

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: State Offenders on Private Property

Policy Number: 207.02

Effective Date: 02/12/2025

Page Number: 1 of 2

Authority:
Commissioner

Originating Division:
Facilities Division

Access Listing:
Level 1: All Access

I. Introduction and Summary:

Under the Rules of the Board of Corrections offenders may work on private property in situations in which the Commissioner of the Georgia Department of Corrections deems a project to be a public work, i.e., a project in which the sole benefit flows to the state/local government, or in the case of a national disaster or a nuclear emergency (Ga. Comp. R. & Regs. R.: 125-3-5-.05).

Offenders shall not be hired out to private persons or corporations. Offenders may work on private property in situations in which the Commissioner of GDC deems a project to be a public works, i.e. a project in which the sole benefit flows to the state, local government, or in the case of a natural disaster or a nuclear emergency. In no instance will offenders be used in any capacity or manner whereby a private citizen or group of private citizens shall profit in any way whatsoever for the work of state offenders.

II. Authority:

A. Ga. Comp. R. & Regs. R.: 125-3-5-.05.

III. Definitions:

None.

IV. Statement of Policy and Applicable Procedure:

A. Offenders may be used in instances where it is necessary to open ditches within reasonable proximity of a road in order that water be controlled once it has entered cross drains and in relocating fences where rights-of-ways have been broadened by state or county authorities. It may be necessary to rebuild these fences if it has been agreed upon between the property owner and the governing authorities. However, this is not to be misconstrued as permission, in any manner, to construct new fences merely for the convenience or profit of a property owner.

B. In counties having problems with illegal dumping of garbage, and in the event the local health department determines that it is a health hazard, the Warden or Superintendent of the state or county facility or center, before entering onto the property to remove the said illegal garbage dump with state offenders/probationers, should obtain the following:

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1. A letter from the local health department;
2. Written permission from the property owner; and
3. Written permission from the Commissioner or designee of the Georgia Department of Corrections.

C. Wardens or Superintendents of state, county facilities or centers who have agreements with property owners to remove any type items such as fruits, vegetables, or any other items to be donated to the facility or county, should have the following before using state offenders/probationers.

1. A written agreement or contract with the said property owner and the county in the case of a county facility;
2. Approval from the local Board of Commissioners in the case of a county facility; and
3. Written permission from the Commissioner or designee of the Georgia Department of Corrections.

V. **Attachments:** None.

VI. **Record Retention of Forms Relevant to this Policy:** None.