



U.S. Department
of Transportation
**Federal Aviation
Administration**

LAW ENFORCEMENT GUIDANCE FOR IDENTIFYING AND REPORTING UNAUTHORIZED LASER ILLUMINATION INCIDENTS AGAINST AIRCRAFT

The Federal Aviation Administration (FAA) continues to be aware and track an increasing number of unauthorized laser illumination incidents nationwide. Shining a laser at an aircraft is a federal crime that the U.S. vigorously pursues, as it distract pilots from their safety duties and can lead to temporary blindness during critical phases of flight, such as takeoff and landing. In some cases, pilots have reported eye injuries that required medical treatment. The FAA retains the responsibility for enforcing FAA regulations, including those applicable to laser illumination incidents. The agency recognizes that state and local Law Enforcement Agencies (LEA) are often in the best position to deter, detect, immediately investigate and, as appropriate, pursue law enforcement actions to stop unauthorized laser strikes. The information provided below is intended to support the partnership between the FAA and LEAs in addressing these activities.

Background: On June 1, 2011, the FAA issued an interpretation of 14 CFR § 91.11. This regulation provides that “no person may assault, threaten, intimidate, or interfere with a crewmember in the performance of the crewmember's duties aboard an aircraft being operated.” Lasers directed at aircraft have the potential to adversely affect safety by interfering with flight crewmembers in the performance of their duties. The FAA considers a situation in which a laser beam is aimed at an aircraft, by a person on the ground or from any other location including from another aircraft, as an interference with a crewmember in the performance of the their duties and a violation of 14 CFR § 91.11. On February 14, 2012, the President signed Public Law 112-95, the FAA Modernization and Reform Act of 2012. Section 311 amended Title 18 of the United States Code, Chapter 2, by adding § 39A, which makes it a federal crime to aim a laser pointer at an aircraft. The crime is punishable by a fine up to \$250,000 and five years’ imprisonment. The FAA received 9723 laser incident reports for the 2021 calendar-year. This represents an increase of 39% over 2020.

The Role of Law Enforcement: The FAA promotes voluntary compliance by educating individuals on the danger of lasers via public service announcements, media events, and our public website. The FAA also addresses laser cases by taking legal enforcement action where the evidence supports a finding that an individual’s use of the laser interfered with a crewmember’s performance of duties. This authority is designed to protect operators in the National Airspace (NAS) as well as people and property on the ground.

However, as noted above, LEAs are often in the best position to immediately address unauthorized laser illuminations of aircraft. Although the FAA retains the responsibility for enforcing its regulations, FAA aviation safety inspectors, who are the agency’s principal field elements responsible for following up on these unsafe activities, are often unable to immediately travel to the location of an incident. Historical data reveals, individuals who target aircraft with lasers have not been identified due to the inability to locate the offenders. In fact, the overwhelming majority of laser strikes where offenders were identified involved illumination of police or media aircraft.

While the FAA must exercise caution not to mix criminal law enforcement with the FAA's civil safety enforcement function, the public interest is best served by coordination and fostering mutual understanding and collaboration between governmental entities with law enforcement responsibilities. Although there are federal criminal statutes that may be implicated by unauthorized laser illumination (see 18 U.S.C. Chapter 2, § 39A), violations of the FAA's regulations may also be addressed through civil enforcement measures. As with any other civil or criminal adjudication, successful enforcement will depend on development of a complete and accurate factual report contemporaneous with the event.

Although certainly not an exhaustive list, law enforcement officials, first responders, and others can provide invaluable assistance to the FAA by taking the actions outlined below:

- (1) **Witness Identification and Interviews.** Local law enforcement is in the best position to identify potential witnesses and conduct initial interviews, documenting what the witnesses observed while the event is still fresh in their minds. In addition, local law enforcement is in an optimum position to secure all information necessary for our safety inspectors to contact witnesses in any subsequent FAA investigation. We are mindful in many jurisdictions, state law may prohibit the transmission of witness statements to third parties, including the FAA. In those circumstances it is extremely important the FAA be able to locate and conduct independent interviews of these individuals.
- (2) **Identification of Offenders.** Law enforcement is in the best position to identify and interview individuals suspected of illuminating aircraft from the ground. In regulatory enforcement proceedings, we bear the burden of proof, which includes identifying who actually shined the laser beam in a manner that interfered with the performance of a crewmember's duties aboard an aircraft being operated. Identification and interview of suspected offenders early on will help immeasurably to advance enforcement efforts.
- (3) **Viewing and Recording the Location of the Event.** Pictures taken in close proximity to the event are often helpful in describing light, position, and weather conditions.
- (4) **Notification.** Immediate notification of an incident to one of the FAA Regional Operation Centers (ROC) is valuable to the timely initiation of the FAA's investigation. These centers are manned 24 hours a day, 7 days a week with personnel who are trained in how to contact appropriate duty personnel during non-business hours when there has been an incident that requires timely response by FAA employees. A list of these centers and telephone numbers is included as Attachment 1 to this letter. Follow-up with the FAA Law Enforcement Assistance Program Special Agent assigned geographic responsibility for your area (Attachment 2) will also help to ensure information is acted upon swiftly.
- (5) **Evidence Collection.** Identifying and preserving any public or private security systems that may provide photographic or other visual evidence of laser illuminations, including video or still pictures from security systems can provide essential evidence to the FAA. Many times these systems do not permanently store information but erase it as the system recycles at a given interval. Local law enforcement is in the best position to inquire and make initial requests to identify and preserve this form of evidence or obtain legal process for securing this evidence in the context of an investigation of a possible violation of state criminal law.

