

**POLICY
411**

**EFFECTIVE
DATE
5-27-16**

**Eugene
Police Department**



411 Trespass Letters

411.1 PURPOSE AND SCOPE

This policy relates procedures to be used for letters submitted by property owners that give police officers authority to enforce city ordinances relating to trespassing on their premises.

411.2 DEFINITIONS

Trespass Letter: A letter that authorizes an officer to act as the agent of a property owner to cite or arrest trespassers under *EC 4.805-4.809*.

Trespass File: A database of all property with current trespass letters. A file of the actual letters will be maintained by the Crime Prevention Unit.

Owner: The owner of the premises, or his or her authorized representative.

411.3 PROGRAM DESCRIPTION

- a. Trespass letters may be authorized for property owners experiencing a trespass problem. Trespass letters authorize the Eugene Police Department (EPD) to enforce trespassing laws on the owner's property at the discretion of the responding officer. This is especially important in situations where the owner or authorized person would not otherwise be able to be contacted.
- b. Owners submit online or return letters to the Crime Prevention Unit (CPU) which manages the trespass letter system. CPU maintains the computer file and audits the files every two years.
- c. When participating in this program, the owner must agree to prosecute trespassers and to testify if necessary. The owner must post the property with "No Trespassing" signs.
 1. The signs must be posted on all sides of the premises which are accessible to the public.
 2. The owners are responsible for the replacement of all stolen, lost, or missing signs.

411.4 PROCEDURE

- a. An officer or Communications staff person can determine if a trespass letter is on file by using the Trespass Letter database (in the "Police Applications" section of the "I" drive.) Hard copies of trespass letters are also on file at the West University Public Safety Station.

- b. Verify that the property is posted with a "no trespassing" sign.
- c. If a trespass letter is on file and the property is posted with a "no trespassing" sign, the trespasser can be cited or arrested.
- d. If the property is not signed, the person must be warned, or have been previously warned, before enforcement action can be taken. If this is the initial warning, it should be documented on an FI card.
- e. If no trespassing letter is on file, an officer or communications center staff person may contact the owner to determine if he or she wants to prosecute and testify.

411.5 PROGRAM ADMINISTRATION RESPONSIBILITIES

- a. Enter the information from the submitted letter into the Trespass Letter Database (in the "Police Applications" section of the "I" drive.)
- b. Place the original copy of the letter in the trespass letter files.
- c. Trespass letters do not expire. If ownership of a property changes or information about a property changes, it is the owner's responsibility to update their letter with the department.
- d. The database will be audited every two years to ensure the accuracy of information.

PETE KERNS
Chief of Police