

## **CHAPTER 16: LAW ENFORCEMENT OPERATIONS.**

### **I. Introduction.**

All direction in this chapter is provided for the purpose of ensuring the maximum degree of safety and efficiency in law enforcement aviation operations. It is therefore essential that law enforcement personnel who utilize helicopters in the conduct of their missions possess a complete knowledge of all aspects of helicopter operations.

Law enforcement aviation operations on occasion have special needs. The carriage of weapons or canines on board are examples. Some missions are conducted in a higher-than-normal risk environment where the hazards on the ground from potential gunfire and apprehending suspects may be greater than, or compound, the hazards associated with the aviation mission.

Though this chapter and agency-specific policy may exempt law enforcement from some standard helicopter operating procedures, it must be emphasized that an exemption in one area does not automatically exempt law enforcement users from following other standard operating practices and procedures.

- The leader of each law enforcement mission shall implement the rapid risk assessment and management techniques discussed in IHOG, Chapter 3, Operational Planning.

All activities not covered in this chapter and specifically exempted here or in agency-specific policy shall follow the procedures outlined in other parts of this guide. This chapter is organized according to the structure and chapter sequence of the guide itself for ease of reference.

### **II. Personnel Duties and Responsibilities, Qualifications, Certification, and Training.**

All law enforcement aviation operations shall be conducted by qualified personnel. Users should refer to Chapter 2, Personnel.

### **III. Operational Planning.**

Law enforcement aviation missions may be accomplished utilizing agency-owned, contracted, rented<sup>1</sup>, other-government agency, or military helicopters. There are numerous agreements between agencies and the military for utilizing the latter's aircraft and Pilots.

#### **A. Types of Missions.**

Specialized law enforcement aviation operations are often conducted in coordination with other-agency law enforcement personnel and aircraft. They may include:

- Counter-narcotics operations
- Surveillance of suspects or locations
- Warrant service
- Reconnaissance
- Fire Investigation
- Seizure and removal of evidence, contraband, and other property

<sup>1</sup>Note that provisions in the contract or rental procurement document may prohibit use of the vendor helicopter for high-risk law enforcement missions. Vendors and Pilots must be informed of any potential hazard to the aircraft or occupants.

Operations must emphasize safety requirements and considerations. All law enforcement personnel shall adhere to all agency policy except those involved in operations defined as covert. Special exemptions granted by the agency shall then apply, but then only in specific areas defined in the exemption.

When planning law enforcement aviation missions, an Aviation Manager shall be consulted to ensure compliance with guidelines and procedures and to assist in planning safe, effective operations. Appendices A and B contain a discussion of various required forms and checklists to be used on both single-helicopter and helibase and helispot management and operations.

**B. → Helicopter Rappelling And Shorthaul.**

All rappel/shorthaul missions conducted by agency law enforcement personnel shall conform to the procedures outlined in the Interagency Helicopter Rappel Guide (IHRG) or the Interagency Shorthaul Guide whichever is applicable. Rappellers from other agencies and the military must adhere to their agency requirements.

**C. Use of the Incident Command System Aviation Structure.**

During complex operations, it is advisable to utilize the Incident Command System aviation structure, including the Helibase Table of Organization outlined in Chapter 2, Personnel.

**D. Aerial Supervision/Airspace Coordination.**

For multiple aircraft operations, it is recommended that an aerial supervisor be assigned (ATGS, HLCO) to perform aerial supervision and airspace coordination duties. This individual can operate from either a fixed-wing aircraft or helicopter. The requirements of Federal Aviation Regulation FAR 91.119 regarding maintaining minimum safe altitudes from persons or property on the ground apply (see Interagency Airspace Coordination Guide).

**IV. Flight Following, Resource Tracking, and Communications.**

All procedures in Chapter 4, Flight Following, Resource Tracking, and Communications, shall be followed, except for covert operations where the need for secure communications is essential. In those cases, one of the following procedure(s) shall be utilized:

**A. Grid Map Reference Check-ins.**

The flight plan is placed in a sealed envelope, to be opened by the Dispatcher only in the event of an aircraft emergency or failure to check in within normal, specified time frames. Flight check-ins are performed utilizing coded grid references rather than geographical location descriptors.

**B. Flight Following Through Another Agency.**

Flight following may be performed by another agency (for example, Department of Defense or National Guard facility or sheriff's office). However, check-in frequency shall still meet the requirements outlined in Chapter 4, Flight Following, Resource Tracking, and Communications.

