

OP-22.28, "Game Management, on SCDC Property,"

SCDC POLICY/PROCEDURE

NUMBER: OP-22.28

TITLE: GAME MANAGEMENT ON SCDC PROPERTY

ISSUE DATE: DECEMBER 16, 2014

RESPONSIBLE AUTHORITY: DEPUTY DIRECTOR OF OPERATIONS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: OP-22.28 (February 24, 2014); (January 1, 2011); (May 1, 2008); (July 1, 2004)

RELEVANT SCDC FORMS/SUPPLIES: APPENDIX A; APPENDIX B

ACA/CAC STANDARDS: 4-4204

STATE/FEDERAL STATUTES:

THE LANGUAGE USED IN THIS POLICY/PROCEDURE DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS POLICY/PROCEDURE DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY/PROCEDURE, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

THE AGENCY WILL NOT BE LIABLE FOR ANY INCIDENTS, ACCIDENTS, OR EVENTS THAT OCCUR TO AN INDIVIDUAL WHILE S/HE IS HUNTING/FISHING ON SCDC PROPERTY NOR FOR PROPERTY DAMAGE INCURRED BY THAT INDIVIDUAL OR BY ANYONE ACCOMPANYING THAT INDIVIDUAL.

PURPOSE: To prescribe conditions and guidelines for authorized hunting and fishing activities on Agency property.

POLICY STATEMENT: To assist in the conservation of South Carolina's wildlife and to protect farm crops and livestock, the South Carolina Department of Corrections (SCDC) will allow limited fishing and hunting on certain SCDC property, namely Wateree River Correctional Institution and MacDougall Correctional Institution, and other areas approved by the responsible authority. The Warden of each Institution will provide permission to individuals to fish and hunt on SCDC controlled lands adjacent to Wateree River

Correctional Institution and MacDougall Correctional Institution. Individuals who have been given permission to hunt/fish on Agency property will do so in accordance with all Agency policies/procedures, applicable state and federal statutes, and rules and regulations established by the South Carolina Department of Natural Resources (SCDNR).

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SPECIFIC PROCEDURES:

1. **GENERAL:** The South Carolina Department of Corrections (SCDC) reserves the right to refuse access to Agency property to any individual who poses a security or safety risk. Ex-inmates and family members of inmates and ex-inmates will not be approved to fish or hunt on any Agency property.

2. HUNTING:

2.1 Permission and Rules:

2.1.1 Hunting may be permitted on SCDC controlled lands adjacent to the Wateree River and MacDougall Correctional Institutions and other areas approved by the Deputy Director of Operations. Hunting activities will never be allowed to interfere with the safe operation of any institution, and any potential interference shall be reported to the Deputy Director of Operations. Individuals approved to hunt on SCDC property will be required to abide by the rules and regulations set forth in this policy/procedure. The South Carolina Department of Natural Resources (SCDNR) will be consulted regarding each season's hunting activity and frequency of hunts. The Hunt Master is required to do a safety presentation for all hunters before each hunt. Only hunts authorized by the Deputy Director of Operations or the Warden will be allowed. The respective Warden in conjunction with appointed Hunt Master will schedule hunts.

2.1.2 Each prospective hunter will be required to obtain and execute an annual Registration/Release of Liability (See Appendix A) from the Wardens office. All prospective hunters must forward to the Warden a completed Registration/Release of Liability along with a copy of their State ID or Drivers License, Hunting License, and Hunter Education Card (if applicable).

2.1.3 All prospective hunters may be subject to an NCIC check at the time that their Registration/Release of Liability is submitted. If no security concerns are found when reviewing the registration or possible NCIC report, the hunter's name will be placed on a roster, which will serve as a security reference for that

particular season only. Individuals will be assigned to hunts according to registration dates. Public Hunts will be tentatively scheduled for Tuesdays and Thursdays beginning October 1 through December 31. Any additional hunts must be approved by the Warden.

2.1.4 The number of hunters approved will be determined by the Warden according to the size of the area to be used for hunting, the game limit for the designated area, and the safety of all parties.

2.1.5 All hunters will initially report to the designated hunt registration location and will be registered in a hunting registration logbook prior to hunting. Please refer to the SCDC intranet site for the retention schedule for logbooks.

2.2 Species Permitted to be Hunted:

2.2.1 The responsible Warden in consultation with officials of the SCDNR will determine when hunts are necessary to control the various species of wildlife at SCDC institutions.

