



San Diego County SHERIFF'S DEPARTMENT

TRESPASS ARREST AUTHORIZATION

TO: Station Commander
Imperial Beach Patrol Station
845 Imperial Beach Blvd.
Imperial Beach, CA 91932-2796

FROM: _____
(Please Print: Last Name, First Name, Middle Initial) (Date of Birth)

Address: _____

City / State / Zip Code: _____

Home Phone: () _____ Business Phone: () _____

FAX Number: () _____ Cell Phone: () _____

Email: _____

Dates of Authorization: _____ to _____

I am the **Owner / Owner's Agent / Person in lawful possession** of the property located at _____

I hereby request and authorize the San Diego County Sheriff's Department to enforce all applicable trespass laws on my behalf and in my absence, in regard to the above property. I further request that on my behalf, the San Diego County Sheriff's Department advise all persons who are not lawful residents or the invited guests of a lawful resident to immediately leave the property or be arrested pursuant to Penal Code Section 602(o). The following signs have been posted on the property:

- Closed to the Public
- Closed to the Public and posted as NO TRESPASSING (602 P.C.)
- Open to the Public between the hours of _____ and _____
- Other (specify) _____

I hereby release and hold harmless the County of San Diego and the San Diego County Sheriff's Department, its officers, agents, and employees from any and all claims, demands, causes of action or obligations whatsoever arising out of or relating to entry on my property for the purpose of enforcing City, State and Federal laws.

In addition, my agent or I will cooperate fully in the prosecution of anyone who is arrested for a violation of any local or state law, including trespassing and vandalism. The telephone number where I can be reached during normal business hours is:

() _____ Address: _____

After Hours: () _____ Address: _____

Sincerely,

_____ (Date)



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PC § 602 - Except as provided in paragraph (2) of subdivision (v), subdivision (x), and Section 602.8, every person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor:

- (i) Willfully opening, tearing down, or otherwise destroying any fence on the enclosed land of another, or opening any gate, bar, or fence of another and willfully leaving it open without the written permission of the owner, or maliciously tearing down, mutilating, or destroying any sign, signboard, or other notice forbidding shooting on private property.*
- (k) Entering any lands, whether unenclosed or enclosed by fence, for the purpose of injuring any property or property rights or with the intention of interfering with, obstructing, or injuring any lawful business or occupation carried on by the owner of the land, the owner's agent or by the person in lawful possession.*
- (l) Entering any lands under cultivation or enclosed by fence, belonging to, or occupied by, another, or entering upon uncultivated or unenclosed lands where signs forbidding trespass are displayed at intervals not less than three to the mile along all exterior boundaries and at all roads and trails entering the lands without the written permission of the owner of the land, the owner's agent or of the person in lawful possession, and
 - (1) Refusing or failing to leave the lands immediately upon being requested by the owner of the land, the owner's agent or by the person in lawful possession to leave the lands, or*
 - (2) Tearing down, mutilating, or destroying any sign, signboard, or notice forbidding trespass or hunting on the lands, or*
 - (3) Removing, injuring, unlocking, or tampering with any lock on any gate on or leading into the lands, or*
 - (4) Discharging any firearm.**
- (o) Refusing or failing to leave land, real property, or structures belonging to or lawfully occupied by another and not open to the general public, upon being requested to leave by
 - (1) a peace officer at the request of the owner, the owner's agent, or the person in lawful possession, and upon being informed by the peace officer that he or she is acting at the request of the owner, the owner's agent, or the person in lawful possession, or*
 - (2) the owner, the owner's agent, or the person in lawful possession. The owner, the owner's agent, or the person in lawful possession shall make a separate request to the peace officer on each occasion when the peace officer's assistance in dealing with a trespass is requested. However, a single request for a peace officer's assistance may be made to cover a limited period of time not to exceed 30 days and identified by specific dates, during which there is a fire hazard or the owner, owner's agent or person in lawful possession is absent from the premises or property. In addition, a single request for a peace officer's assistance may be made for a period not to exceed twelve months when the premises or property is closed to the public and posted as being closed. However, this subdivision shall not be applicable to persons engaged in lawful labor union activities which are permitted to be carried out on the property by the California Agricultural Labor Relations Act, Part 3.5 (commencing with Section 1140) of Division 2 of the**

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Labor Code, or by the National Labor Relations Act. For purposes of this section, land, real property, or structures owned or operated by any housing authority for tenants as defined under Section 34213.5 of the Health and Safety Code constitutes property not open to the general public; however, this subdivision shall not apply to persons on the premises who are engaging in activities protected by the California or United States Constitution, or to persons who are on the premises at the request of a resident or management and who are not loitering or otherwise suspected of violating or actually violating any law or ordinance.

PC § 602.1 -

- (a) Any person who intentionally interferes with any lawful business or occupation carried on by the owner or agent of a business establishment open to the public, by obstructing or intimidating those attempting to carry on business, or their customers, and who refuses to leave the premises of the business establishment after being requested to leave by the owner or the owner's agent, or by a peace officer acting at the request of the owner or owner's agent, is guilty of a misdemeanor, punishable by imprisonment in a county jail for up to 90 days, or by a fine of up to four hundred dollars (\$400), or by both that imprisonment and fine.*
- (b) Any person who intentionally interferes with any lawful business carried on by the employees of a public agency open to the public, by obstructing or intimidating those attempting to carry on business, or those persons there to transact business with the public agency, and who refuses to leave the premises of the public agency after being requested to leave by the office manager or a supervisor of the public agency, or by a peace officer acting at the request of the office manager or a supervisor of the public agency, is guilty of a misdemeanor, punishable by imprisonment in a county jail for up to 90 days, or by a fine of up to four hundred dollars (\$400), or by both that imprisonment and fine.*
- (c) This section shall not apply to any of the following persons:*
 - (1) Any person engaged in lawful labor union activities that are permitted to be carried out on the property by state or federal law.*
 - (2) Any person on the premises who is engaging in activities protected by the California Constitution or the United States Constitution.*
- (d) Nothing in this section shall be deemed to supersede the application of any other law.*

PC § 603 - Every person other than a peace officer engaged in the performance of his duties as such who forcibly and without the consent of the owner, representative of the owner, lessee or representative of the lessee thereof, enters a dwelling house, cabin, or other building occupied or constructed for occupation by humans, and who damages, injures or destroys any property of value in, around or appertaining to such dwelling house, cabin or other building, is guilty of a misdemeanor.

PC §647 - Every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor:

- (e) Who lodges in any building, structure, vehicle, or place, whether public or private, without the permission of the owner or person entitled to the possession or in control of it.*
- (h) Who loiters, prowls, or wanders upon the private property of another, at any time, without visible or lawful business with the owner or occupant. As used in this subdivision, "loiter"*

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means to delay or linger without a lawful purpose for being on the property and for the purpose of committing a crime as opportunity may be discovered.