

**FORD COUNTY SHERIFF'S OFFICE  
UNMANNED AIRCRAFT SYSTEMS (UAS) / DRONE POLICY**

Adopted Pursuant to the Freedom from Drone Surveillance Act  
725 ILCS 167/1 et seq.

(As Amended by P.A. 103-0101, Effective June 16, 2023)

Adopted: February 2026

## I. PURPOSE

This Policy governs the ownership, deployment, operation, oversight, and accountability of Unmanned Aircraft Systems (UAS or drones) by the Ford County Sheriff's Office (FCSO). The purposes of this Policy are to:

- (a) ensure compliance with the Freedom from Drone Surveillance Act, 725 ILCS 167/1 et seq., and all applicable Illinois law governing law enforcement drone use;
- (b) protect constitutional rights, including rights under the Fourth Amendment to the United States Constitution and Article I, Section 6 of the Illinois Constitution;
- (c) provide clear authorization, documentation, and accountability standards for all UAS operations;
- (d) ensure compliance with applicable Federal Aviation Administration (FAA) safety regulations; and
- (e) promote transparency and public trust in the agency's use of drone technology.

## II. AUTHORITY

This Policy is adopted pursuant to the Freedom from Drone Surveillance Act, 725 ILCS 167/1 et seq. (as amended by P.A. 103-0101, effective June 16, 2023); the Fourth Amendment to the United States Constitution; Article I, Section 6 of the Illinois Constitution; and applicable federal aviation statutes and regulations, including 14 C.F.R. Part 107.

## III. DEFINITIONS

Terms used in this Policy have the meanings set forth in 725 ILCS 167/5, including the following:

**“Authority”** means the Illinois Criminal Justice Information Authority (ICJIA).

**“Drone” or “UAS”** means any aerial vehicle that does not carry a human operator.

**“Gather information”** means capturing, collecting, recording, monitoring, or analyzing images, video, audio, or data through the use of a UAS, whether recorded or live-streamed.

**“Information”** means any evidence, images, sounds, data, or other information gathered by a drone. 725 ILCS 167/5.

**“Law enforcement agency”** means any agency of this State or a political subdivision of this State which is vested by law with the duty to maintain public order and to enforce criminal laws. 725 ILCS 167/5.

**“Parade”** means a march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls. This term does not include any political protest, march, demonstration, or other assembly protected by the First Amendment. 725 ILCS 167/5.

**“Personally identifying information (PII)”** means information that identifies or can reasonably be used to identify an individual.

**“Routed event”** means a parade, walk, or race that: (1) is hosted by the State of Illinois or a county, municipality, township, or park district; (2) is outdoors and open to the public; and (3) has an estimated attendance of more than 50 people. This term does not include any political protest, march, demonstration, or other assembly protected by the First Amendment. 725 ILCS 167/5.

**“Special event”** means a concert or food festival that: (1) is hosted by the State of Illinois or a county, municipality, township, or park district; (2) is outdoors and open to the public; and (3) has an estimated attendance meeting the statutory thresholds based on the population of the unit of local government hosting the event (ranging from 150 to 500 people). This term does not include any political protest, march, demonstration, or other assembly protected by the First Amendment. 725 ILCS 167/5.

#### **IV. POLICY STATEMENT**

FCSO personnel shall not use a drone to gather information except as expressly authorized by 725 ILCS 167/15 and this Policy. 725 ILCS 167/10. All UAS use shall be mission-specific, documented, minimized, and subject to strict retention and disclosure controls. Every deployment shall be limited in scope, geography, and duration to what is necessary to accomplish the authorized purpose.

#### **V. GOVERNANCE AND RESPONSIBILITIES**

##### **A. Sheriff**

The Sheriff retains ultimate responsibility for the UAS program, designates a UAS Program Coordinator, and serves as the chief executive officer of the agency for all statutory reporting purposes, including the written report to the State's Attorney required under 725 ILCS 167/15(3).

##### **B. UAS Program Coordinator**

The UAS Program Coordinator is responsible for policy maintenance, compliance audits, FAA documentation, ICJIA reporting, data retention and destruction oversight, training records, and maintaining a current inventory of all agency-owned drones.