2.2.2 The Warden will decide on the feasibility of hunting small game and migratory birds. These species may only be hunted during their respective hunting season unless otherwise specifically approved by the SCDNR.

2.3Limits: Limits on the number of animals/game that may be taken will be set by the SCDNR and/or state law, and may be further limited by the Warden. A hunter who exceeds this limit may be denied access to future hunts, and his/her hunting privileges may be terminated.

2.4EmergencyEvacuations: An alarm will be sounded if a situation should arise to necessitate the need to stop hunting. All hunters will be picked up and returned to the designated sign-in area.

3. FISHING PERMISSION AND RULES:

3.1 Fishing will be permitted in ponds on the lands adjacent to the Wateree River Correctional Institution, MacDougall Correctional Institution, and other areas approved by the Deputy Director of Operations. Individuals approved to fish on SCDC property will be required to abide by the rules and regulations set forth in this policy/procedure.

3.2 All prospective fishers will be required to obtain and execute an annual Registration/Release of Liability (See Appendix A). All prospective fishers must forward to the Warden a completed Registration/Release of Liability along with a copy of their State ID or Drivers License and Fishing License.

3.3 All prospective fishers may be subject to an NCIC check at the time their Registration/Release of Liability is submitted. If no security concerns are found when reviewing the registration or possible NCIC report, the fisher's name will be placed on a roster that will be located at the designated check in point.

3.4 No gasoline powered boat engines will be used on SCDC property. The engine may remain attached to the boat, but cannot be used. Electric boat motors only will be allowed. All boats must be equipped with a sufficient number of United States Coast Guard approved personal floatation devices for every passenger in the boat.

3.5 Fishing seasons will begin March 1 and close October 1.

3.6 All approved fishers will report to the designated location and sign in and fill out a vehicle registration card.

3.7 Non-State employees who are approved to fish at Wateree River Correctional Institution may fish at the Big Pond/Spillway twice per week during either the morning (8:00 AM -1:00 PM) or the Afternoon (1:30 PM - 6:00 PM) on Monday, Wednesday, or Friday; no all day fishing will be allowed. The number of fishers will be regulated by the Warden.

3.8 State employees who are approved to fish at Wateree River Correctional Institution may fish seven (7) days per week during the hours of 7:00 AM to 7:30 PM. After daylight savings time begins these times will be 6:30 AM to 8:30 PM. Other hours must be approved by the Warden in advance. State employees may fish in the areas which are known as: SawMill Pond, Swift Creek, Big Pond/Spillway, Little Diggings, Big Diggings, and Blue Hole. Fishing in any other area must be approved by the Warden each time.

3.9 Fishing will be suspended during rainy weather due to deteriorating road conditions. If it begins to rain, anyone fishing will stop fishing and proceed to the designated check in area. An alarm will be sounded if a situation should arise to necessitate the need to immediately stop fishing and report to the designated check in area. There will be occasions when fishing will be suspended due to weather or security reasons. Normally, a written notice will be posted at the designated sign-in area when fishing is suspended. If any fisher is not sure fishing is open, she/he should contact the sign-in point for that particular Institution.

3.10 State employees that are approved to fish are welcome to bring guests with them when fishing. Guests are limited to two (2) per trip; any more than this must be coordinated through the Warden in advance. All guests must show valid fishing license and I.D.

3.11 Fish Limits: Limits on the number of fish that may be taken will be set by the SCDNR and/or State law, and may be further limited by the Warden.

3.12 Inmate fishing is not permitted. Employees will not be authorized to take inmates fishing or to allow inmates under their supervision to fish. Inmates are not allowed to clean any fish for fishers.

3.13 Employees wishing to fish after their regular work hours are authorized to bring their boat with them when they report to work at the beginning of their work shift. Employees' boats may be parked at the designated sign-in area under the supervision of the Officer assigned there.

4. GENERAL RULES AND REGULATIONS FOR HUNTING/FISHING:

4.1 Individuals authorized to hunt/fish on Agency property must at all times comply with the rules and regulations of the institution and the SCDC, the provisions set forth in this policy/procedure, and all other applicable SCDC policies/procedures.

4.2 All laws pertaining to hunting and fishing will be observed on Agency property. The SCDNR may patrol the area to ensure that all laws are being observed.

4.3 The Warden will be responsible for designating the time and area where all hunting/fishing activities will be permitted. Hunting/fishing will generally be confined to the hours of sunrise to sunset, unless specifically waived by the Warden (i.e., in order to control varmints/pests).