**C. Satellite Flight Following.**

Flight following via an automated reporting satellite system is highly recommended, since no voice communication is necessary.

**V. Personnel and Equipment Approval and Carding.**

Refer to Chapter 5, Personnel And Equipment Approval And Carding. Aircraft of other federal, state, and local agencies, military components, and private industry cooperators used by law enforcement shall meet aircraft equipment requirements, conditions, and standards comparable to those required of contractors or in-house aircraft, as established by Letter of Agreement (LOA) or Memorandum of Understanding (MOU).

**A. Non-Emergency Operations.**

All rental, charter, contracted or owned aircraft shall be flown by Pilots who meet agency standards and possess a current Interagency Pilot Qualification Card.

Use of other law enforcement agency, Department of Defense, National Guard, or Coast Guard aircraft flown by that agency's Pilot(s) requires acceptance of that agency's Pilot qualifications requirements in an MOU or LOA. In these instances, it is acceptable for agency law enforcement personnel to fly with uncarded Pilots who have been approved under the MOU or LOA.

**B. → Emergency Operations.**

In certain life threatening emergencies and/or covert operations, it may be necessary for law enforcement personnel to deviate from policy for life and death situations. This may include PPE deviations, seating configurations, and riding in unapproved aircraft and/or with unapproved Pilots. These situations usually involve search and rescue or medevac operations being conducted by local authorities using public agency, military, commercial or private aircraft.

It is also recognized that undercover, covert law enforcement situations exist where an agency employee can become engaged in an activity, while operating within the normal scope of employment, which precludes utilizing carded and approved aircraft and Pilots. An example would be the law enforcement officer is put in a situation, while operating undercover, where he or she is required to fly in a suspect's aircraft.

Law enforcement employees are authorized to use unapproved aircraft and Pilots during the covert phase of an operation providing such use is, in their judgement necessary. The following policies shall govern emergency situations:

- Authorization shall be given on a case-by-case basis by the law enforcement officer in charge or Incident Commander (it is recognized that this cannot always be accomplished before the fact);
- A written justification statement shall be prepared by the law enforcement officer in charge, attached to an agency Safecom report, and submitted to the appropriate Aviation Manager within 24 hours of the completion of the mission.

**VI. Helicopter Capabilities and Limitations.**

Refer to Chapter 6, Helicopter Capabilities and Limitations, especially for guidance regarding flying at night during emergency operations.

## **VII. Helicopter Load Calculations and Manifests.**

See Chapter 7, Helicopter Load Calculations and Manifests, and Appendix A, Helicopter Management Forms And Checklists, for requirements and procedures.

- When utilizing aircraft other than military, load calculations and manifests are required, except, subject to the exemption above, when flying undercover in a suspect's helicopter.
- When utilizing military aircraft, use of the Performance Planning Card (PPC) is acceptable.

## **VIII. Helicopter Landing Areas.**

Refer to Chapter 8, Helicopter Landing Areas, for requirements and procedures.

- Standards outlined in Chapter 8 shall be followed.
- Guidance and requirements for conducting one-skid, toe-in, or step-out landings for law enforcement operations is contained in Chapter 8.

## **IX. Equipment Requirements and Maintenance.**

Refer to Chapter 9, Equipment Requirements and Maintenance, for standard requirements and procedures.

- Exemptions from agency aviation personal protective equipment (PPE) requirements are agency-specific and shall be used only in emergency situations when the hazards on the ground (for example, from gunfire) are greater than those requiring the use of aviation PPE.
- It is recognized that law enforcement operations may require the use of specialized equipment. In these situations, consult with the local unit Aviation Manager.
- It is essential that a thorough preflight check of the aircraft be made to detect sabotage. Security is addressed later in this chapter in Section XV.

## **X. Personnel Transport.**

See Chapter 10, Personnel Transport, for standard requirements and procedures. The following specifically applies to law enforcement.

### **A. Transport of Injured Officers.**

Prior to transporting an officer with serious injuries, all weapons being carried by the injured officer shall be secured by another law enforcement officer.

### **B. Transport of Canines.**

All canines shall be either muzzled and secured to a hard point or contained in a restrained portable carrier. Canines shall be transported in the rear of the helicopter and accompanied by a trained handler.

### **C. Transport of Prisoners.**

When prisoners are transported by aircraft, the following guidelines shall be used (not applicable to inmate fire crews).

