

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

ISSUANCE OF PRIVATE PROPERTY TRESPASS BAN NOTICE

Reviewed By: Asst. Chief Ken Bays	Effective Date: February 21, 2018
Authorized by: Asst. Chief Ken Bays	Revision Date:

PURPOSE

The purpose of this SOP is to provide for means of formally issuing a written trespass warning at the request of private property owners, managers, or other authorized individuals. This policy will also ensure that all Private Property Trespass Warning Forms are consistent in appearance. This SOP will also address the procedure for written warning issuance, supervisor approval, communication center procedures, and arrest procedure. This SOP is not intended to preclude an arrest for trespass when probable cause exists separate of the listed procedures.

ISSUANCE PROCEDURE

Private Property Trespass Warnings may be given by a police officer to individual(s) who are being warned if they return to the given property they will be arrested for criminal trespass to property (720 ILCS 5/21-3). This warning will be given only at the request of the property owner, manager, or other authorized individual. Anytime a private property trespass warning is issued the officer will verify the person receiving the warning does not have any arrest warrants via LEADS.

1. Upon issuing a warning, the officer will memorialize this warning by documenting on the triplicate Bloomington Police Department Private Property Trespass Warning Form.
2. The person receiving the warning will be:
 - a. Read the form.
 - b. Given an opportunity to sign the form. If they refuse, the officer will note this on the form and in the police report (if applicable).
3. Both the person receiving the warning and the person requesting the warning will receive a copy of the completed Bloomington Police Department Trespass Warning Form, a third copy will be retained by the officer.

OFFICER SUBMITTING PROCEDURE

1. The officer issuing the warning is to submit the completed department copy of the form to the supervisor at the desk to be reviewed.

2. A supervisor will review the form and approve by writing their individual ID and initials on the form before submitting it to communications for CAD entry and filing.

COMMUNICATIONS PROCEDURE FOR TRESPASS WARNING FORMS

1. Upon receiving a completed Trespass Warning Form, the Telecommunicator tasked with reviewing the forms will verify a supervisor has initialed the form,
2. If form has not been approved by a supervisor it will be returned to the shift issuing the warning for a second review by a supervisor.
3. If initialed, the appropriate information will be recorded in the ban database and the warning form will be filed alphabetically by last name then first name.

OFFICER PROCEDURE IF A SUBJECT RETURNS OR IS PRESENT AFTER WARNING ON FILE IN COMMUNICATIONS

1. Confirm via radio the suspect is on file as having been previously warned
2. If available meet with private property owner, manager, or authorized individual and verify they are still prohibited from the premises. If unavailable, attempt to make contact via telephone and verify.
3. If unable to reach private property owner, manager, or individual:
 - a. Have subject leave the premise.
 - b. Collect sufficient information for follow up to effect an arrest after contact is made with owner, manager, or individual.
4. If verification is obtained, and probable cause exists, an arrest should be made and an appropriate report shall be written.