

## Trespassing Letter of Consent

The form located on the next page allows the Placer County Sheriff's Office to act as the agent for the owner of private property for purposes of enforcing laws against any person(s) found on the property without the owner's consent or without lawful purpose. This is an extremely useful tool and is strongly recommended for vacant properties, vacant lots, businesses or any properties upon which public nuisance activity and/or crime problems, including transient activity, drug activity, graffiti, or general trespass are occurring.



The attached form must be renewed every six months in order to be effective per Penal Code section 602. It is recommended to fill out multiple forms with dates occurring in six month increments. It is the property owner's responsibility to keep a current form on file with the Sheriff's Office. Completed forms must be sent to the Placer County Dispatch Center for filing. Forms can be faxed, mailed, or hand delivered to the front counter at the Auburn Justice Center.

### **What is the law regarding trespass?**

Generally, a person commits the offense of Trespass if the person enters or remains unlawfully in or upon premises when such premises is not open to the public; or the person fails to leave premises that are open to the public after being lawfully directed to do so by the person in charge.

### **What is a "Trespass Letter of Consent"?**

It is a document which allows a Deputy to take enforcement action on your behalf without first contacting you. (Note: If a property owner is present before Deputies arrive, and the person trespassing is still on the premises, they will need to place the trespassing party under Citizen's Arrest)

### **How does it work?**

Deputies do not normally have the authority to go onto private property, which is not open to the public, and remove individuals or request them to leave without the consent or authority of the property owner. If a Deputy observes someone on private property, or a problem is reported by someone who does not have the authority to sign a trespass complaint, the Deputy must contact the person who is legally responsible for the property.

A Trespass Letter of Consent with the Placer County Sheriff's Office gives Deputies permission to act on behalf of the property owner or manager in trespass situations. In addition, Deputies who observe trespassers on private property with a filed letter can address the

problem immediately, rather than having to wait, contact a property owner or manager, if one can be located, or take no action at all.

**What happens if you arrest someone based on my signed letter?**

In most cases, Deputies are able to resolve trespass complaints without arresting the involved subject. However, there are situations where the Deputy has no choice, but to cite or arrest an offender. In those instances, you will be expected to be available for any resulting court action.

**What else do I need to do?**

In addition to filing the trespass letter, your property must be posted with "No Trespassing" signs. Please see further in this guide for sign requirements and placement.