

HARVARD FOREST RESEARCH SHOOTING POLICY

This Harvard Forest Research Shooting Policy (this “Policy”) sets forth the terms, conditions and restrictions under which President and Fellows of Harvard College (“Harvard”), acting by and through the Harvard Forest (the “Forest”) allows Authorized Shooters (as such term is defined below) to discharge firearms on Forest property for research purposes (“Research Shooting”). This policy has been revised as of March 10, 2014.

Summary of Guidelines and Requirements. Research Shooting may be conducted on Forest property if, and only if, all of the following conditions are met:

1. Approval of RPA Committee: The researcher has received prior approval of the Research Project Application Review Committee (the “RPA Committee”) for the Research Shooting.
2. Authorized Shooters: The Research Shooting is to be conducted by an Authorized Shooter
3. Advance Notice: Prior notice of the Research Shooting has been given to the Town of Petersham, personnel of the Forest, and abutters.
4. Compliance with Rules: The Research Shooting is to be conducted in a safe and secure manner, under controlled conditions, in full compliance with all applicable laws.
5. Waiver of Liability: All participants in the Research Shooting, including the Authorized Shooter, and any attending researchers, have completed a Waiver and Release of Liability.

The remainder of this document details the conditions set forth above:

1. Approval of RPA Committee. The Forest requires all researchers who wish to conduct research projects on Forest property to submit a Research Project Application in advance. The Research Project Application (“RPA”) requires a researcher to disclose whether he or she proposes to conduct any Research Shooting as part of the research project. If the research project proposes Research Shooting, the researcher shall be required to complete a Rider to the Research Project Application attached hereto as Attachment A (the “Rider”). The RPA Committee shall review the RPA and the Rider and shall approve the Research Shooting at its discretion, provided that the RPA Committee shall not approve a Research Shooting if it determines that (a) such Research Shooting will not serve a valid and significant research purpose, and (b) such persons who are to discharge firearms on Forest property are not Authorized Shooters. The date, time, location, and intensity of the Research Shooting will be limited as specified in the Rider, unless the RPA Committee, in its sole discretion, imposes more stringent conditions.
2. Authorized Shooters. An Authorized Shooter is a person who has received express authorization from the Department Administrator under this Policy to possess and discharge a firearm in conjunction with a research project. In determining whether or not to authorize a person as an Authorized Shooter, the Department Administrator shall review, among other things:
 - (a) whether a valid Firearm ID or License To Carry has been issued to the person by the Commonwealth of Massachusetts or other appropriate authority, and
 - (b) whether a valid signature has been provided by the person certifying that he or she has reviewed this Policy and will comply with its terms.

The Department Administrator will maintain a list of Authorized Shooters and record the expiration date of their Firearm IDs or Licenses To Carry. An Authorized Shooter whose Firearm ID or License To Carry has expired will be removed from the Authorized Shooter list, will cease to be an Authorized Shooter, and will not be re-authorized to shoot on the Forest premises, until such person has presented to the Department Administrator a valid and current credential. The Department

Administrator may act as or appoint a Forest staff person to be the “Authorized Shooter Coordinator,” the duties of whom are set forth below, provided that the Department Administrator retains responsibility to act as “backup” and discharge the Authorized Shooter Coordinator’s duties when the Coordinator is unavailable.¹

3. Advance Notice of Shooting. Notification shall be given with a reasonable time in advance of, and in any event at least 24 hours before, the Research Shooting, and notification shall include the date, time, and place of the planned shooting. The Authorized Shooter or principal investigator shall notify the following persons in advance of the time of the Research Shooting:
 - (a) Forest staff, by email delivered to hfvisit@fas.harvard.edu which will be forwarded in turn to the Forest staff listserv (hfstaff-list@lists.fas.harvard.edu) and emssite@fas.harvard.edu;
 - (b) The Petersham Police Department, by telephoning the New Braintree Dispatch line at 978-724-3232;
 - (c) Abutting property owners, by letter (*see Attachments B and C*), whose land is in close proximity to the site of the anticipated shooting (for example, Barre Woods Soil Warming); and
 - (d) Email hffacil@fas.harvard.edu detailing compliance with notification of police and abutters.
 - (e) When the proposed Research Shooting would be performed within 500 feet of a residence, proof of the approval of the abutter should be provided to the Department Administrator as well.

