our own training curriculum for staff.

We spent the time working with many well-respected industry professionals to determine what the best RDS transition training techniques are. We then created our own in-house RDS transition course and distilled it down to an eight-hour evolution (incorporating classroom and live fire). Our newly developed RDS transition course was recently featured online at Police1.com. Our feature article can be [seen here](#).

As always, if you have any questions or concerns, please feel free to contact me or your range staff members.

- Sgt. David Weidner

