

THE DEPARTMENT OF NATURAL RESOURCES BOARD POLICY	
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SUBJECT: Deputy Law Enforcement Officer Policy	Revised: July 20, 2016

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, 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 South Carolina Department of Natural Resources Deputy Law Enforcement Officers are appointed by the DNR Director. The purpose of the Deputy Officer program is to enhance the department's ability to effectively protect natural resources through the maintenance of a volunteer force for support of the law enforcement mission and protection of DNR owned and managed lands. The Director, in consultation with the Deputy Director for Law Enforcement, establishes appointment/manpower needs, training requirements, standards for conduct and prescribes limits on the use of authority, designates territorial jurisdiction, determines suitability and fitness of applicants, governing regulations for Deputy Officers.

In order to ensure compliance with the laws of this State and to better serve the public, all applicable policies, directives and guidelines must be adhered to. Nothing in this policy negates or supersedes the authority of federal or state law nor the powers granted the DNR Director or Deputy Director for Law Enforcement.

This program is not designed to supplant Law Enforcement officers pursuant to §50-3-310 of the South Carolina Code of Laws.

GENERAL GUIDELINES

- I. Selection for Deputy Officers
 - A. High School Diploma or GED Equivalency;
 - B. A registered voter;
 - C. Be of good character and:
 - 1. Responsible for the management or protection of specified wildlife habitat considered by the Department to be in need of additional protection or;
 - 2. Possess knowledge, skills or abilities that the Department considers helpful in enforcement activities; or

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3. Retired from Department employment and be previously certified as a law enforcement officer; or (**NOTE: Ceremonial Commission, Deputy Officers commissioned pursuant to § 23-1-225 retain no law enforcement authority or privileges)
 4. A department employee selected by the Director.
- D. No applicant may be appointed if he or she has been convicted of or is currently charged with any of the following crimes including but not limited to: crimes of moral turpitude, driving under the influence or boating under the influence of alcohol or drugs, natural resource, game, fish, boating, littering, environmental laws or other laws as determined relevant by DNR.
- E. The deputy officer commission is to expire five (5) years from the date of issue unless renewed. Reapplication is required for renewal. A deputy officer commission that lapses over five years is no longer valid and retains no law enforcement authority or privileges.
- F. The authorized manpower level for Non Department Deputy Officers is not to exceed 50% of the number of regular salaried DNR officers for each law enforcement region, unless the prospective Deputy officer is an employee of SCDNR, the U.S. Fish and Wildlife Service, or a retired SCDNR law enforcement officer.

II. Conduct

- A. Deputy Officer is not allowed to:
1. Utilize his/her commission in any private endeavor, to make a profit or collect a debt without written approval from the respective captain after consultation with the respective Field Major and Colonel;
 2. Perform any private security or private investigative work; without written approval from the respective Captain after consultation with the respective Field Major and Colonel;
 3. Be commissioned as a reserve officer or as a State Constable. Use or disseminate any confidential information available to them as a result of their office;

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4. Wear approved uniform or an article from the approved uniform except when working with regular salaried officers and going to and returning from authorized assignments. (This only applies to Deputy Officers not employed by the department.)

 - B. A Deputy Officer must always present themselves in a professional manner and conduct themselves in such a way as to not bring discredit upon the DNR, or the State of South Carolina.

 - C. A violation, and conviction of any federal, state or local law, including a DUI conviction or any other act, which would bring discredit to the office, may result in suspension or revocation of the commission.

 - D. Deputy Officers must report to their supervisor or the appropriate Region Captain as soon as possible but within 48 hours any charge, conviction, investigation or prosecution of themselves for violation of law.

 - E. Valid complaints regarding the misuse or abuse of this authority may result in suspension or revocation of the commission.
- III. Supplies/Equipment / Uniforms / Personal Grooming and Appearance
- A. Deputy Officers not employed by the department are responsible by statute for their own equipment and in addition, are individually responsible for obtaining and maintaining their own insurance coverage. Deputy Officer not employed by the department is not covered by the insurance protection provided by the State.

 - B. Deputy Officers not employed by the department are eligible by statute for coverage by a surety bond pursuant to § 50-3-330.

