

# Parks & Wildlife Scenarios

Hon. Tracy Byrd  
Randall County, Pct. 1  
tracy.byrd@randallcounty.  
com  
806-476-9870

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## Agenda

Resources

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& State Park Police

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## Resources

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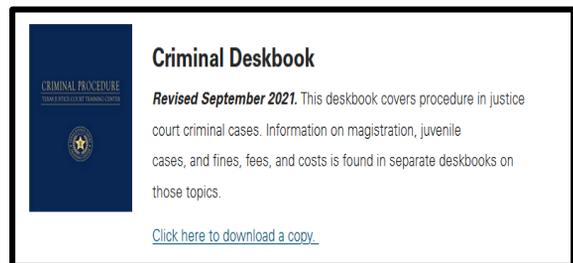
## Abbreviations You May See

- TPW = Texas Parks and Wildlife
- TPWD = Texas Parks and Wildlife Department
- PWC/P&WC = Parks and Wildlife Code

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## TJCTC's Criminal Deskbook

- Ch. 11, Section A
- Chart of dismissible offenses



- <https://www.tjctc.org/tjctc-resources/Deskbooks.html>

- ***Use the Deskbook to answer the question:*** What must the defendant do to have the offense of “Failing to Display Required Hunting License – PWC 42.024” dismissed?

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# Texas Parks and Wildlife Website

- Game Warden tab
  - Regulations tab
  - <https://tpwd.texas.gov/>
- **Use the website to answer the question:** What are the four categories listed on the “Fishing Regulations” page?

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## Statutes & Texas Administrative Code (TAC)

Remember, there are links to both of these in the middle of the Regulations page of the TPWD website.

TEXAS PARKS & WILDLIFE

Parks Hunting Fishing Boating Game Warden Activities Wildlife Land Water Media Calendar Regulations Education Volunteer More...

## Regulations

**Hunting, Fishing and Boating**  
Texas hunting, fishing & boating regulations, education, license

**Water Safety Digest**  
A Summary of Boating Laws

**Commercial Fishing**  
Guide, harvest reporting, landings

**State Parks and Historic Sites**  
Rules & regulations

**Endangered and Threatened Species**  
Regulations, definitions & guidelines

**Prohibited Exotic Aquatic Species**  
Rules against transportation & prevention of spreading exotic species

**Floating Cabins**  
Permit info, permit/& application requirements

**Permits**  
Fishing & boating, hunting & wildlife, land & water

Documents referenced on this page summarize laws and regulations enforced by Texas Parks and Wildlife Department.

Links to actual laws and regulations:

- [Texas Administrative Code, Title 31](#)
- [Texas Parks and Wildlife Code](#)

**Printables**

- [Alligators in Texas \(PDF 1.6 MB\)](#)

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## Statutes & Texas Administrative Code (TAC)

- There are various *Class C Parks and Wildlife Code misdemeanors* throughout the Parks & Wildlife Code.
  - Fine range is \$25 – \$500 (PWC 12.406).
- PWC 13.101, .102 – Provides authority for TPWD to create additional rules & regulations, which are found in TAC Title 31, Part 2.
  - The violation of one of these is also a *Class C Parks and Wildlife Code misdemeanor* (PWC 13.112).

The screenshot displays the Texas Constitution and Statutes website. At the top, there is a navigation bar with 'Home', 'Search', 'Download', and 'Statutes By Date'. Below this, a red banner states: 'The statutes available on this website are current through the 87th 3rd Called Legislative Session, 2021. The Texas Constitution is current through the amendments approved by voters in November 2019. In 2018 the section headings to the constitution, which are not officially part of the text of the constitution, were revised to reflect amendments and to modernize the language.' A search box is visible with fields for 'Code:', 'Article/Chapter:', and 'Art./Sec.:', and buttons for 'Go' and 'Reset'. A sidebar on the left lists various Texas codes, including 'TEXAS CONSTITUTION', 'TEXAS STATUTES', and 'PARKS AND WILDLIFE CODE'. The main content area shows the 'Texas Administrative Code' structure, including 'TITLE 31' and 'PART 2' under 'NATURAL RESOURCES AND CONSERVATION TEXAS PARKS AND WILDLIFE DEPARTMENT'. A list of chapters is provided, such as 'CHAPTER 51 EXECUTIVE', 'CHAPTER 52 STOCKING POLICY', 'CHAPTER 53 FINANCE', 'CHAPTER 55 LAW ENFORCEMENT', 'CHAPTER 57 FISHERIES', 'CHAPTER 58 OYSTERS, SHRIMP, AND FINFISH', 'CHAPTER 59 PARKS', 'CHAPTER 60 MAINTENANCE REVIEWS', 'CHAPTER 61 DESIGN AND CONSTRUCTION', 'CHAPTER 65 WILDLIFE', and 'CHAPTER 69 RESOURCE PROTECTION'. A footer bar contains links for 'HOME', 'TEXAS REGISTER', 'TEXAS ADMINISTRATIVE CODE', and 'OPEN MEETINGS'.

