



GLOUCESTER COUNTY SHERIFF'S OFFICE

Darrell W. Warren Jr.
Sheriff



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Trespassing Notice Procedures

(To be provided to citizens desiring to ban trespassers)

The following steps should be taken by property owners desiring to ban trespassers from their property. To ensure that the Sheriff's Office can effect an arrest and that the Commonwealth's Attorney can successfully prosecute, each step should be completed as specified.

- ▶ To ban a specific person from trespassing on your property use the attached Form Letter of Trespass Notice.
 - ✓ This form is a generic letter which covers all the basics needed to give proper trespassing notice. This form does not have to be used but is a good template and can be duplicated.
 - ✓ Ensure that it is signed by the property owner or their agents. Apartment tenants can only ban trespassing within their unit, not the apartment grounds. (Banishment from the grounds must be done by the owner of the apartment complex.)

- ▶ Mail the letter to the individual you wish to notify of the Trespass notice. If the individual's address can not be determined or if the certified mail was not delivered, you may request a deputy hand deliver the letter.
 - ✓ The letter must be sent by certified mail, return receipt requested.
 - ✓ Save your copy of the receipt showing post office delivery.
 - ✓ This receipt will be used in court proceedings.
 - ✓ A copy of the letter and the receipt should be provided to the Sheriff's Office.

- ▶ The Sheriff's Office will maintain a list of the individuals who have been notified about trespassing.

- ▶ Should a person you have notified returns to your property, you should direct them to leave.
 - ✓ If they fail to do so, you should call the Dispatch Center at 804-693-3890 and request to have a deputy respond.

- ▶ If the person leaves prior to the deputies' arrival, you may still seek to have the individual arrested and prosecuted.
 - ✓ To do so, you will be required to appear before a magistrate to obtain a warrant. The warrant will be served by the Sheriff's Office or sent to another jurisdiction for service if necessary.

- ▶ You will be required to appear in court on the day of trial to testify unless the action is taken by the deputy so authorized and you are deemed not essential.

- ▶ Notices will be valid for a period of twelve-months. Should you desire to keep the notice in effect, a new letter must be sent / delivered, receipt obtained, and copies provided to the Sheriff's Office in accordance with the above procedure.
- ▶ To authorize the Gloucester County Sheriff's Office to act as your agent to enforce trespassing laws from your property:
 - ✓ You must first establish your need to authorize the Sheriff's Office to act as your agent.
 - You own the affected property and reside outside of the state permanently or for extended periods of time.
 - The affected property is frequently violated and you as the owner / caretaker are not always available to ban violators. (i.e. Shopping Centers, Apartment complexes)
 - ✓ You must fill out and submit to the Sheriff's Office a notarized Gloucester County Sheriff's Office Trespass Arrest / Enforcement Authorization Form.
 - The form will remain valid for a period of one year.