

 THE CITY OF NORFOLK POLICE DEPARTMENT	Administrative General Order – 485: Trespass Enforcement		
	Office of Preparation: Office of Support Services (mar)		
	CALEA: None		
LEGAL REVIEW DATE:	3-11-2020	PRESCRIBED DATE:	3-24-20
City Attorney:	<i>Kelton</i>	City Manager/Director of Public Safety:	<i>[Signature]</i>
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		<i>[Signature]</i>	

Purpose

The purpose of this order is to establish procedures for the Trespass Enforcement Authorization Initiative.

Policy

Norfolk City Code, Section 29-48, Entering or remaining on property of another after having been forbidden to do so, authorizes police officers to act lawfully as persons in charge of private property, provided that a requestor: property owner, lease holder, agent, or manager authorizes this in writing, according to set departmental procedures established by the Chief of Police.

Any such requestor (property owner, lease holder, agent, or manager) of private property located within the City of Norfolk may participate in or withdraw from the program. However, the Chief of Police reserves the right to rescind any endorsed Trespass Enforcement Authorization Request in which the property owner, lease holder, agent, or manager has failed to comply with Norfolk City Code, Section 29-48.

Supersedes:

1. G.O. ADM-485, dated May 14, 2009
2. Any previously issued directive conflicting with this order

Order Contents:

- I. Trespass Enforcement Authorization Initiative
- II. Departmental Records
- III. Enforcement

I. Trespass Enforcement Authorization Initiative

Any requestor (property owner, lease holder, agent, or manager) participating in the Police Department's Trespass Enforcement Authorization Initiative must comply with the following:

- A. Submit a PD 936, Trespass Enforcement Authorization Request (TEAR), (Attachment A), to the designated Community Resource Officer (CRO). A separate PD 936 will be filed for each numerical address.
 - 1. A requestor of a multiple unit complex may submit one PD 936 by listing the management's address on the form and attaching a numerical address listing of all units and buildings located on that particular site.
 - 2. Requestors may not list more than one address per form.
 - 3. Requestors may also submit a PD 936 via the United States Postal Service to the Central Records Division address listed on the form.
- B. Maintain a copy of the PD 936 for his or her record.
 - 1. An approved PD 936 is non-expiring and remains valid until rescinded.
 - 2. Send a written notice to the Commanding Officer, Central Records Division, to rescind authority and withdraw from the Trespass Enforcement Authorization Initiative.
- C. Post the property with "No Trespassing" sign(s) in conspicuous place(s) where the sign(s) will be seen.
- D. Appear in court and offer testimony, if necessary, in support of law enforcement actions resulting from participation in the program.

II. Departmental Records

- A. Central Records Division (CRD) personnel will send a copy of the PD 936 to the appropriate patrol division for notification purposes after entering it into the department record system. CRD personnel are responsible for processing each PD 936 by performing the following:
 - 1. Reviewing each incoming PD 936 and determining if the request can be processed for enforcement purposes.
 - 2. Assigning a unique TEAR number to each approved PD 936. Refer to the TEAR Numbering System section of the Trespass Enforcement Authorization Request Information Sheet (Attachment B), for procedures.
 - 3. Maintaining the City's computer network files.

- a. Scan each PD 936 and any attached numerical listing into the City's computer network.
- b. Enter information from each PD 936 in the index file. This file contains information noted on the PD 936, e.g., TEAR number, address, name of company, responsible party, and telephone number.
- c. Delete any rescinded PD 936, noting the date of rescission, the name of the employee who deleted it and the name of the person requesting that it be rescinded. Notify the appropriate command that the listed property no longer has a PD 936 on file.

B. Computer Aided Dispatch System (CADS)

Upon receiving a PD 936, CRD personnel will ensure that the information contained in the Computer Aided Dispatch System (CADS) is updated by performing one of the following:

1. Entering the TEAR number and contact information located on the PD 936 into the corresponding numerical address Special Situation file in the CADS.
2. Deactivating the TEAR number and contact information located on a rescinded PD 936 to the corresponding numerical address Special Situation file in the CADS.

III. Enforcement

- A. Before acting as a person lawfully in charge of private property and charging an individual with Norfolk City Code, Section 29-48, the arresting officer will:
1. Verify that a PD 936 is on file by accessing either the CADS or the City's computer network. Refer to the Accessing TEAR Computer Files section of the Trespass Enforcement Authorization Request Information Sheet (Attachment B), for procedures.
 - a. An approved PD 936 authorizes an officer to make an arrest for trespassing on the listed private property.
 - b. Officers will need a copy of the endorsed PD 936, with the affixed TEAR number, for evidentiary purposes when testifying in court or in other trespass-related proceedings.
 2. Ensure that the individual was duly notified of the trespass by ensuring that at least one of the following has occurred:

- a. The individual has been forbidden to go upon or remain on the premise by:
 - (1) Verbal warning – the officer must have given or witnessed the verbal warning; or
 - (2) Written notice – The officer will issue a PD 950 to the person being banned and retain a copy for evidentiary purposes when testifying in court or in other trespass-related proceedings. The reason for banishment must be stated on the PD 950.
 - b. The property is properly posted with “No Trespassing” sign(s) in conspicuous place(s) where the sign(s) will be seen.
 - c. The officer has personal knowledge that a court order prohibiting the named individual from entering or remaining on the property has been served.
3. Copies of the PD 950 will be maintained by each patrol division. Commands will assign personnel to maintain and update records as needed.
- B. Officers will take the appropriate police action upon observing suspected criminal activity while on the authorized property.