 - C. Deputy Officers may only use DNR provided badges, credentials and supplies in an enforcement capacity. Deputy Officers may only use DNR approved equipment in an enforcement capacity. Deputy Officers shall not use any DNR law enforcement badge or identification for unofficial purposes.

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D. Deputy Officers are not allowed to use special weapons (i.e., automatic weapons, sawed off shotguns or rifles and explosive devices), and blue lights, sirens or police type markings may not be utilized on privately owned vehicles or boats.

E. Uniforms

1. The approved uniform for Deputy Officers not employed by the department will be: (Retired SCDNR law enforcement officers are allowed to wear DNR officer uniform when working as a Deputy Officer, and must adhere to officer grooming policy. No rank insignia is to be worn by a retired officer serving as a Deputy officer.)

Field - a khaki shirt and green trousers, Dickie brand or equivalent, bearing Department approved patch, black boots, belt and accessories. A plain black nylon windbreaker with white lettering that reads Deputy Officer. Identification is to be utilized in field operations as appropriate. A black nylon mesh vest with white lettering that shows Boating - Components will be the equivalent of the DNR Law Enforcement Officers: (Not uniform issued to SCDNR officer)

Boating - Components will be the equivalent of the DNR Law Enforcement Officers: (Not uniform issued to SCDNR officer)

- Green Shorts
- Khaki pullover shirt with a collar (no Tee Shirts). (A badge may be embroidered to the left side.)
- White boating shoes
- Black or orange Deputy Officer cap
- Personal flotation device
- Black belt with accessories
- Badge attached to belt or PFD (no other brass to be worn)

The field uniform can be worn as a boating uniform. White shoes may not be worn with long green pants. The khaki pull over Deputy Officer's shirt may be worn with long green pants during boating activities.

The boating shorts, khaki pullover shirt, white boating shoes may only be worn while on boating patrol, or en route to work boating patrol.

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When working with a regular salaried DNR enforcement officer who is in uniform, Deputy Officers will also wear their approved uniform. The Region Captain may authorize exceptions for undercover or other special assignments. Deputy Officers not employed by the department are responsible for the purchase of this uniform.

2. The approved uniform for Deputy Officers employed by the department will be:

Field - department issued uniform, department issued duty gear.

Boating - Components will be the equivalent to the DNR Law Enforcement Officers. The uniform will be their department issued uniform, which have been approved by the Director and the Deputy Director for Law Enforcement. The field uniform can be worn as a boating uniform.

The boating uniform may only be worn while on boating patrol or en route to and from the location or on assignments approved by the Deputy Director for Law Enforcement. Deputy Officers employed by the Department when working with a regular salaried DNR Law Enforcement Officer, who is in uniform, will also wear their department issued uniform. The Region Captain may authorize exceptions for undercover or other special assignments.

F. Personal Grooming and Appearance for Deputy Officers.

The following are personal grooming guidelines for Deputy Officers when on official law enforcement duty:

Male:

- Hair cut above the ear (ear exposed).
- Hair on neck will be cut so as to not touch the shirt collar.
- Sideburns will be no longer than the bottom of the ear.
- Hair may be worn full, but will not create a balloon effect when headgear is worn.
- Mustaches are permitted. If a mustache is worn, it will be kept neatly trimmed, tapered, and tidy and will not present a chopped-off appearance. No portion of the mustache will cover the upper lip line or extend sideways beyond a vertical line drawn upward from the corner of the mouth. A

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- handlebar mustache, goatee, and Fu Manchu are not authorized.
- Beards are permitted. If a beard is worn, it will be kept neatly trimmed, tapered, and tidy and will not present a chopped off appearance.

Female:

- Female Deputy Officers must have their hair worn in such a manner that it does not interfere with their duties or may result in a danger to the Deputy Officers safety. If the female Deputy Officer's hair is below the collar, the hair must be pulled back away from the face and adequately secured.

Jewelry and Make-up

Male Deputy Officers shall not wear earrings or studs. Female Deputy Officers with pierced ears may wear one stud or ball-type earring in each ear.

- Only one item (watch, I.D. bracelet, med-alert, etc.) May be worn on each wrist.
- A necklace may be worn provided it is not visible.
- No more than two rings may be worn on either hand.
- No mirrored sunglasses may be worn. The frames shall be black or brown plastic, or gold, silver or black metal.
- Female Deputy Officers may wear facial make-up providing the make-up does not detract from the uniform.