##### **C. Supervisors**

Supervisors shall ensure legal authorization exists for each deployment, that required documentation is completed before and after each mission, and that all retention and destruction timelines are met.

##### **D. Operators / Remote Pilots in Command**

All UAS operators must hold a current FAA Part 107 Remote Pilot Certificate and complete all agency-required training before operating a drone under this Policy. Operators shall be trained on this Policy, the Freedom from Drone Surveillance Act, applicable constitutional requirements, and FAA safety regulations. Operators must comply with this Policy and all applicable law during every deployment.

#### **VI. PROHIBITED USES**

FCSO personnel shall not:

- (1) Gather information by drone except as authorized by 725 ILCS 167/15 and Section VII of this Policy. 725 ILCS 167/10.
- (2) Equip a drone with, or operate a drone that carries, any firearm, weaponized laser, kinetic impact projectile, chemical agent or irritant, or any other lethal or non-lethal weapon. 725 ILCS 167/18.
- (3) Use onboard facial recognition software that works in conjunction with a drone during any flight. 725 ILCS 167/17. Post-collection use of drone-gathered information with facial recognition software is prohibited except in the following two circumstances: (i) when countering a high risk of a terrorist attack by a specific individual or organization where the United States Secretary of Homeland Security has determined that credible intelligence indicates such a risk exists; or (ii) when the agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life, to forestall the imminent escape of a suspect, or to prevent the imminent destruction of evidence. 725 ILCS 167/17.
- (4) Use drones for generalized surveillance, random patrols, discriminatory targeting based on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, or gender identity, or for intimidation, harassment, or personal business of any kind.
- (5) Use drones solely to gather information about individuals engaged in lawful, First Amendment protected activity, such as political protests, marches, demonstrations, or other constitutionally protected assemblies, unless a separate Section 15 exception independently applies.
- (6) Sell any information gathered by a drone or disclose any information gathered by a drone to any person to whom disclosure is not authorized under the Act. 725 ILCS 167/25(c).
- (7) Conduct warrantless searches in contravention of the Fourth Amendment to the United States Constitution or Article I, Section 6 of the Illinois Constitution. A search warrant shall be obtained before using a drone to collect information from a space in which persons have a reasonable expectation of privacy.

## VII. AUTHORIZED USES (725 ILCS 167/15)

FCSO may deploy a drone to gather information only for the following purposes and subject to the conditions stated:

1. **Counter-Terrorism (725 ILCS 167/15(1)).** FCSO may use a drone to counter a high risk of a terrorist attack by a specific individual or organization, but only if the United States Secretary of Homeland Security has determined that credible intelligence indicates such a risk exists.
2. **Search Warrant (725 ILCS 167/15(2)).** FCSO may use a drone if the agency first obtains a search warrant based on probable cause issued under Section 108-3 of the Code of Criminal Procedure of 1963. The warrant shall be limited to a period of 45 days, renewable by the issuing judge upon a showing of good cause for subsequent periods of 45 days.

3. **Exigent Circumstances (725 ILCS 167/15(3)).** FCSO may use a drone if the agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to:

- (a) prevent imminent harm to life;
- (b) forestall the imminent escape of a suspect; or
- (c) prevent the imminent destruction of evidence.

Use under this provision is limited to a period of 48 hours. Within 24 hours of initiating use under this provision, the Sheriff (or acting chief executive officer of the agency) shall submit a written report to the Ford County State's Attorney using the template at Appendix B. 725 ILCS 167/15(3).

4. **Missing Person and Search and Rescue (725 ILCS 167/15(4)).** FCSO may use a drone to locate a missing person, engage in search and rescue operations, or aid a person who cannot otherwise be safely reached, provided the agency is not using the drone to conduct a criminal investigation.

