

# Georgia Department of Public Safety

## Policy Manual

<b>SUBJECT</b> <b>AVIATION SUPPORT</b>	<b>POLICY NUMBER</b> <b>25.01</b>
<b>DISTRIBUTION</b> <b>ALL EMPLOYEES</b>	<b>REVISED DATE</b> <b>4/2/2024</b>
	<b>POLICY REVIEWED</b> <b>4/2/2024</b>

### 25.01.1 Purpose

This policy establishes guidelines for requesting and utilizing services of the Georgia State Patrol (GSP) Aviation Division. Daily operational procedures of the Division shall not conflict with this policy and are otherwise subordinate.

### 25.01.2 Policy

All aircraft of the Georgia Department of Public Safety (DPS Aircraft) shall be used only for lawful and authorized purposes. Air support of the GSP Aviation Division may be provided to state, local, and federal agencies, with priority for the statutory mission of GSP and those operations that may involve life or death situations or high risk to public safety.

### 25.01.3 Definitions

For purposes of this policy, the following definitions apply:

- A. GSP Aviation Command – is comprised of the GSP Aviation Director, Assistant Director, SFC, Administrative Assistant, and Director of Maintenance.
- B. Immediate Family – those members of the Governor’s, Lieutenant Governor’s, or Speaker’s family who reside with that official as part of the household.
- C. Tactical Flight Officer (“TFO”) – a DPS sworn member or POST-certified law enforcement officer from an outside agency who is trained and approved by DPS to operate a FLIR camera mounted on a DPS Aircraft and to assist GSP’s pilots in air support missions.
- D. FLIR – (“Forward Looking Infrared”) thermal imaging technology that creates an infrared image of a scene by sensing heat or infrared radiation.
- E. State Aircraft – any fixed wing and rotor wing and rotor wing assets owned by the State of Georgia.
- F. DPS Aircraft – any fixed wing and rotor wing assets owned by or designated for the use and control of DPS for the GSP Aviation Division.
- G. Flight Report – an official record of a flight that shall be created by a responding crew member and maintained by the GSP Aviation Division via the flight reporting system. Each flight report will contain details associated with the mission including, but are

not limited to the following: aircraft registration, crew information, purpose of the flight unless disclosure would jeopardize the mission or compromise public safety measures, passenger manifest, the requesting organization including any state agency being transported, flight time, departure, arrival locations, listings of touchdowns with the times (within the remarks), locations, purpose of the landings, and remarks.

- H. Emergency – An urgent situation that compromises public safety and poses a high risk of death or serious injury to a citizen or peace officer, or serious damage to property.
- I. Aircrew – is comprised of the pilot, TFO, crew-chief, rescue technician, and any other person responsible for specific tasks and duties in the aircraft during a mission.

#### **25.01.4 Procedures**

##### **A. Scheduling Priorities**

Priority for use will be given in the following order:

1. For the preservation of life or prevention of an imminent threat of harm to the public or public safety;
2. For the prevention of large-scale destruction of property subject to imminent threat or attack;
3. For transportation, prioritized in the following order:
  - a. The Governor;
  - b. The Lieutenant Governor and Speaker of the House;
  - c. Members of the General Assembly; and
  - d. All others on a first come, first served basis or as ordered by the DPS Commissioner.

##### **B. Authorized Pilots**

1. DPS Aircraft shall be piloted only by
  - a. DPS sworn members who have been approved by the GSP Director or Assistant Director of Aviation to operate a particular type and model of aircraft to be piloted, based on required licensing and training; and
  - b. Other persons holding current licensing and training for the particular type and model of aircraft at issue, subject to the express authorization of the GSP Director and Assistant Director of Aviation, and only during specific flight operations such as training and maintenance. In such situations, GSP Aviation Command shall retain a record of the identity of the pilot, his/her license number, the description of the flight, and the reason for the approval.
2. A State Aircraft may be piloted by a DPS sworn member licensed and trained to operate the particular type and model of aircraft, but only when expressly authorized by the State Aircraft owner or designee with authority to make such a

piloting decision in light of the circumstances, and subject to express authorization of the GSP Director or Assistant Director of Aviation.