G. The supplies listed below will be furnished to Deputy Officers by the DNR.

- Credentials
- Badges
- Badge wallet
- Caps
- Shoulder patches

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- H. For Deputy Officers, the authorized handgun is a Glock pistol model 22, .40 S&W. No other handgun or calibers are authorized. Non Department Deputy officers are responsible for purchase of Glock pistol. Department Deputy officers will be issued a Department Glock.
- I. Ammunition must be "factory load" and not modified in anyway. Hand loads, hot loads and reloads are prohibited. Ammunition will be provided to Department Deputy officers. Non Department Deputy officers are required to purchase factory ammunition as carried by SCDNR officers.

IV. Training

- A. A Deputy Officer must be in physical condition and able to perform all assigned duties.
- B. All Deputy Officers must be properly trained in order to hold commissions.
 - 1. Deputy Officers employed by the department must be certified as a Class III law enforcement officer through a program offered by the South Carolina Criminal Justice Academy or have completed similar training that has been approved by the South Carolina Law Enforcement Training Council. A copy of the certification must be furnished to the DNR Law Enforcement Division's Training Section for verification prior to issuance of the commission.
 - 2. Deputy Officers not employed by the department must complete the basic State Constables training program offered through the State of South Carolina Technical Colleges or have completed acceptable training as approved by the South Carolina Law Enforcement Training Council at their own expense. Training must be completed within 12 months of application approval. A copy of the certificate of completion must be furnished to the DNR Law Enforcement Division's Training Section for verification prior to issuance of the commission. Deputy Officers grandfathered by state law must complete DNR provided training prior to issuance of the commission.
 - 3. A commission will not be issued until the appropriate bond, as prescribed by law, has been issued and received by the DNR Law Enforcements Division.

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- C. Deputy Officers must complete annual in-service training provided by SC DNR Law Enforcement Division. Documentation of completion of required in-service training must be submitted to the DNR Law Enforcement Division. Deputy Officers will take the yearly course required for Class 1 Officers. The department's Director, Deputy Director for Law Enforcement or Division Deputy Director for their division may also require additional in-service or specialized training. Failure to meet this training requirement may result in revocation of commission.

- D. All non-department Deputy Officers are required to participate in enforcement activities for a minimum of 120 hours per year, or as prescribed by the Deputy Director for Law Enforcement. One hundred (100) hours must be spent working with regular salaried DNR officers, and at least 20 hours must be DNR approved or required training. Deputy Officers employed by the department will receive prior approval from their respective Deputy Director or their designee before working scheduled law enforcement assignments. Retired SCDNR officers serving as Deputy Officers will not be required to meet minimum work hours, but are required to attend all required training to maintain commission.

- E. Failure to remain certified or to successfully complete all required training within the designated time periods will result in immediate suspension or revocation of the commission unless extenuating circumstances exist.

V. Operations

- A. Deputy Officers not employed by the department are restricted to performing law enforcement duties only when in proximate contact with a regular salaried DNR law enforcement officer or upon specific advance approval from the appropriate Region Captain, his/her designee or higher ranking DNR law enforcement official. An exception may be made for exigent circumstances where a delay may cause harm to others or permit escape. Deputy Officers who have a responsibility for specific properties may obtain approval for a period coterminous with the commission, but must obtain renewed approval upon being re-commissioned.

- B. Deputy Officers employed by the department are generally restricted to enforcement of fish, wildlife, boating and littering statutes unless specific advance approval for performing broader enforcement duties is obtained from the appropriate Region

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Captain, his/her designee, or higher ranking DNR law enforcement official and the appropriate Deputy Director. An exception may be made for exigent circumstances where a delay may cause harm to others or permit escape.

- C. Deputy Officers who have been involved in enforcement duties must submit to their Region Captain, or division Deputy Director for Department Deputy Officers, a Law Enforcement annual report form including, but not limited to hours worked with regular salaried SCDNR officers, search and rescue operations, training completed, and cases in which they participated. Division Deputy Directors for Department Deputy Officers will forward the report annually to the Law Enforcement Division. Deputy Officers who have not engaged in enforcement action during any calendar year are still required to submit a report indicating no action taken and verify pertinent information