



INFORMATION REGARDING TRESPASSING CPC 602

Why does the Fullerton Police Department use CPC 602?

Owners, managers, or individuals in lawful possession of private property may at some point in time, experience problems with subjects who trespass on their property. These subjects may be involved in illicit activities such as narcotics use and sales, gang activity, prostitution, and/or panhandling.

Trespass citations/arrests have become an important tool for Police Officers of the Fullerton Police Department. There are various sections of the California Penal Code which specifically address subjects who trespass and/or loiter without lawful business and/or owner's consent.

In some situations, a trespasser must first be told to leave by an Officer with the Fullerton Police Department. If the subject refuses, they may be arrested. If a subject does leave when asked to by an Officer but returns later, they may be arrested without further warning. If the Orange County District Attorney files the case, you the owner or business agent of the property are treated as the victim in these cases.

Due to the frequency upon which Fullerton Police Department officers are called on to enforce trespassing laws, you the property owner/manager, will be asked to sign a **TRESPASS LETTER OF AUTHORIZATION** and a **LIMITED AUTHORIZATION FOR ARREST DISCLOSURE**. This authorization provides authority for the Fullerton Police Department Officers to act on behalf of the owner/manager and addresses the issue of consent. By signing these authorization forms and having them notarized in advance, you enable the Fullerton Police Department to patrol your properties and enforce, if necessary, any and all applicable California Penal Codes and Fullerton Municipal Codes that occur.

For any further questions or concerns, please contact our front counter at (714) 738-6716 during business hours. Business hours are Monday thru Friday from 8:00 AM to 6:00 PM and Saturday from 8:00 AM to 1:00 PM.



DR: _____

FULLERTON POLICE DEPARTMENT

Trespass Arrest Authorization

Begin Date: _____

End Date: _____

Max is 12 months from begin date

Business Name (if any): _____

Property Address: _____

Contact Person: _____ Contact Phone: _____

Other Emergency Contact Name: _____ Contact Phone: _____

I am the: Owner Owner's Agent Person in lawful possession

Of the property located at: _____

(If multiple addresses, each address must be listed individually, 101, 103, 105 Main St)

This property is a: Business Apartment Complex Private Residence Vacant Lot

Other: _____

The on-site contact person's name: _____

The on-site contact person's phone: _____

I certify that:

- The above-described property is never open to members of the general public and is currently posted, per Penal Code 554.1, as being closed to members of the general public.
- The above-described property is currently posted as being closed to members of the general public at the times listed on the posted sign(s).
- The property is only open to patrons with legitimate business. Officers or employees who identify subject(s) who interfere with business(es) may eject the subject(s) from the property.
- The listed person(s) below have been trespassed and/or are not allowed on the premises.



FULLERTON POLICE DEPARTMENT

Limited Authorization for Arrest Disclosure

I hereby request the Fullerton Police Department and each officer of the Fullerton Police Department, to enter upon my property and act as my agent for the purpose of requesting trespassers to leave the property and to otherwise enforce California Penal Code Section 602 *et. seq.* and any trespassing statutes in the Fullerton Municipal Code at all times, including when the property is closed to the public and posted as being closed. This authorization applies 24 hours a day, 7 days a week. This authorization further asks any person to leave the above-described property at any time:

- 1) Such property is not open to the members of the general public where such person is: (i) not a tenant lawfully in possession of the property or any part thereof pursuant to a lease, sublease, or rental agreement executed by myself or my agent, or (ii) where such person has not entered upon the property and/or does not remain on the property at the invitation of and/or consent of myself, my agent, or any such tenant.
- 2) 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.
- 3) Any person who violates any other trespassing law that is enforceable by the Fullerton Police Department, including but not limited to Penal Code sections 602-622.

My agent or I will cooperate in the prosecution of persons arrested for these offenses. This cooperation includes testifying in open court if and when a case proceeds to trial. I understand that this letter is valid for a maximum period of twelve (12) months, and it is my responsibility to renew the letter at that time if the need still exists.

I understand that once the 1-year time period has expired for this Limited Authorization and Letter of Authorization, it is my responsibility to renew my request. I agree to notify the Fullerton Police Department in the event I sell or relinquish ownership, agency, or lawful possession of the property.

The below information will be kept confidential in accordance with all applicable laws.

Signature

Date

Printed Name

Driver's License and State

Date of Birth

Address

Primary Phone Number

Business Phone Number

E-mail Address

Name of Business (if applicable)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

Place Notary Seal Above