5. **Crime Scene and Traffic Crash Scene Photography (725 ILCS 167/15(5)).** FCSO may use a drone solely for crime scene and traffic crash scene photography. The following conditions apply:

- (a) Photography must be conducted in a geographically confined and time-limited manner to document specific occurrences.
- (b) On private property, either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search is required.
- (c) On lands, highways, roadways, or areas belonging to this State or a political subdivision of this State, no search warrant or consent to search is required.
- (d) The agency shall make every reasonable attempt to photograph only the crime scene or traffic crash scene and avoid other areas.
- (e) Once photography of the scene is obtained, drone use in that area shall be promptly concluded.

6. **Disaster and Public Health Emergency (725 ILCS 167/15(6)).** FCSO may use a drone during a disaster or public health emergency, as defined by Section 4 of the Illinois Emergency Management Agency Act. An official declaration of a disaster or public health emergency is not required prior to use. The drone may be used to obtain information necessary to determine whether a disaster or public health emergency should be declared, to monitor weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. Use is permissible during the disaster or public health emergency and during subsequent response and recovery efforts.

7. **Infrastructure Inspection (725 ILCS 167/15(7)).** FCSO may use a drone to inspect the infrastructure of a building or other structure if a local government agency expressly requests the inspection. The agency shall make every reasonable attempt to photograph

only the identified building or structure and to avoid other areas. All information gathered shall be turned over to the requesting local government agency as soon as practicable, and all copies in FCSO's possession shall be destroyed immediately after turnover.

8. **Public Demonstration (725 ILCS 167/15(8)).** FCSO may use a drone to demonstrate the capabilities and functionality of a police drone for public relations purposes. No information shall be collected or recorded by the drone during any public demonstration.
9. **Public Safety Answering Point (PSAP) Calls (725 ILCS 167/15(9)).** FCSO may use a drone in response to a 911/PSAP call for service for the following three purposes only:
  - (a) to locate one or more victims;
  - (b) to assist with immediate victim health or safety needs; or
  - (c) to coordinate the response of emergency vehicles and personnel to an emergency.
10. **Routed Events and Special Events (725 ILCS 167/15(10)).** FCSO may use a drone at a routed event or special event as defined in Section III of this Policy and 725 ILCS 167/5, subject to all of the following conditions:
  - A. **Eligible Events.** The event must be a routed event (parade, walk, or race) or special event (concert or food festival) that: (1) is hosted by the State of Illinois, a county, municipality, township, or park district; (2) is outdoors and open to the public; and (3) meets the applicable statutory attendance thresholds. Routed events must have an estimated attendance of more than 50 people. Special event attendance thresholds range from 150 to 500 people depending on the population of the hosting unit of local government. 725 ILCS 167/5.
  - B. **First Amendment Exclusion.** Political protests, marches, demonstrations, or other assemblies protected by the First Amendment are not routed events or special events under the Act and are excluded from this authorization. This exclusion applies regardless of the location, size, particular cause, or permit status of the First Amendment protected event or assembly. Where an event includes both activity authorized under this provision and First Amendment protected activity, FCSO shall not use the drone to gather information on the First Amendment protected assembly but may use the drone for the specified purposes at the routed or special event. 725 ILCS 167/5; 167/15(10).
  - C. **Notice Requirements.** Notice of drone use shall be posted at the event location, including at all major entry points, for at least 24 hours before the event. The notice shall clearly communicate that drones may be used at the upcoming event for the purpose of real-time monitoring of participant safety. See Appendix A for the required notice template. 725 ILCS 167/15(10)(B).
  - D. **Pre-Event Use.** Drones may be used in advance of an event, before event participants have begun to assemble, solely for the purpose of creating maps and determining appropriate access routes, staging areas, and traffic routes. During pre-event use, no personally identifying information shall be recorded, and no recorded information from pre-event use may be used in any criminal prosecution. 725 ILCS 167/15(10)(C)(i).
  - E. **During-Event Use.** During the event, drones may be used only for the following five purposes: (i) detecting a breach of event space, including a breach by an unauthorized vehicle, an interruption of a parade route, or a breach of an event barricade or fencing;

(ii) evaluating crowd size and density; (iii) identifying activity that could present a public safety issue for the crowd as a whole, including crowd movement; (iv) assisting in the response of public safety personnel to a real-time public safety incident at the event; and (v) assessing traffic and pedestrian flow around the event in real time. 725 ILCS 167/15(10)(C)(ii).

