CHAPTER 16: LAW ENFORCEMENT OPERATIONS.

I. Introduction.

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

Law enforcement aviation operations often have special needs. 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.

IMPORTANT NOTE: Provisions in the procurement document may prohibit use of vendor helicopters for high-risk law enforcement missions. Vendors and Pilots must be informed of any potential hazard to the aircraft or its occupants.

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

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

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

All law enforcement aviation operations should be conducted by qualified helicopter managers and crew members in accordance with agency requirements for Resource/Project Helicopter Manager and Resource/Project Crew Member.

III. Operational Planning.

Law enforcement aviation missions may be accomplished using agency-owned, contracted, rented, other-government agency or military helicopters. There are numerous agreements between agencies and the military for using 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

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

B. Rappel and Short-haul Operations.

All rappel and short-haul missions conducted by agency law enforcement personnel shall conform to the procedures outlined in the Interagency Helicopter Rappel Guide or the Helicopter Short-haul Handbook, whichever is applicable. Rappellers and short-haulers 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 use the Incident Command System aviation structure.

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 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 used:

A. Grid Map Reference.

The flight plan is placed in a sealed envelope to be opened by the flight following Dispatcher only in the event of an aircraft emergency or failure to check in within specified time frames. Flight check-ins are performed using 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, National Guard or sheriff’s office). Check-in frequency shall meet the requirements outlined in Chapter 4.

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.

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 MOU.

A. Non-Emergency Operations.

All rented, chartered, contracted or agency-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. 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 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 using carded and approved aircraft and Pilots. An example would be a law enforcement officer put in a situation, while operating undercover, where they are 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 judgment, 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 and submitted to the appropriate Aviation Manager within 24 hours of the completion of the mission. Submit a SAFECOM report as soon as possible to the unit with operational control.

VI. Helicopter Capabilities and Limitations.

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

VII. Helicopter Load Calculations and Manifests.

See Chapter 7 and Appendix A for requirements and procedures.

- When using 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 using military aircraft, use of the PPC is acceptable.

VIII. Helicopter Landing Areas.

Standards outlined in Chapter 8 shall be followed. It is recognized that landing areas may not always be optimal. Nevertheless, particular care should be exercised in selecting landing sites for law enforcement operations.
IX. Equipment Requirements and Maintenance.

Refer to Chapter 9 for standard requirements and procedures.

- Exemptions from agency aviation 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 for standard requirements and procedures. The following specifically applies to law enforcement and should be conducted by law enforcement personnel only.

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 should be either muzzled and restrained or contained in a secured portable carrier with Pilot's concurrence. Canines shall be transported in the rear of the helicopter and accompanied by a 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 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.

With the exception of defensive equipment, all transportation of hazardous materials during law enforcement operations shall follow the procedures of the Interagency Aviation Transport of Hazardous Materials Handbook/Guide. Weapon control, readiness for use, and method of transport is the responsibility of the LEO.

1. Transport of weapons. Transportation Security Administration, (TSA) 49 CFR 1544.219 governs LEOs in the transportation of ammunition and compressed gas cylinders contained in weapons, magazines and belt holders. When LEOs transport weapons in the aircraft the following safety precautions shall be taken.

   • Brief Pilot(s) on weapons type(s) and safety policy.
   • Long guns (shotguns, rifles, etc.) shall not have a round in the chamber unless the tactical situation as determined by the LEO dictates, the Pilot in command has been briefed, and all agency guidelines and requirements are followed.
   • 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.

3. Transport of Hazardous Chemicals. When law enforcement personnel carry hazardous chemicals in the aircraft, the following safety precautions shall be taken:

- Brief Pilot(s) on material and safety policy.
- All clandestine laboratory paraphernalia shall be transported under the direction of a designated hazardous materials response team.

XII. Fire Protection and Crash rescue.

See Chapter 12 for standard requirements and procedures.

XIII. Fueling Operations.

See Chapter 13 and Appendix I for standard requirements and procedures.

XIV. Helicopter Maintenance.

See Chapter 14 for standard requirements and procedures.

- Maintenance requirements for use of cooperator or military aircraft should be established by LOA or MOU.
- 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 and Appendix F for standard requirements and procedures.

A. Law Enforcement Helibase.

Law enforcement 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. Law Enforcement Helispots.

Law enforcement must be with the aircraft 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 aircraft 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 aircraft.

XVI. Administration.

- Appendix D 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 for reporting non-revenue use of cooperator and military helicopters.