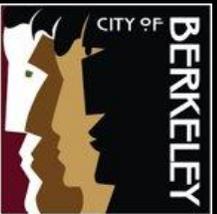




CITY OF BERKELEY  
*Police Department*

*Police Accountability Board  
Meeting*

February 11, 2026



# Agenda

- UAS Overview
- Policy 611
- Impact Statement / Criteria for Police Accountability Board Recommendations



# Drones: UAS

- *How it Works*

- Unmanned Aerial Systems (UAS) can be launched by a trained police officer at the scene of an incident.

- *Public Safety Benefit*

- Provides "eyes on" a situation to allow officers to slow down, create distance, and prioritize de-escalation.
- Clears buildings during high-risk searches and reduces the need for officers to physically enter unsafe areas.

- *Privacy Protections*

- Drones are launched only for specific emergency calls and never for random patrol.
- Data is stored on device and uploaded to evidence.com per standard evidence retention policies and procedures.

# Drones: DFR

- *How it Works*
  - Drones as First Responder (DFR) are deployed immediately for calls for service.
- *Public Safety Benefit*
  - Rapid response, needs assessment
  - Supports all first responders- police, fire, EMT
  - More certainty in any situation facilitates deescalation
- *Privacy Protections*
  - Drones are launched only for specific emergency calls and never for random patrol.
  - Cameras point at horizon until on scene
  - All flight paths are logged and publicly available

# Policy 6 / 1.3 - Privacy

## PRIVACY

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Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA 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 uninvolved community members or areas where there is a reasonable expectation of privacy. Cameras shall be diverted away from private spaces when not actively engaged in a permitted use.

For DFR operations, cameras shall be programmed to orient toward the horizon (preventing ground recording) while in transit to a call for service and shall only be directed toward the scene upon arrival at the authorized location.

# Policy 6 / 1.5 - Permitted Use

- 13 articulated uses
  - Uses that enhance safety for both the community and first responders.
  - Uses that create time and distance during incidents and provide opportunities for negotiation and de-escalation that are not possible in face-to-face encounters.
  - Uses that provide real-time situational awareness to ensure informed decision-making and efficient resource allocation.

# Policy 6 / 1.6 - Prohibited Use

## PROHIBITED USE

The UAS shall not be used:

- To conduct random or arbitrary surveillance activities. This prohibition includes, but is not limited to, first amendment assemblies in accordance with Policy 428 First Amendment Assemblies.
- 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.

Furthermore, the UAS shall not be equipped with:

- Facial recognition software
- Biometric analysis capabilities
- Weapons of any kind, including lethal or non-lethal munitions.

# Policy 709 / Impact Statement

*[AB481] 7071(d)(1)(A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.*

## ALTERNATIVES

In the absence of a UAS program, the department would be limited to **less effective and more costly alternatives**. If we were to gain the same level of operational support, we could attempt to increase the amount of officers to match the coverage and responsiveness of aerial support. However that is not feasible at this time due to well **established challenges in hiring and training** suitable candidates. It would also not address **underlying efficiency issues** in that ground-based units lack the elevated perspective needed for efficient searches, crowd monitoring, and scene management, and offer reduced capacity to **maintain time and distance for de-escalation**. This can heighten the potential for confrontational encounters and diminish effectiveness in pursuits or rapidly evolving incidents.

Additionally, taking no action would leave existing operational challenges unaddressed. The department would continue to rely on outside agencies for aerial support, **risking delays in critical moments**. Without its own UAS capability, the department would forgo enhancements in officer safety and public protection, while **falling behind regional peers** who have already adopted this widely accepted and increasingly standard public safety tool.

# Policy 709 / Impact Statement

*[AB481] 7071(d)(1)(B) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.*

## MITIGATIONS

To safeguard the public's welfare and civil liberties, the Department will implement the following affirmative technical and procedural measures:

- All DFR cameras will be programmed to **orient toward the horizon** (preventing ground recording) while in transit to a call for service. The camera will only point down upon arrival at the authorized scene.
- All UAS flights are logged, and **flight data is auditable**. Video data is stored on **secure, encrypted servers** (Evidence.com) with strict chain-of-custody controls.
- The UAS will **not be equipped with facial recognition software or weapons** of any kind.
- As required by BMC 2.99 and BMC 2.100, the Department will **publish data regarding deployments** on an annual basis.
- Information including flight logs and incident type will be published on a **publicly accessible transparency portal** shortly after the conclusion of a flight, typically within 1 hour after docking.
- The program is **subject to review** by the **Police Accountability Board** and approval by the **City Council** via the Annual Military Equipment Report and the Annual Surveillance Technology Report.

# Policy 709 / Impact Statement

*[AB481] 7071(d)(1)(C) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.*

## FISCAL COST

### Initial Cost:

- Purchase of field-based UAS (Avata 2 & Matrice 4T): Total \$44,500.
- Lease of PSB-based DFR (Year 1): \$100,000.
- Radar (Year 1): included.
- Dock Installation: \$15,000.

### Cost of Use:

Each individual use of the UAS incurs a negligible financial cost, limited primarily to the electricity required to recharge the aircraft batteries. The operational cost is absorbed within the existing salary of the trained Pilot in Command (PIC) and does not require additional overtime or specialized funding. For the DFR program, the annual lease covers unlimited flights, meaning there is no incremental cost for high-frequency usage.

# Policy 709 / Impact Statement

*[AB481] 7071(d)(1)(D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.*

No instances of non-compliance have been identified with prior use of UAS.