4. Compliance with Rules on Research Shooting. Any individuals who participate in Research Shooting must comply with the following protocols:
 - (a) The Authorized Shooter shall fire the gun only under controlled conditions and shall at all times act consistently with applicable laws, including, but not limited to Massachusetts state laws prohibiting the carrying of a shotgun on a public way, Mass. Gen. Laws c. 269, § 12D; and the discharge of a firearm within 500 feet of a dwelling, without the owner’s consent, Mass. Gen. Laws c. 269, § 12E.
 - (b) The Authorized Shooter, the principal investigator, or a designee will provide a copy of this Policy to all participants in any Research Shooting. The Departmental Administrator shall distribute this Policy by email or in hard copy to (1) any person who proposes to file a Research Project Application with a Research Shooting Rider and (2) any person who applies for Authorized Shooter status.

5. Waiver and Release of Liability: Any individuals participating in Research Shooting must complete the Waiver and Release of Liability attached hereto as Attachment D and return to the Department Administrator.

¹ The Department Administrator may not delegate the power to authorize shooters or responsibility to maintain the list of Authorized Shooters.

Attachment B
Sample Notice Letter to Abutters

[DATE]

Dear Neighbor[s]:

Greetings! We write to notify you of our intention to conduct a Research Shooting project on Harvard Forest property at [LOCATION]. The purpose of the project is [PURPOSE]. The shooting will be performed by a licensed individual who will [MANNER OF SHOOTING].

Our plan is to complete the project on [DATE], with a rain date of [RAIN DATE]. We hope to sample between [TIME SPAN]. Thus, you may see several vehicles parked nearby, and you can expect to hear shots coming from the woods during these periods.

If you have any further questions or concerns about the upcoming sampling, please contact us by phone or email. We can be reached in the office [WORK PHONE] and by emails at [WORK EMAIL]. In addition, if you are interested in learning more about the underlying research, we would be pleased to talk further with you and/or lead a short tour of the experimental site and discuss our results to date.

We thank you for your support of this important research effort!

Sincerely,

[RESEARCHERS]
[OFFICE ADDRESS]
[MAIN LINE PHONE]

Cc: Department Administrator, Harvard Forest

Attachment C
Sample Permission Request to Residences within 500' – include SASE

[DATE]

Dear Neighbor[s]:

Greetings! We write to notify you of our intention to conduct research on Harvard Forest property at **[LOCATION]**, and to request your permission to engage in Research Shooting in that area. The purpose of the project is **[PURPOSE]**. The shooting will be performed by a licensed individual who will **[MANNER OF SHOOTING]**.

Our plan is to complete the project on **[DATE]**, with a rain date of **[RAIN DATE]**. We hope to sample between **[TIME SPAN]**. Thus, you may will see several vehicles parked nearby, and you can expect to hear shots coming from the woods during these periods.

If you have any further questions or concerns about the upcoming sampling, please contact us by phone or email. We can be reached in the office **[WORK PHONE]** and by emails at **[WORK EMAIL]**. In addition, if you are interested in learning more about the underlying research, we would be pleased to talk further with you and/or lead a short tour of the experimental site and discuss our results to date.

Please indicate whether you consent to the Research Shooting by checking the appropriate box — YES, NO — and returning this letter to us at Shaler Hall (address below).

We thank you for your support of this important research effort!

Sincerely,

[RESEARCHERS]
[OFFICE ADDRESS]
[MAIN LINE PHONE]

Cc: Department Administrator, Harvard Forest

Attachment D

LIABILITY WAIVER AND RELEASE FORM

THIS IS A RELEASE OF LEGAL RIGHTS — READ AND UNDERSTAND BEFORE SIGNING

I understand and acknowledge that I am fully aware of and assume the risks (including but not limited to the risk of serious bodily injury, property loss or damage) of my (1) participation in Research Shooting activities at Harvard Forest (the “Forest”). I recognize my responsibility to participate only in those activities for which I have the required skills, qualifications, training and physical conditioning. I understand that Harvard shall have no responsibility to pay for medical treatment and related costs if I am injured.

Knowing the risks described above, I agree, personally and on behalf of my family, heirs and personal representative(s), to assume all the risks and responsibilities surrounding my participation in Research Shooting at Harvard Forest. To the fullest extent allowed by law, I hold harmless and agree to indemnify President and Fellows of Harvard College, its officers, directors, faculty, staff, volunteers, employees and agents, from and against any present or future claim, cause of action, loss or liability for injury to person or property, which I may suffer or for which I may be liable to any other person, related to my participation in the Research Shooting, resulting from any cause whatsoever, and regardless of fault.

I am at least eighteen years of age and have carefully read and freely signed this Liability Waiver and Release Form. I understand and agree that no oral or written representations can or will alter the contents of this document. I agree that this agreement shall be governed by the laws of the Commonwealth of Massachusetts (excluding its conflict of laws principles).

Name: _____

Signed: _____

Date: _____