4.4 Firearms will be allowed ONLY at designated hunting activities and will be properly secured at all times. Under no circumstances will firearms be allowed inside the secured, fenced area of the institution. The Warden will issue specific instructions concerning the authorization and handling of firearms on Agency property. (4-4204)

4.5 No non-prescription drugs or alcohol will be permitted on Agency property. Anyone appearing to be under the influence of alcohol/drugs will be turned away. Failure to vacate the premises will be considered trespassing after notice, and individuals who fail to comply with instructions will be prosecuted.

4.6 All vehicles must be parked in designated areas. Keys must be removed from the vehicles and vehicles must be locked.

4.7 Individuals hunting/fishing on Agency property will not make unauthorized contact with inmates under any circumstances.

5. TERMINATION OF HUNTING/FISHING PRIVILEGES:

5.1 If it is determined that an individual is abusing the privilege of hunting or fishing on Agency property, his/her hunting/fishing privileges may be revoked or suspended and the Warden will have the authority not to accept future hunting/fishing requests from that individual.

5.2 The Deputy Director of Operations or Warden of the respective institution may terminate all hunting/fishing if at any time it is determined that the security and/or operation of the institution is endangered. Hunting/fishing is a privilege and as such may be terminated for other reasons, including, but not limited to, littering, safety risks, or species management.

6. PROTECTION OF CROPS AND LIVESTOCK:

6.1 The Agriculture Branch Chief will monitor the development and health of crops and livestock. When the crop yield or the health of the crops or livestock is endangered by wild game, the Agriculture Branch

Chief will inform the Warden. The Warden may schedule a special hunt or hunts, and will coordinate all such hunts with the SCDNR to obtain the necessary permits and will ensure that every hunt meets all SCDNR requirements.

6.2 Hunts that are conducted for the purposes of protecting crops and livestock may be conducted by Agency personnel during duty hours. If available, SCDNR personnel may assist in such hunts.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.

Appendix A

RELEASE OF LIABILITY

This is to certify that I desire to participate in fishing/ hunting at the _____
Correctional Institution. I, being of sound mind, hereby release the South Carolina Department of
Corrections (SCDC), its agents, and employees from any liability or any other consequences of my request
to participate in the aforementioned activity.

I recognize that fishing/ hunting is not a risk free activity and I release the SCDC, its agents, etc., and the
State of South Carolina for any injuries, harm or any loss that occurs while I am on SCDC property,

regardless of the cause of such injury, harm or loss. I further agree to release SCDC and the State from any liability for damage to my property. This release extends to any minor children or guests who may accompany me on SCDC property. I have attached a copy of my current South Carolina fishing/ hunting license and I will have this license in my possession when fishing/hunting on South Carolina Department of Corrections property. I have also included a copy of proof of completion of a South Carolina Department of Natural Resources (SCDNR) approved hunting safety course, if required by SCDNR rules and regulations.

I have read and agree to abide by these rules governing fishing/hunting on SCDC property. I am not a former inmate of SCDC nor am I a family member of an inmate or former inmate. I make this release entirely of my own volition without any threats, coercion, or encouragement from any employee of the South Carolina Department of Corrections.

Requestor Signature:

Date:

Witness Signature:

Date:

Warden - Approval/Disapproval:

Date:

(Or their agents)

FOR OFFICE USE:

Control #

Date Posted:

Posted By:

Appendix B

Rules

1. Do not block any roads with parked vehicles.
2. Do not park on any plowed or planted crop.
3. Clean up all trash/garbage before leaving grounds.
4. Only electric motors may be used on SCDC property.
5. Fish limits for species caught on SCDC property are established by SCDNR.
6. Alcoholic Beverages are not permitted on SCDC property.
7. Fishers/Hunters must check out of designated sign-in areas before leaving SCDC property.
8. Vehicle keys must be removed from all vehicles. Vehicles must be secured at all times.
9. Fishers/Hunters are responsible for their vehicles while on SCDC property. Any vehicle that is immobilized must be repaired and /or removed at the owner's expense immediately.
10. Fishers/Hunters that fail to properly register may lose fishing/hunting privileges.
11. Unauthorized weapons are not allowed on SCDC property.
12. Non-state employees may fish twice per week during the established season. Number of fishers will be limited as conditions warrant.
13. State employees may fish seven days per week during the established season.
14. Violations of South Carolina or Federal law or SCDC Policies may be grounds for termination of privileges.
15. Fishers/Hunters will avoid unnecessary contact with inmates.