- Brief the Pilot on the prisoner, the nature of the crimes and the extent of safety precautions used while transporting a prisoner. Brief the prisoner on aircraft safety using the standard briefing format for all passengers.
- Search the prisoner for weapons even if the prisoner has been previously searched.
- Handcuff the prisoner using standard law enforcement policy and procedures. If the prisoner is to be handcuffed in front, ensure that a belly chain or other suitable device is used.
- Seat and restrain prisoners in the rear of the aircraft opposite the Pilot with the law enforcement officer sitting next to the prisoner. It is not advisable to seat a prisoner where the prisoner has access to the Pilot or controls.
- Law enforcement officers at the receiving landing area should be briefed and available for pickup and transportation of the prisoner.

## **XI. Cargo Transport.**

Refer to Chapter 11, Cargo Transport, for standard requirements and procedures. The following specifically applies to law enforcement operations.

### **A. Transport of Evidence.**

Transportation of evidence should follow agency guidelines and requirements, but must not compromise aviation safety.

### **B. Hazardous Materials.**

All transport of hazardous materials during law enforcement operations shall follow the procedures of the agency's Hazardous Materials Transport Handbook or Guide. The following are recommended procedures during tactical or emergency operations.

1. **Transport of Weapons.** When law enforcement personnel carry firearms in the helicopter, the following safety precautions shall be taken:
  - Brief Pilots on weapons type(s) and safety policy.
  - Long guns (shotguns, rifles, etc.) shall not have a round in the chamber and shall be under the control of the law enforcement officer.
  - Hand guns may be loaded and shall be holstered.
  - Fully automatic weapons shall have an empty chamber and the bolt locked in safe position.
  - Keep all weapons pointed in a safe direction as determined by the Pilot during the preflight briefing.
  - Emergency situations may necessitate carrying weapons with a round

chambered. This shall be determined by the law enforcement officer in charge in consultation with the Pilot, and shall follow all agency guidelines and requirements.

2. Transport of Pyrotechnic Devices. When law enforcement personnel carry pyrotechnic devices in the helicopter, follow safety procedures in Aviation Transportation of Hazardous Material Handbook.
3. Transport of Hazardous Chemicals. When law enforcement personnel carry hazardous chemicals in the helicopter, the following safety precautions shall be taken:
  - Brief Pilots on material and safety policy.
  - All clandestine laboratory paraphernalia shall be transported under the direction of a designated hazardous materials response team.
  - The carriage of mace and other gases shall conform to transport requirements found in the agency Hazardous Materials Handbook or Guide.

#### **XII. Fire Protection and Crash-Rescue.**

See Chapter 12, Fire Protection and Crash-Rescue, for standard requirements and procedures.

#### **XIII. Fueling Operations.**

See Chapter 13, Fueling Operations, for standard requirements and procedures. Also see Appendix I, Remote Fuel Site Reminders List.

#### **XIV. Helicopter Maintenance.**

See Chapter 14, Helicopter Maintenance, for standard requirements and procedures.

- Maintenance requirements for use of cooperator or military aircraft should be established by Letter of Agreement or Memorandum of Understanding (usually contained in the same LOA or MOU that authorized use of Pilots).
- As stated previously, it is essential that a thorough preflight check of the aircraft be made to detect sabotage.

#### **XV. Helibase and Helispot Management and Operations.**

See Chapter 15, Helibase and Helispot Management and Operations, for standard requirements and procedures. Also see Appendix F, Daily Helicopter Operations Briefing/Debriefing Checklist.

- Canines must be under the strict control of a handler at all times.
- The following specifically applies to security during law enforcement helibase and helispot operations.

##### **A. Helibase.**

A Law Enforcement Officer (LEO) shall be at the helibase at all times. If a Helicopter Manager or Helibase Manager is a qualified LEO, he or she can act in this capacity.

**B. Helispots.**

An LEO must be with the helicopter at all times while it is on site. At no time shall the helicopter shut down without an LEO present.

**C. Overnight Security.**

Unless set forth in the contract, agency law enforcement is not legally responsible for overnight security of the helicopter at an airport or other secured area. At other sites, however, it may be highly prudent for the agency to provide security.

**D. Fuel Truck.**

Fuel trucks shall be escorted through high risk areas by an LEO. Overnight security shall be under the same guidelines as the helicopter.

**XVI. Administration.**

- Appendix D, Contract Administration; Agency Flight Payment Documents, provides guidance on helicopter administration, including Contracting Officer, Contracting Officer's Representative, and Project Inspector duties and responsibilities, completion of flight payment documents, etc.
- Agencies may have specific guidelines on reporting non-revenue use of cooperator and military helicopters.