

Incident Report

HENDERSON POLICE
223 LEAD ST
HENDERSON, NEVADA 89015

Incident Number: 18-02416

Narratives

ENTERED DATE/TIME: 2/2/2018 15:36:00

NARRATIVE TYPE: INCIDENT

SUBJECT: FBR NARRATIVE

AUTHOR: KESTERSON, GEOFFREY

On 2/2/2018, JTTF Detective D. Rowlett #775 was made aware of a video posted to social media showing an unmanned aerial system (UAS) operating in the area of the Whitney Mesa, in the City of Henderson, and within or very near to the flight path of a commercial aircraft approaching Las Vegas McCarran Airport. The UAS recorded the airplane coming toward it from the east, and then flew to an elevation above the airplane and video recorded it flying beneath the UAS.

Detective Rowlett advised [REDACTED] uploaded the relevant video to Facebook. Detective Rowlett, FBI WMD Coordinator Stu Turner, FAA Safety Inspector Supervisor James Brownell, and I, CTS Detective Kesterson, responded to [REDACTED] to contact [REDACTED]

Contact was made with [REDACTED] who advised the following:

A friend of his named "Mike" with an unknown last name visited Las Vegas from Seattle recently for the CES convention. Mike operated the UAS in the video and [REDACTED] uploaded it to the internet. [REDACTED] provided the Go-Pro camera that was utilized to capture the video.

[REDACTED] retrieved a broken drone that he advised was not the same as that used in the video.

[REDACTED] Facebook profile states that he is a "drone racer" and includes photos of him with UAS equipment. [REDACTED] advised he operates his UASs approximately several times per week and competitively races them about every month.

[REDACTED] advised he did not want to respond to further questions about the incident and was not willing to provide additional information about "Mike."

At that time, it was determined, there was insufficient cause for an affidavit for a search warrant.

[REDACTED] had an active and confirmed bench warrant from Goodsprings Justice Court for FTA on traffic charges. NHP responded to the location and took custody of him.

NRS 493.109 prohibits UAS operation within 5 miles of an airport without prior authorization. FAA Inspector Brownell advised the area where the UAS was operating in the posted video is about 3.8 miles linear distance from McCarran's Airport Operations Area (AOA), but about 5.2 miles from the latitude/longitude location of the airport. NRS is ambiguous about the point from which the distance from an airport should be measured. Brownell contacted McCarran air traffic control but did not get a response. The FAA operations manager stated

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it should be measured from AOA. Brownell also reviewed a Notice of Proposed Rule Making for Federal Regulation 14 CFR 101.41(e), but stated that it does not define how the 5 miles is measured. Brownell believed that it should be from AOA.

The Clark County DA's office was contacted and advised of the details. The DA's office advised that they would most likely not press charges due to the ambiguity of the restricted area distance for UAS operation in NRS.

This case can be closed with no charges filed at this time.

cc: none
attachments: no
status: closed
MAV: n/a

Signatures

Reporting Officer Date

Supervisor Date

491.765