- (6) **Public Education.** Law enforcement agencies routinely participate in community outreach activities. These activities, particularly those involving adolescents and young adults, provide unique opportunities to educate our youth on the dangers of shining lasers into the sky as well as the potential civil and criminal penalties associated with such action.

Virtually all of the items listed above are already in the tool box for law enforcement officers. However, some law enforcement processes, such as arrest and detention or non-consensual searches, almost always fall outside of the allowable methods to pursue civil enforcement actions by the FAA unless they are truly a by-product of a state criminal investigation. We do not discourage use of these methods where there is an independent basis under state or local law. We simply emphasize evidence intended solely for FAA regulatory use generally should involve conventional administrative measures such as witness interviews, “stop and talk” sessions with suspected violators, consensual examination of vehicles and equipment, and other methods that do not involve court orders or the potential use of force by law enforcement personnel.

We understand it is extremely difficult to provide a “one size fits all” guide to cooperative investigations of unauthorized laser illumination of aircraft considering the myriad jurisdictions and associated statutory and constitutional restraints and requirements. State and local officials are always urged to use their agency’s legal resources and management chain to develop acceptable protocols for dealing with these instances. We also acknowledge, in some situations, there may be legal bars to the sharing of some information or the use of databases designed for conventional law enforcement. However, with appropriate data collection during initial contact and early reporting to the FAA, federal, state, and local agencies will be in the best position to educate the public along with collecting and sharing information of interest to each jurisdiction. Similarly, FAA aviation safety inspectors are adept at coordination with our own legal resources to ensure that offenders are properly accountable for the potential risk they create to both people and property.

Attachment 1

Facility	States	Office	E-Mail
Western ROC	AK, AZ, CA, CO, HI, ID, MT, NV, OR, UT, WA and WY	206-231-2099	9-WSA-OPSCTR@faa.gov
Central ROC	AR, IA, IL, IN, KS, LA, MI, MN, MO, ND, NE, NM, OH, OK, SD, TX and WI	817-222-5006	9-CSA-ROC@faa.gov
East ROC	AL, CT, FL, GA, KY, MA, ME, MS, NC, NH, PR, RI, SC, TN, VI and VT	404-305-5180	9-ESA-ROC@faa.gov
East ROC	DC, DE, MD, NJ, NY, PA, VA and WV	404-305-5150	9-ESA-ROC@faa.gov
Washington WOC		202-267-3333	9-awa-ash-woc@faa.gov

Law Enforcement Assistance Program Branch–West (AXE-830)

LEAP Branch Manager
(206) 231-2093

Seattle, WA
Special Agent (206) 249-6872
(West WA, OR)

Spokane, WA
Special Agent (206) 231-2130
(East WA, ID, MT)

Sacramento, CA
Special Agent (916) 956-8830
(Northern CA)

Denver, CO
Special Agent (310) 363-9435
(CO, WY)

Las Vegas, NV
Special Agent (702) 460-3416
(NV, UT, South CA)

Phoenix, AZ
Special Agent (602) 721-6091
(AZ, Southern CA, HI, GU)

Anchorage, AK
Special Agent (907) 271-2994
(AK)

International Area of Responsibility (AOR):

- Canada (British Columbia, Alberta, Saskatchewan, Yukon)
- Asia, Australia, New Zealand, India, and Pacific Islands

Law Enforcement Assistance Program Branch–Central (AXE-820)

LEAP Branch Manager
(907) 201-0245

Minneapolis, MN
Special Agent (612) 253-4671
(MN, ND, SD, WI, MI, IN)

Kansas City, MO
Special Agent (816) 329-3717
(IA, KS, MO, NE, IL)

Fort Worth, TX
Special Agent (817) 222-5742
(AR, LA, OK)

Special Agent (817) 222-5713
(NM & TX)

International AOR:

- Canada (Manitoba, Ontario)
- Mexico

National Headquarters

Enforcement Standards and Policy
(202) 308-3808

LEAP Division Manager
(781) 238-7703

Law Enforcement Assistance Program Branch–East (AXE-810)

LEAP Branch Manager
(404) 305-6816

Burlington, MA
Special Agent (781) 238-7073
(CT, ME, MA, NH, RI, VT, NY)

Philadelphia, PA
Special Agent (215) 847-6940
(DE, MD, NJ, PA, WV, DC)

Atlanta, GA
Special Agent (404) 305-6759
(AL, MS, TN, KY, NC)

Special Agent (404) 305-6787
(GA, SC, VA)

Orlando, FL
Special Agent (407) 487-7161
(Central & Northern FL)

Miami, FL
Special Agent (781) 238-7704
Special Agent (786) 409-8576
(Southern FL, PR, VI)

International AOR:

- Canada (Quebec, Nova Scotia, Newfoundland)
- Europe, Middle East, Africa, Central America, South America, and the Caribbean



Law Enforcement Assistance Program (LEAP)