



Lansing Police Department Manual

600.46 – LETTERS OF TRESPASS

Operational Procedure

Effective Date: 12/22/2008

Rescinds: 03/2005

1 **PURPOSE**

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3 The purpose of this procedure is to establish guidelines governing the issuance, filing, enforcement, and
4 use of Letters of Trespass.

5 **LETTER OF TRESPASS**

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8 A Letter of Trespass is a document completed and signed by the owner/proprietor of a specific property
9 which grants the authority to enforce trespassing laws to a police officer when the person having
10 proprietary authority is not present.

11 **ISSUING A LETTER OF TRESPASS**

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- 14 • A Letter of Trespass form may be obtained at the North Precinct, South Precinct, or
15 Headquarters.
 - 16 • The business or property owner/manager/person having proprietary authority must complete and
17 sign the document and return it to the Lansing Police Department.
 - 18 • Letters of Trespass may be issued for the following locations:
 - 19 ○ Privately owned businesses.
 - 20 ○ Private properties open to the general public (e.g., stores, hospitals, private schools, etc.).
 - 21 ○ Apartment complexes with eight (8) or more units.
 - 22 ○ Vacant lots or vacant houses.
 - 23 ○ Government properties (e.g., schools, libraries, and State of Michigan buildings).
 - 24 • Letters of Trespass for locations other than those listed above require the approval and signature
25 of a Precinct Captain.
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29 **CONTENTS OF LETTERS OF TRESPASS**

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- 31 • Statement granting lawful authority.
 - 32 • Named persons allowed on the property under applicable conditions and/or hours.
 - 33 • Named persons not allowed on the property at any time.
 - 34 • Description of the property and its boundaries.
 - 35 • Effective date of letter. (Letters of Trespass are effective for one year.)
 - 36 • Names of individual(s) to be subpoenaed for litigation resulting from the Letter of Trespass.
 - 37 • Owner/lawful occupant's information and signature.
 - 38 • Option to renew and renewal date(s).

39 **FILING**

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41 When a completed and signed letter of trespass is received:

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43 The original shall be forwarded to the Precinct in which the property is located. Each Precinct
44 Administrative Assistant shall maintain a "Letters of Trespass" folder containing all current letters
45 of trespass and make that information available to other personnel as needed.

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47 • The Precinct Administrative Assistant shall forward one copy of the letter to each of the following:
- 48 ○ Communications Center.
 - 49 ○ Day Shift supervisors.
 - 50 ○ Afternoon Shift supervisors.
 - 51 ○ Night Shift supervisors.
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- 54 • The Precinct Administrative Assistant shall retain the original in the Precinct Letter of Trespass
55 folder.
 - 56 • The Precinct Administrative Assistant shall periodically remove expired Letters of Trespass from
57 the Letter of Trespass Folder. If a renewal option other than "All Future Years" is checked, the
58 Precinct Administrative Assistant shall contact the original issuer/owner/proprietor.
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60 **OFFICER RESPONSIBILITIES**

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- 62 • When the owner/proprietor of a location is not available, officers shall confirm with the dispatcher
63 that a current Letter of Trespass exists before enforcing the trespassing laws.
 - 64 • When an officer reasonably suspects that a person is on the premises of an apartment complex
65 that has a current Letter of Trespass on file, the officer will conduct an investigation in order to
66 determine if the person has a legal right to be on the premises.
 - 67 • When a valid Letter of Trespass exists, the officer must advise the trespasser that they are to
68 leave the property immediately and that failure to do so will result in their immediate arrest.
 - 69 • If the trespasser has been previously warned by a police officer, or in the officer's presence are
70 told that they are not allowed at a specific location, an immediate arrest can be made. A copy of
71 the initial document and/or the date, time, and name of the officer who was present when the
72 trespasser was previously warned must be included in the report.
 - 73 • When the officer is seeking charges through the City Attorney, they shall attach a copy of the
74 original Letter of Trespass retained by the North or South Precinct Administrative Assistant.
 - 75 • When a custodial arrest based on a Letter of Trespass is affected, the arresting officer shall:
- 76 ○ Complete the report utilizing an Uniform Law Citation (ULC), unless additional charges or
77 circumstances necessitate the use of a written report.
 - 78 ○ Attach a copy of the original Letter of Trespass to the ULC or written report.
 - 79 ○ Provide the incident number to Detention Center personnel and enter the numbers onto the
80 ULC.
 - 81 ○ Stamp "In Custody" on the ULC or report and leave all copies with the Detention Center.
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84 **NOTE:** If the trespassing offense occurred at a business, the business is listed as the victim and the
85 person who signed the Letter of Trespass is listed as the Witness/Complainant. In all other cases, the
86 person who signed the Letter of Trespass is listed as the victim.

Chief of Police
Lansing Police Department
120 West Michigan Avenue
Lansing, MI 48933



Dear Chief of Police and City Attorney:

I, _____ (printed name), legal and/or lawful owner/occupant of the property located at _____, do hereby authorize, empower, and direct the Lansing Police Department to effect arrests and the Lansing City Attorney to issue criminal complaints and warrants for any and all persons found trespassing upon my property, except those persons as identified below:

This authorization is subject to the following hours and/or conditions stated below:

The people identified below are specifically not allowed on the property at any time:

I do hereby represent and state that I am the legal and/or lawful owner/occupant of the above stated property and that it is not a legally occupied private residence or an apartment building with seven (7) or fewer units. I understand that I may be requested to sign a complaint and swear to the truth of the matters asserted in the complaint and agree to do so upon request. Further, I understand that I may be subpoenaed to testify in a court of law regarding this authorization and any subsequent trespass upon the above stated property and agree to testify.

The address/boundaries of the property can be described as follows:

This authorization shall take effect on _____, 20____ (date) and shall continue in effect for a period of one (1) year. The Lansing Police Department will contact the authorizing party annually to renew this authorization.

Name of business/property: _____

Printed name of owner: _____

Owner's home address: _____

Owner's telephone: (day) _____

Name of person to be subpoenaed/contacted for criminal prosecution: _____

Address of person to be subpoenaed/contacted: _____

Signature of owner/lawful occupant: _____

DO NOT WRITE BELOW THIS LINE

Renewal Option Yes
 No

Renewal Date(s): _____
All future years: Yes No