

TEXAS PARKS AND WILDLIFE DEPARTMENT

LAW ENFORCEMENT DIVISION



TITLE Permitted Deer Breeder Enforcement	EFFECTIVE DATE February 1, 2020
CHAPTER 11.100	PAGES 2
APPROVED Colonel Jones	RESCINDS/AMENDS

1 - PURPOSE

To ensure consistency regarding approach to inspections, investigations, and handling of captive white-tailed or mule deer by Law Enforcement Division employees in an effort to promote communication, enhance professional relationships, and generate long term voluntary compliance within the deer breeder industry.

2 - POLICY

- 2.1 Game Wardens will employ a two tiered approach to enforcement of deer breeder regulations and statutes.
- 2.2 This approach will include a combination of inspections and investigations.

3 – PROCEDURES

3.1 Definitions:

- 3.1.1 Inspections are defined as compliance audits conducted by Game Wardens while visiting permitted deer breeder facilities.
- 3.1.2 Investigations are conducted in response to information that indicates one or more of the following conditions may exist; a herd inventory is not reconciled, origin and/or identification of deer are in question, mortality reporting is not accurate, reporting of annual births within facility is not accurate, and/or any other allegations of violations of law or regulations. Investigations may be conducted at any time of year, regardless of whether or not an inspection has previously been conducted.

3.1 Standard Operating Procedures for Inspections

- 3.2.1 Supervisors will provide their Major an annual plan of action regarding the approach to inspections within their area of responsibility. The goal of the Law Enforcement Division is to ensure an inspection is completed within each permitted facility once annually. New facilities should undergo an inspection as near as possible to the one year anniversary of the issuance of permit.
- 3.2.2 Supervisors will ensure that Game Wardens conducting inspections within their area of responsibility contact permitted deer breeders and schedule the inspection.

Game Wardens will coordinate with the permit holder or agent to provide a two week window of opportunity for completing the inspection. Coordination with permit holder will include discussions concerning time of day for inspection and approach to pens. Game Wardens should utilize the information contained in Texas Wildlife Information Management Services (TWIMS) to assist them in the inspection process. In the event a permitted facility is uncooperative in the scheduling of an inspection, Game Wardens will coordinate the inspection with their supervisor for direction and guidance.

- 3.2.3** In the event that criminal enforcement action is warranted, violations of law shall be documented by citation or written warning as deemed appropriate. In the event the inspection indicates a need for further investigation, the discovery of illegally possessed deer, and/or the discovery of deer of unknown origin, Game Wardens will coordinate further actions with their supervisor. For situations in which the final disposition of the deer is to be determined through further response, Game Wardens/supervisors will coordinate with Wildlife Division Deer Breeder Program to ensure adherence to the Deer Disposition Protocol.
- 3.2.4** Inspection documentation and relevant data entry will be performed using the inspection tracking feature in TWIMS. Game Wardens are strongly encouraged to document and submit any items of interest in RMS database as a deer breeder contact. Any contact resulting in the filing of criminal charges or issuance of warnings will be reported in the RMS database.

3.3 Standard Operating Procedures for Investigations

- 3.3.1** When Game Wardens become aware of potential criminal violations within permitted or unpermitted deer breeder facilities, they may employ all measures within their scope of authority under the Texas Parks and Wildlife Code or any other law of the state of Texas to resolve those matters in an expeditious and professional matter.
- 3.3.2** All investigations initiated as in 3.3.1 above, shall be coordinated with the supervisor within that area of responsibility. Supervisors will ensure communication and coordination with the permitted facility is appropriate to the situation at hand.
- 3.3.3** In the event that criminal enforcement action is warranted, violations of law shall be documented by citation or written warning as deemed appropriate. In the event of discovery of illegally possessed deer, and/or the discovery of deer of unknown origin, Game Wardens will coordinate further actions with supervisor. For situations in which the final disposition of the deer is to be determined through further response, Game Wardens/supervisors will coordinate with Wildlife Division Deer Breeder Program to ensure adherence to the Deer Disposition Protocol.
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