F. FAA Compliance. All drones used under this provision shall be flown in accordance with applicable Federal Aviation Administration safety regulations.

G. Information Retention. All information gathered under this provision shall be destroyed within 24 hours of collection. 725 ILCS 167/20(a)(2).

## **VIII. DOCUMENTATION REQUIREMENTS**

Each deployment shall be documented in writing, including the following information:

- (a) the specific Section 15 exception relied upon;
- (b) the date and time of deployment;
- (c) the location of deployment;
- (d) the reason for use;
- (e) whether video, images, audio, or other information was recorded;
- (f) the name of the Remote Pilot in Command;
- (g) supervisory authorization; and
- (h) whether the information is designated for retention for training purposes.

Documentation shall be maintained in accordance with this Policy and made available for ICJIA reporting and any Attorney General investigation.

## **IX. DATA RETENTION AND DESTRUCTION (725 ILCS 167/20)**

### **A. Mandatory Destruction Periods**

UAS-gathered information shall be destroyed within the following timeframes:

- (1) Information gathered pursuant to Sections 15(1), 15(2), 15(3), 15(4), 15(5), 15(6), or 15(9) shall be destroyed within 30 days after being gathered.
- (2) Information gathered pursuant to Section 15(10) (routed or special events) shall be destroyed within 24 hours after being gathered.
- (3) Information gathered pursuant to Section 15(7) (infrastructure inspection) shall be turned over to the requesting local government agency as soon as practicable, and all copies shall be destroyed immediately after turnover.
- (4) No information shall be collected or retained for public demonstrations under Section 15(8).

### **B. Retention Exceptions**

A supervisor may retain particular information beyond the applicable destruction deadline only if one or more of the following conditions is met. 725 ILCS 167/20(b):

- (1) There is reasonable suspicion that the information contains evidence of criminal activity.
- (2) The information is relevant to an ongoing investigation or pending criminal trial.
- (3) The information will be used exclusively for training purposes, provided that all personally identifying information has been removed.
- (4) The information consists only of flight path data, metadata, or telemetry information of the drone.

All retention decisions shall be documented in the Data Retention and Destruction Log (Appendix C), including the specific statutory basis for retention and the name of the approving supervisor.

## **X. DISCLOSURE (725 ILCS 167/25)**

### **A. Authorized Disclosure to Other Government Agencies**

A supervisor may disclose particular information to another government agency if: (1) there is reasonable suspicion that the information contains evidence of criminal activity; or (2) the information is relevant to an ongoing investigation or pending criminal trial. 725 ILCS 167/25(a). When responding to requests for information disclosure to another government agency, FCSO shall be mindful that the Illinois TRUST Act generally prohibits sharing information with federal immigration agents, with limited exceptions.

### **B. Records Subject to FOIA**

Records of drone usage, including flight path data, metadata, or telemetry information of specific flights, if available, may be disclosed subject to the Freedom of Information Act (5 ILCS 140/1 et seq.) and rules adopted under that Act. 725 ILCS 167/25(b).

### **C. Prohibition on Sale or Unauthorized Disclosure**

FCSO shall neither sell any information gathered by a drone nor disclose any information gathered by a drone to any person to whom disclosure is not authorized under the Act. 725 ILCS 167/25(c).

### **D. Court Orders, Subpoenas, and Crash Investigations**

Nothing in this Policy or the Act prevents the disclosure of information through a court order or subpoena in connection with a criminal proceeding, or if the disclosure is in regard to a completed traffic crash investigation. 725 ILCS 167/25(d).

### **E. Disclosure Log**

All disclosures of UAS-gathered information shall be logged, including the date, recipient, statutory basis, and the name of the authorizing supervisor.

## **XI. ADMISSIBILITY (725 ILCS 167/30)**

If a court finds by a preponderance of the evidence that FCSO used a drone to gather information in violation of the information-gathering limits in Sections 10 and 15 of the Act, the

information shall be presumed to be inadmissible in any judicial or administrative proceeding. The State may overcome this presumption by proving the applicability of a judicially recognized exception to the exclusionary rule of the Fourth Amendment to the U.S. Constitution or Article I, Section 6 of the Illinois Constitution. 725 ILCS 167/30.

