

Trespass Statement for Businesses

Business owners are encouraged to complete and submit an OPD Trespass Statement in regards to those individuals who have violated Penal Code 602.1, interfering with a lawful business.

In order for an individual to be the subject of a Trespass Statement, he/she must:

1. Intentionally interfere with any lawful business or occupation carried on by the owner or agent of a business establishment open to the public.
2. Obstruct, intimidate or become aggressive with those attempting to carry on business, to include patrons/customers.
3. Refuse to leave the premises of the business establishment after being requested to leave by the owner, owner's agent or by a peace officer acting at the request of the owner or the owner agent.

Completing a Trespass Statement will invoke, for six months, an order for the offending individual(s) to "stay away" from your business. Each business owner is responsible for the renewal of the Trespass Statement, that stays on file at the Records Division of the Oakland Police Department.

Beat 31 Important Contacts

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The Trespass Statement states, in part, that:

"No one has permission to loiter, prowl, or wander on my property without visible or lawful business with me, my agent, or my employees. Any person who intentionally interferes with any lawful business, or the occupation of my business, by obstructing or intimidating those attempting to carry on business, or my customers, and refuses to leave after being asked to do so by myself, my employees or a peace officer should be arrested. I request that the Oakland Police Department arrest anyone found in violation of this statement."

When a known suspect(s) approaches your business, indicate that he/she is not welcome, that he/she will be arrested, and convey that the suspect must leave the premises immediately.

Completing a Trespass Statement will effectively communicate to the Oakland Police Department that a known trespasser(s) is interfering with your business operations and direct them to arrest offending individuals and press charges.

INFORMATION FOR BUSINESSES



Handling & Reporting Aggressive Panhandlers & Trespassers



Merchant Watch

Information Provided Courtesy of

City of Oakland Community and Economic Development Agency
Neighborhood Services Division

Coliseum BusinessAlert

Airport Area Business Association

What Constitutes Trespassing?

Section 602 of the California State Penal Code identifies a **Trespasser** as anyone who enters lands or real property with the intention of interfering with or injuring any lawful business of the person in lawful possession of that land or property. Oakland Municipal Code states that trespassing is refusing or failing to leave immediately upon being requested by the owner, owner's agent or by the person in lawful possession. And loitering is defined as delaying or lingering without a lawful purpose for being on the property and for the purpose of committing a crime.

Deterring Trespassing

Posting one or all of the following signs where they can be readily seen by persons entering your business property will serve to deter trespassing and panhandling:

NO SOLICITING OR PANHANDLING

NO LOITERING, SOLICITING OR PANHANDLING
PERMITTED ON THIS PROPERTY WITHOUT PERMISSION OF THE OWNER

WE RESERVE THE RIGHT TO REFUSE
SERVICE TO ANYONE

Handling Aggressive Panhandlers

If your customers are being accosted by aggressive panhandlers, OPD recommends:

- Informing the individual causing the problem that he or she is interfering with your business
- Ask him/her to leave or you will contact the police.
- If the person persists or becomes belligerent, call the police immediately on the non-emergency line (510) 777-3333.
- If the person becomes aggressive or threatening, call 9-1-1.

Reporting Suspects & Criminal Activity

When you call the police to report a crime or suspicious activity, the dispatcher will ask you questions to determine what type of crime or activity you are reporting in order to prioritize the incident. The more useful information provided to OPD dispatchers, the better equipped officers are to apprehend suspects and solve crimes. The most helpful thing you can do when calling the police department is to cooperate with the dispatcher – most interviews are completed in a little over a minute, and dispatchers are expected to obtain all pertinent information.


When reporting panhandling and trespassing activity, be prepared to answer typical questions that will assist OPD dispatchers:

- What occurred and at what time?
- Where did the incident occur?
- How many suspects are/were involved?
- What was the suspect(s) doing?
- What did the suspect(s) say?
- How was suspect(s) behaving?
- Is anyone injured?
- Can the suspect(s) be identified?
- Can you provide a suspect description?
- Can you describe facial features?
- Were any weapons involved? If so, what type?
- Was there a vehicle involved? If so, describe.
Example: 80's Toyota Corolla, 4-door, white
- Did you document a license plate number?
- What was the suspect's direction of flight, if any?
- Did you suffer a loss of property?
- What is your name, address and phone number?
(This is important so that responding officers can call you before arriving so that you can direct them to the suspect(s)).

Keep these questions in mind when you observe or report a panhandling incident to the police.

Describing the Suspect

As much descriptive detail as possible is important in helping officers identify a suspect. Copy this page and use the graphics below to document as closely as possible height, weight, gender, race/ethnicity, age, hair, facial appearance, clothes & shoes, tattoos, scars, and other descriptive details of a suspect(s).

Gender:	Race:	Age:
Height:	Weight:	
Hair/Length/Color:		
Glasses (type):	Complexion:	
Tattoos/Scars:	Facial Hair:	
Weapon Type:		
Hat/Tie/Coat:		
Shirt/Pants/Shoes:		
 <p>Document specific facial details, if you definitely remember:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		

