



Trespass Arrest Authorization Form (TAAF)

The purpose of this training bulletin is to inform personnel of the Sheriff's Department Trespass Arrest Authorization Form (TAAF). This form can be a useful tool for patrol areas that choose to utilize it. The TAAF form helps mitigate reoccurring trespassing incidents and supports our commitment to better serve our community. The TAAF also empowers deputies to enforce laws on private property and lessens department liabilities when responding to trespass calls.

Penal Code 602 PC is the California statute that defines the crime of criminal trespass. A person commits trespassing when he or she enters, or remains on, someone else's property without permission or the right to do so. The Orange County Sheriff's Department regularly receives calls or complaints about people trespassing on private property. Trespassing is frequently a repeat problem that physically damages the property or interferes with the property owner's business activities. The responding deputies must determine if the land is public or private property and if the person(s) has the right to be there. If determined to be private property, deputies will try to educate the trespasser(s) and try to gain voluntary compliance because they may simply be unaware they are trespassing. If the handling deputy has a valid TAAF or Private Person's Arrest Form the deputy may take enforcement action against the trespasser(s).

It is common for trespassing to occur after hours or on weekends when businesses are closed. The Orange County Sheriff's Department Trespass Arrest Authorization Form grants deputies permission to enter the listed property and the authority to arrest, if necessary, the people who are trespassing on the premises. This is particularly useful for property and business owners who may not be readily available.

Private Person's Arrest Form vs Trespass Arrest Authorization Form: A Private Person's Arrest Form is a one-time use form that a property or business owner/agent must sign before each time a deputy enforces the law. A Trespass Arrest Authorization Form aids department personnel when dealing with repeat complaint properties/businesses. A property or business owner/agent could file the Trespass Arrest Authorization Form within the respective patrol area and it will be on file for one year. Deputies therefore could be proactive when dealing with properties that are continually problematic or not have to wait for the owner/agent to respond to resolve the issue.





ORANGE COUNTY SHERIFF'S DEPARTMENT

Don Barnes, Sheriff-Coroner

TRESPASS ARREST AUTHORIZATION

I, _____ am the owner, the owner's agent, or the person in lawful possession of the property located at the following street address:

_____ in the City of _____
(Street Address)

Or _____ unincorporated area.

I authorize the Orange County Sheriff's Department to enforce all laws against any person found on the above listed property without my consent or without lawful purpose. I authorize the Orange County Sheriff's Department to ask unauthorized persons to leave the property. If they refuse to leave immediately, or return thereafter, I authorize the Orange County Sheriff's Department to act as my agent for the purpose of enforcing trespass or any other law violation on the property. I also consent to the collection of the following information into the Orange County Sheriff's Department database for access by department personnel in the enforcement of applicable trespass laws _____ (initials). My designee(s) and I will cooperate in the prosecution of persons for these offenses: _____ (initials). I understand this authorization is valid for a maximum period of one (1) year from the date given and it is my responsibility to renew this authorization at that time unless revoked in a written notice signed by me and delivered to the Orange County Sheriff's Department prior to the end of the one year period.

OWNER / PROPERTY INFORMATION:

Location name: _____ Location phone: _____

Location address: _____

Owner's name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Fax: _____

MAILING ADDRESS:

AGENT OR PERSON IN LAWFUL POSSESSION INFORMATION:

Check if same as above.

Business name: _____

Name: _____ Title: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Fax: _____

MAILING ADDRESS:

Signature: _____ Date: _____

Orange County Sheriff's Department, 550 N. Flower Street, Santa Ana, California, 92703

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The Process

Step One: Provide a Trespass Arrest Authorization Form to a property owner or agent seeking assistance with an ongoing trespass issue. The Trespass Arrest Authorization Form is available through the My18 Document Center.

Step Two: After a property owner/agent fills out the form it will be given to the Administrative Sergeant for the respective patrol area. It is that sergeant's responsibility to ensure it was filled out correctly and retained in a file for two years for legal discovery requests. The Administrative Sergeant will also store a PDF copy electronically in a folder accessible to patrol deputies. The Administrative Sergeant shall notify their patrol deputies of the valid Trespass Arrest Authorization Form on file. The Administrative Sergeant will also send a copy to the Sheriff's Dispatch Supervisors to flag the address for when personnel are dispatched to the location.

Step Three: The Administrative Sergeant shall manage the electronic folder monthly to ensure old Trespass Arrest Authorization Forms are removed from the electronic folder. The hard copy forms will continue be retained in a separate file. The sergeant shall notify his patrol staff that the specific form is no longer enforceable. The sergeant will also notify the Dispatch Supervisors to remove the flag from the address.

Enforcement

When dispatch assigns calls for service reference trespassing violations, the dispatcher may notify the responding deputy that a Trespass Arrest Authorization Form should be on file with their patrol area administration. It is the responding deputy's responsibility to verify the form on file is current and all elements of trespass are met, before exercising enforcement authority on the property. If a property owner or agent is on scene, it is preferred that they sign a Private Person's Arrest Form even if a valid Trespass Arrest Authorization Form is on file.

The Trespass Arrest Authorization Form also provides patrol deputies with the authority to proactively patrol problematic addresses. It is the patrol deputy's responsibility to verify a Trespass Arrest Authorization Form is on file and it is within the enforcement date range to be valid.

When deputies identify people trespassing on the private property listed on the Trespass Arrest Authorization Form, deputies shall notify the person(s) that they are trespassing and must leave the property. If they refuse, deputies may take action in the form of arrest or citation with a promise to appear.

Documentation

When deputies issue a citation or arrest a person for trespassing on private property, the arresting deputy shall attach a copy of the valid Trespass Arrest Authorization Form, a valid Private Person's Arrest Form, or both if available. The TAAF, PPA form(s) will be attached to the deputy's report in (FBR) Field Based Reporting. The signed Trespass Arrest Authorization Form and/or Private Person's Arrest Form shall be booked into evidence in accordance with the OCSD Evidence Policy 802.

