

Private Property

SOP 26 Effective 07.01.2025

Purpose - This procedure sets forth parameters in which the Game Wardens of the enforcement division are to follow when enforcing regulations of the Arkansas Game and Fish Commission, and/or state and federal laws on private property.

Policy - This policy is set forth to respect the rights and property of private landowners while lawfully enforcing the regulations of the Arkansas Game and Fish Commission, state and federal laws. The balance that is needed to protect the natural resources of the State, along with the need to respect the rights of private property, is a delicate one that warrants the need for a standard operating procedure to guide game wardens in their day-to-day activities.

Definitions:

Private Property - property that is not commonly open to the public or owned by a public entity.

Articulate Reason - a reason that can be clearly expressed, explained, or justified.

Exigent Circumstances - a situation where law enforcement officers reasonably believe immediate action is necessary due to an urgent situation, making it impractical or dangerous to delay and obtain a warrant before acting.

Compliance check - a check of a sportsman's license, permit, tackle, or game to ensure compliance with regulations without first detecting a violation.

Procedure:

To enter private property, Game Wardens must have one or more of the following:

1. A valid search warrant
2. An articulable reason;
3. Received a request or permission from the property owner, lessee, or occupant;
4. Probable Cause;
5. Exigent or emergency circumstances where the life of another person is in immediate danger;
6. Reason to conduct search and rescue efforts;
7. A suspect who has fled a lawful request to stop.

Game Wardens shall not conduct compliance checks on hunters/trappers/fishermen who are in the act of hunting/trapping/fishing on private property.

Game Wardens will keep a log of entry onto private property along with their reason for entry on an APP on their Agency issued phone, until the APP is pushed to their phone or if the APP is down this entry will be made in their daily log book.

Game Wardens will note either public or private land on any warning or citation issued.

Cameras and Unmanned Surveillance Systems

SOP 27 Effective 07.01.2025

Purpose - To establish procedures for the use of trail and unmanned surveillance systems (cameras) by Game Wardens on public and private property.

Policy - The Arkansas Game and Fish Commission Enforcement Division recognizes the benefits and concerns inherent in the deployment of surveillance cameras. The enforcement division seeks to balance the benefits of deploying a camera rather than having a warden conduct physical surveillance. When used properly, cameras and other types of unmanned surveillance systems are a valuable tool for a variety of investigations where long-term, in-person surveillance is not possible or practical. The use of a surveillance camera minimizes opportunities for wildlife offenders to avoid detection, allows for more accurate evidentiary recording, and provides greater transparency.

Definitions:

Cameras -includes any game camera, wireless/cellular camera, cellular-activated video or still cameras.

Unmanned Surveillance Systems - includes any and all electronic devices, excluding drones, that can capture photos, videos, or data.

Target - focus of the deployed camera or unmanned surveillance system.

Procedure - Game Wardens shall use the following guidelines when utilizing cameras/unmanned surveillance systems in the performance of their duties.

- Game Wardens may place and use cameras/unmanned surveillance systems on locations open to public access or use, such as public roadways, public hunting and fishing accesses, and other public lands and waters.
- Game Wardens must have the following to place cameras/unmanned surveillance systems on private property:
 1. Consent from the landowner, lessee, or occupant; or
 2. A court order; or
 3. Reasonable suspicion; and
 4. Approval from a Captain or above in writing (email is sufficient) detailing the target and reason for use; and
 5. Use of the camera/unmanned surveillance system must be reviewed by a Lieutenant or above every 14 days to ensure the viability of the continued usage for surveillance and evidentiary purposes.

The district Lieutenant/Captain will log the following information; camera or unmanned surveillance system used, name of Game Warden utilizing the system, target being surveilled, date(s) of use, reason for use, and final result of use.

Cameras and Unmanned Surveillance Systems

Evidence collected from any camera or unmanned surveillance system will be handled according to LEP 19 Compliance with Custody of Seized Items.