Related Documents:

1. G.O. ADM-420: Virginia Uniform Summons
2. G.O. OPR-730: Court Appearances and Procedures

Attachments:

- A. PD 936, Trespass Enforcement Authorization Request
- B. Trespass Enforcement Authorization Request Information Sheet
- C. PD 950, Legal Notice: Trespass Warning



PD 936

Trespass Enforcement Authorization Request



I hereby authorize sworn law enforcement personnel of the Norfolk Police Department to serve as persons lawfully in charge of my property located in the City of Norfolk for purposes of enforcing the trespassing laws of the Commonwealth of Virginia and the City of Norfolk. This is requested in an effort to deter criminal activity on my property. I agree to appear in Court and offer testimony, if necessary, in support of any law enforcement action resulting from this authorization.

By my initials, I authorize sworn law enforcement personnel of the Norfolk Police Department to serve as the persons lawfully in charge of my property for purposes of serving written notice and enforcement of the trespassing laws of the Commonwealth of Virginia and the City of Norfolk, Virginia on my property.

_____ (initials) _____ (date)

I acknowledge that a copy of this signed request will be retained on file with the Norfolk Police Department. I agree to make timely and appropriate notification to the Central Records Division when there are material changes to the agreement content (e.g. ownership changes, new contact information). I understand that this request for enforcement and authorization to act as my agents may be rescinded at any time. I agree to provide dated, written notice regarding such rescission.

Address of Property Where Enforcement Is Authorized
(list only one numerical address per form)

Company / Business name (if applicable)

Owner/Manager Name (printed)

Owner/Manager Name (signature)

Date of Submission

Mailing Address

City / State / Zip Code

Home Phone

Business Phone

Cell Phone

Requests may be mailed to:

Trespassing Initiative
Norfolk Police Department
Central Records Division
3661 E. Virginia Beach Boulevard
Norfolk, Virginia 23502
For information, call: (757) 664-7000

TEAR Number (official use only): _____

03/19 FOB

Used By All Commands

G.O. ADM-485: Trespass Enforcement

Attachment A

Date of Issue: 03/24/2020

Trespass Enforcement Authorization Request Information Sheet

TEAR Numbering System

Each approved PD 936, Trespass Enforcement Authorization Request (TEAR), is assigned a TEAR number for indexing purposes. Central Records Division personnel are responsible for processing Trespass Enforcement Authorization Requests, which includes assigning TEAR numbers. TEAR numbers contain 10 digits, configured as follows:

- a. The first six digits in the TEAR number reflect the last two digits of the year (YY), month (MM), and day (DD), of the Date of Submission affixed on the Trespass Enforcement Authorization Request by the requestor.
- b. The last four digits in the TEAR number reflect the number of requests processed with the same Date of Submission, beginning with 0001, representing a continuing count of processed requests. The number starts anew with 0001 for each date of submission.
- c. For example: three Trespass Enforcement Authorization Requests with the Date of Submission of October 23, 2020 would be coded as follows - the first request processed would be coded 2010230001, the second request processed would be coded 2010230002, the third request would be coded 2010230003.

Year (YY)	Month (MM)	Day (DD)	Sequence Number (Starting with 0001)
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Accessing TEAR Computer Files

- a. Computer Aided Dispatch System (CADS)

TEAR numbers from every PD 936 will be noted in the Special Situation file in CADS by personnel designated by the Central Records Division. Officers may access this information on I/MOBILE by selecting Query\Event\Search Location of Interest (LOI) on the toolbar. Enter the address to be searched at the dialog box. Note: Do not place periods in the entry. CADS will return a LOI Report. If a PD 936 is on file, the TEAR number will be the first item listed under the heading "Special Situations." Officers should note the TEAR number to make accessing and printing of the PD 936 from the City's computer network easier.

- b. City's Computer Network

Each PD 936 is scanned for retrieval purposes by the TEAR number. If the TEAR number is unknown, personnel can search the Trespass Letter Lookup index on the Police Intranet. Entries contain the TEAR number, responsible party's name and contact information, and company (if applicable) for each PD 936. If the TEAR number is known, the PD 936 can be located at R:\Reference\Scanned TEAR Letters.



NORFOLK DEPARTMENT of POLICE LEGAL NOTICE: TRESPASS WARNING



Name of Business (if applicable)	Address of Offense	Date of Offense
Last Name	First Name	Middle Name
DL#	DOB	Race / Sex
Street Address	City / State	Zip Code

Reason for Banishment/Comments:	

In accordance with Norfolk City Code 29-48, you are hereby notified that you are banned from the property listed above. If any law enforcement officer sees or apprehends you on the property, you may be subject to arrest for trespassing and found guilty of a Class 1 misdemeanor.

Issuing Officer Printed Name: _____

Issuing Officer Signature: _____ Date: _____

Location Notice was Given: _____

I, the undersigned, acknowledge receipt of this notice:

(PRINT) First Name	Middle Initial	Last Name
Signature	Date	

Officers are to retain a copy for their files and forward a copy to the patrol division where the listed property is located.