C. Authorized Passengers

Use of DPS Aircraft or State Aircraft when piloted by an authorized DPS sworn member shall be limited to the following persons;

1. Employees of State Government, Federal Government, or Local Government when in the performance of State or intergovernmental functions or when providing support to other governmental agencies.
2. Law Enforcement, Prosecutors, Judges or Military Personnel while performing official duties.
3. Any non-employees from whose carriage the state derives some benefit, including:
  - a. Industry promotion passengers – persons accompanying the Governor, Lt. Governor, the Commissioner of the Department of Economic Development or their designee for purposes of identifying potential sites for new Georgia industry.
  - b. Public information passengers – persons being carried to educate and assist in providing public information on matters of concern for DPS or the State.
  - c. Contractors – Private persons while performing functions for State agencies while under contract or agreement.
  - d. Such other persons as approved in writing by the Commissioner, the Deputy Commissioner, Assistant Commissioner, appropriate Adjutant or the GSP Director of Aviation, along with a written explanation as to the tangible benefit received by the carriage.
  - e. A person not otherwise permitted by policy, when the pilot determines that carriage is required due to a life-threatening or serious medical emergency. Within three calendar days of the flight, the pilot shall provide the Commissioner or designee with a written explanation as to the emergency situation and shall attach a copy to the Flight Report.
4. Members of the General Assembly.
5. Members of boards, agencies, authorities, commissions, and bureaus of the State of Georgia.
6. Other passengers meeting the qualifications set out in O.C.G.A. § 35-2-73, including the Governor, Lieutenant Governor, Speaker of the House, and their immediate family members. However, immediate family members are authorized passengers only in the following circumstances:
  - a. When traveling with the protected official relative;
  - b. When traveling at the request of the protected official relative for State business; or

- c. For security purposes, in accordance with the Executive Security procedure set forth in subsection E (7).

D. Out-of-State Travel

1. Travel to out-of-State destinations is prohibited unless there has been prior approval by the Commissioner or designee.
2. For purposes of this provision, the Commissioner's designee shall be the Deputy Commissioner, Assistant Commissioner, or such other person who has received a written delegation of authority.

E. Flight Requests

1. Emergency Air Support for DPS Operations

- a. Direct Request - a DPS sworn member is permitted to request air support directly from the Aviation Division for an Emergency, which shall be reasonably determined in light of the totality of circumstances and further vetted by the Aircrew that would be in direct response.
- b. Requests for an Emergency through the chain of command:
  - 1) A DPS sworn member should first contact the NCO on call in the post territory where the request originates, and that NCO will make the decision as to whether to request air support; and
  - 2) Once approved by the NCO on call, the request should be made directly to the Aviation Division by the most expeditious means available.
  - 3) The request will be further vetted by the responding Aircrew.
- c. Notice -
  - 1) The respective Troop Communications Center shall notify the Post NCOs, Troop Command, Aviation Command, and the Command Staff of Aviation's response to an Emergency via an email containing the flight plan.
  - 2) If Aviation is unable to respond the Aircrew shall inform the Troop Communications Center of this fact at the time of the request.

2. Routine Air Support for DPS Operations

- a. A DPS sworn member should make any non-Emergency request for air support through the chain of command to the Troop Commander.
- b. The respective Troop Communications Center shall notify the Post NCOs, Troop Command, and Aviation Command of Aviation's responsive air support via an email containing the flight plan.

3. Emergency Air Support to other Agencies

- a. Any member of another agency may request air support from the GSP Aviation Division for response to an Emergency.

- b. A DPS sworn member receiving a request for air support from another agency may seek air support directly from the Aviation Division if it is reasonably determined in light of the totality of circumstances that an Emergency exists. Otherwise, the DPS member shall contact an NCO on call in the post territory where the request originates to make the decision.
  - c. When a request for air support of another agency is received by Aviation (either from the other agency, a DPS member, or NCO), the Aircrew will
    - 1) Vet and determine the appropriate response to the request;
    - 2) Notify the Troop Communications Center in whose territory the assistance will be provided, and a flight plan will be filed with that Communications Center.
    - 3) The Communications Center that receives the flight plan shall notify the Post NCOs, Troop Command, Aviation Command, and the Command Staff.
4. Routine Air Support to other Agencies
- a. Should be made to either the field hangar in the area where the request originates, or to the Aviation Division Headquarters.
  - b. The Aircrew responding to the request will notify the Troop Communications Center in whose territory the assistance will be provided. A Flight Plan will be filed with that Communications Center. The Communications Center that receives the Flight Plan shall notify the Post NCOs, Troop Command, and Aviation Command.
5. Emergency Part-time Aircrew support
- a. In an Emergency, part-time Aircrew responding to a call will be notified of the mission by the most expeditious means available.
  - b. Upon notification, the Emergency part-time Aircrew member(s) will be considered detached to the Aviation Division and will be under the direct supervision of the Aviation Director, Assistant Director, or his/her designee for the duration of the mission.
  - c. The Troop Communications Center where the Aircrew member is assigned will be notified and provided with details of the mission available at that time.
  - d. The person who receives the notification at the Troop Communications Center will be responsible for notifying the NCO on call, for purposes of reporting the mission and the Aircrew member's deployment.
6. Transport of persons
- a. DPS will accept requests for transportation from the Office of the Governor, Lt. Governor, Members of the General Assembly, and, where consistent with the DPS public safety mission, those acting on the authority of Chief Executive Officers, or their designee, of departments, boards, agencies, bureaus, or authorities of the State of Georgia.