All operators and supervisors shall be trained on this provision. Violations of this Policy may directly result in the exclusion of evidence.

## **XII. PRIVATE THIRD-PARTY DRONES (725 ILCS 167/40)**

Except as provided by Section 15, FCSO shall not acquire information from, or direct the acquisition of information through, the use of a drone owned by a private third party. 725 ILCS 167/40(a).

Nothing in this Policy or the Act prohibits private third parties from voluntarily submitting information acquired by a privately owned drone to FCSO. In the event that FCSO acquires information from a voluntary submission, whether under a request or on a private drone owner's initiative, the information is subject to the retention, destruction, and disclosure requirements of Sections IX and X of this Policy and Sections 20 and 25 of the Act. 725 ILCS 167/40(b).

This Policy and its restrictions apply to FCSO's directed use of a UAS owned by a private third party.

## **XIII. ICJIA REPORTING AND PUBLIC POSTING (725 ILCS 167/35)**

If FCSO owns one or more drones, it shall submit an annual report in writing to the Illinois Criminal Justice Information Authority (ICJIA) by April 1 of each year. The annual report shall include:

- (a) a copy of this Policy;
- (b) the number of drones owned by the agency;
- (c) the number of times a drone was used pursuant to each Section 15 exception, including for each deployment: the date of use, time of use, reason for use, location, whether video was recorded, and whether the video is designated for retention for training purposes.

FCSO shall make this Policy publicly available on its website. 725 ILCS 167/35(c). The UAS Program Coordinator shall use the ICJIA Reporting Checklist (Appendix D) to ensure completeness of each annual report.

## **XIV. VIOLATIONS AND CORRECTIVE ACTION (725 ILCS 167/45)**

### **A. Response to Violations**

Upon learning of any violation of the Act, FCSO shall immediately take actions to prevent future violations through one or more of the following means: training, discipline (including progressive discipline for repeat violations), or other means that will prevent repeated violations.

### **B. Willful and Wanton Violations**

If FCSO determines that a drone operator has committed a willful and wanton violation of the Act, FCSO shall immediately remove that operator from the UAS program and take further

corrective action to prevent future willful and wanton violations. A willful and wanton violation includes any instance where a drone operator knew, or recklessly disregarded, that their conduct violated the Act. 725 ILCS 167/45(a).

### **C. Attorney General Enforcement**

The Illinois Attorney General has authority under Section 45(b) to conduct investigations into patterns and practices of violations of the Act, including the right to request written statements under oath, conduct examinations, and issue subpoenas. Following an investigation, the Attorney General may maintain an action in circuit court against any law enforcement agency or official who violates the Act. 725 ILCS 167/45(c).

An adverse judgment under the Act may result in forfeiture of the agency's ability to use drones for not less than six months for a first adverse judgment and up to one year for a second adverse judgment. 725 ILCS 167/45(d).

## **XV. COMMUNITY ENGAGEMENT AND TRANSPARENCY**

FCSO is committed to transparency in its use of drone technology. The agency shall make this Policy publicly available on its website and shall provide avenues for community feedback regarding the UAS program. The agency shall publicly announce the implementation of its drone program and provide periodic updates regarding program operations to the extent consistent with law enforcement operational needs and applicable law.

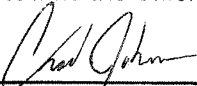
## **XVI. EFFECTIVE DATE AND REVIEW**

This Policy is effective upon adoption by the Sheriff. The UAS Program Coordinator shall review this Policy annually, or upon any amendment to 725 ILCS 167 or applicable federal aviation regulations, and shall recommend updates as needed.

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### **ADOPTION CERTIFICATION**

I certify that this Policy has been reviewed for compliance with the Freedom from Drone Surveillance Act (725 ILCS 167/1 et seq., as amended by P.A. 103-0101) and is hereby adopted as the official UAS/Drone Policy of the Ford County Sheriff's Office.

  
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Sheriff, Ford County

Date: 6/01/2026