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Look at the TAC website to Answer the Question:

What is the TAC section number where the rules of conduct in state parks can be found?

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# Working with the Game Wardens & State Park Police

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Game Wardens vs. Park Police

Both part of Parks & Wildlife.

Both commissioned state peace officers

Same training/academy.

They operate as two different divisions of the same agency.

They don't always interact with each other.

Not restricted to the parks.

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## Relationships & Communication

- Important to maintain good relationships.
  - Get to know your game warden(s), park police, and their regional Captains.
  - Clear communication is key.
- **Table discussion:** *Share any issues you've had and/or best practices you follow when working with game wardens or park police.*

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## TPWD Form 460

- Form 460 (see handout) can be attached to the check distributed to Parks and wildlife.
- Even when it's a non-revenue disposition charge (ex: not having a hunter Safety course), this can still be noted on the form.
- Not every court will have to use this form very often, while some will use it every month.

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# Two Truths and a Lie: Spot the Fake Offense

(All offenses – both real and fake – are things that can't be done in a state park)

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Which One is Fake?

**1**

Can't gather  
firewood without  
a permit

**2**

Can't go  
swimming  
without a permit

**3**

Can't operate a  
metal detector  
without a permit

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## Which One is Fake?

**1**

Can't carve initials in a tree

**2**

Can't leave with a rock in your pocket

**3**

Can't play music out loud (without headphones)

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## Which One is Fake?

**1**

Can't possess a bird call without authorization

**2**

Can't possess fireworks without authorization

**3**

Can't feed wildlife without authorization

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## Which One is Fake?

**1**

Can't possess alcohol

**2**

Can't have alcohol in public view

**3**

Can't be in the park w/o supervision if under age 15 & can't stay overnight w/o supervision if 15-16

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## Which One is Fake?

**1**

Can't let a pet off their leash and the leash must be at least 6 feet long

**2**

Can't have more than one pet per human and must register the pet on entry

**3**

Can't leave pet waste on the ground and must properly dispose of it *immediately*

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## Which One is Fake?

**1**

Can't kill a rattlesnake

**2**

Can't fire a bow and arrow

**3**

Can't possess any stuffed animals that might confuse the real animals

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## Scenarios

(Feel free to look things up and talk with your neighbors to figure out the answers!)

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## Scenario #1

- A case is filed in your court and the defendant is charged with speeding in a state park, which is a Class C Parks and Wildlife Code misdemeanor. The defendant requests DSC dismissal under CCP 45.0511. Is this an eligible offense for DSC? Would it be eligible for deferred disposition under CCP 45.051?
- What if the defendant was charged with speeding under the Transportation Code, but the location of the offense is the state park. Is this offense eligible for DSC? Deferred?
- How do you know what offense has been charged?

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## Scenario #2

The defendant is convicted of the Class C Parks and Wildlife Code misdemeanor offense of speeding in a state park. What is the fine range for this offense and what amount within that range would you assess?

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### Scenario #3

A group of college kids on vacation were given tickets for failing to pay the entry fee to a state park. They live several hours away.

- What's the best way to have them appear in court?
- If they fail to appear, what should the court do?

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### Scenario #4

A complaint is filed in your court for Hunting with Light under PWC 62.005. Can you hear the case?

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## Scenario #5

A defendant gets a ticket for failing to possess the required hunter's education certificate (PWC 62.014). Four days later, the defendant requests permission to take a hunter safety training course in order to have the case dismissed. Is the court **required** to let the defendant do the course and then dismiss the case if the course is successfully completed within 90 days?

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## Scenario #6

Brainstorm with your neighbors: What are some ideas for community service options when community service is ordered on a Parks & Wildlife offense?

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## Scenario #7

You get called to do an inquest for a death in a state park. The area where the body is located has little to no cell service, but you may need to call someone while you are there to come remove the body or for other reasons. What are some strategies for dealing with the bad cell service issue?