- b. State Aircraft piloted by an authorized DPS sworn member and DPS Aircraft (“the Aircraft”) may only be used for conducting the business of the State of Georgia. Guidelines require that the State derive a benefit from the scheduled flight.
  - 1) The Aircraft may not be used for any flight or discrete leg of a flight that has only non-public (private) or political purposes.
  - 2) It is not a violation of this policy for the Aircraft to be used for a flight to a destination where the official will participate in both a legitimate public purpose and either a private or political purpose.
  - 3) If there is a political purpose or function at a destination where there was also a public purpose or function, the official must reimburse DPS the cost of the use of a DPS Aircraft that is apportioned to the political purpose.
  - 4) No reimbursement is required related to private functions at the same destination as a public function unless additional costs for the flight are accrued as a result of the official attending the private function, in which case the additional costs will be reimbursed to DPS for the use of a DPS Aircraft.

#### 7. Transport for Executive Security Reasons

- a. Anytime the Commissioner of Public Safety, Deputy Commissioner, Assistant Commissioner, Adjutant, or such other person who has received a written delegation of authority has determined that transportation in a DPS Aircraft is necessary for executive security purposes, the flight is considered appropriate under this policy.
- b. Such determination must be documented in writing within the flight reporting system and should explain the reasons that transportation in a DPS Aircraft is preferred over other transportation. When possible, the written determination should be prepared prior to the flight, but may, when circumstances dictate, be complete within a reasonable time subsequent to the flight. A copy of this determination will be filed in the Commissioner’s Office, and in the office of the appropriate Adjutant.

#### F. Flight Report

- 1. Pilots shall complete a Flight Report for each flight by a DPS Aircraft or a State Aircraft flown by an authorized DPS sworn member.
- 2. The number of passengers must always be listed on the Flight Report.
- 3. Unless disclosure would jeopardize the mission or compromise public safety measures, pilots shall list the names of all passengers on the Flight Report, except in the following situations:
  - a. At the discretion of the Governor or the Commissioner of the Department of Economic Development, the names and positions of officers or representatives of industry on industry seeking activities need not be recorded.

- b. The Governor, Lieutenant Governor, or Speaker of the House, at his/her sole discretion, may decline to list the names and positions of passengers accompanying them on a particular flight.
  - c. The DPS Commissioner, Deputy Commissioner, or Assistant Commissioner has approved or directed not listing the name(s) of any passenger(s).
4. Additional information may be documented as specified in the Aviation Operations Manual.
- G. Video/Digital Media Storage
- 1. With routine use of daytime cameras and FLIR for support of ground operations and conducting search missions, the Aviation Division is not resourced to record video data for all observations or streaming.
  - 2. At the discretion of the Aircrew or upon a request from a DPS sworn member authorized to make the request, digital media may be recorded for evidence or training purposes.
  - 3. The Pilot in Command will make a notation on the Flight Report if video was recorded during the mission.
  - 4. At the end of each calendar month, DPS Aircraft with recording capabilities shall have digital media securely transferred to an external hard drive housed at the hangar to which the Aircraft is assigned. Captured digital media shall be initially stored on the hard drive mounted in the DPS Aircraft.
  - 5. All access to digital media must be authorized by the Commissioner or his/her designee, and all access is to be audited by the Aviation Director or his/her designee during hangar inspections.
  - 6. DPS will follow state retention requirements and maintain the digital media, video logs, and other materials for 30 months. DPS may maintain such media for more than 30 months for training purposes, use in an ongoing investigation or prosecution, or in compliance with a request for preservation of evidence.
  - 7. DPS personnel shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner digital media without prior written authorization and approval of the DPS Commissioner or his/her designee.
  - 8. Requests made subject to the Open Records Act, O.C.G.A. § 50-18-71 et seq., will be sent to the DPS Open Records Unit with a copy to the DPS Legal Director. The Aviation Director or his/her designee will assist in responding to such requests.