

# Help Police Protect Your Property!



1. Please complete the form online at [www.keizer.org/TLC](http://www.keizer.org/TLC).
2. If you need assistance with the form, please contact Keizer Police Records at (503) 390-3713 or Crime Analysis at (503) 856-3485.
3. Save this brochure. It contains helpful information regarding the trespass ordinance and your responsibilities as a participant in this program.



## Oregon Revised Code (ORS) 164.245 & 164.255

### 164.245 Criminal trespass in the second degree.

- (1) A person commits the crime of criminal trespass in the second degree if the person enters or remains unlawfully in a motor vehicle or in or upon premises.

### 164.255 Criminal trespass in the first degree.

- (1) A person commits the crime of criminal trespass in the first degree if the person:
  - (a) Enters or remains unlawfully in a dwelling;
  - (b) Having been denied future entry to a building pursuant to a merchant's notice of trespass, reenters the building during hours when the building is open to the public with the intent to commit theft therein;
  - (c) Enters or remains unlawfully upon railroad yards, tracks, bridges or rights of way; or
  - (d) Enters or remains unlawfully in or upon premises that have been determined to be not fit for use under ORS 453.855 to 453.912.
- (2) Subsection (1)(d) of this section does not apply to the owner of record of the premises if:
  - (a) The owner notifies the law enforcement agency having jurisdiction over the premises that the owner intends to enter the premises;
  - (b) The owner enters or remains on the premises for the purpose of inspecting or decontaminating the premises or lawfully removing items from the premises; and
  - (c) The owner has not been arrested for, charged with or convicted of a criminal offense that contributed to the determination that the premises are not fit for use.

### Definitions: As used for ORS 164.205 to 164.270

- (A) **"Open to the public"** means premises which by their physical nature, function, custom, usage, notice or lack thereof or other circumstances at the time would cause a reasonable person to believe that no permission to enter or remain is required.
- (B) **"Person in charge"** means a person, a representative or employee of the person who has lawful control of premises by ownership, tenancy, official position or other legal relationship. "Person in charge" includes, but is not limited to the person, or holder of a position, designated as the person or position-holder in charge by the Governor, board, commission or governing body of any political subdivision of this state.
- (C) **"Premises"** includes any building and any real property, whether privately or publicly owned.
- (D) **"Dwelling"** means a building which regularly or intermittently is occupied by a person lodging therein at night, whether or not a person is actually present.

KEIZER POLICE DEPARTMENT

# TRESPASS LETTER OF CONSENT



930 Chemawa Rd NE  
Keizer, OR 97303  
(503) 390-3713

*Special thanks to Albany Police Department*

# What is a Trespass Letter of Consent?

A Trespass Letter of Consent (TLC) is a document that allows a police officer to immediately act on your behalf and take enforcement action against a person trespassing on your property without having to first contact you.

Police officers do not normally have the authority to go onto private property and remove individuals or direct them to leave without the consent or authority of the person legally responsible for the property.

If an officer observes someone on posted private property or a problem is reported by someone who does not have the authority to sign a trespass complaint, the police department typically must contact the person who is legally responsible for the property before taking enforcement action. This is often a problem after normal business hours.

## What happens if police arrest someone based on my signed letter?

In some cases, officers are able to resolve trespass complaints without arresting the involved person; however, there are situations where the officer may arrest an offender. In those instances, you will be expected to be available for any resulting court action.

## What is the law regarding trespass?

Generally, a person commits the offense of Criminal Trespass if the person enters or remains where they're not lawfully allowed to.



## How do I put a letter on file?

If a Trespass Letter of Consent would be helpful to you, complete the form online at [www.keizer.org/TLC](http://www.keizer.org/TLC).

## What happens next?

Should an officer respond to your property, the TLC is available for officers to quickly determine if there is a current letter on file. The Officer can then take appropriate action.

## What happens if I change my mind or sell my property?

If the status of your property changes or the reporting party is different in any way, we ask that you notify us to terminate or amend the trespass letter.

## What if my property is a multi-dwelling complex?

A TLC is generally ineffective for multi-dwelling complexes because a resident may "invite" whomever they choose to visit them at their residence; however, landlords and property managers may regulate who may be on the common areas of the property.

## What else can I do?

It is customary to provide a verbal or posted warning. In addition to your consent letter, your property may be posted with "No Trespassing" signs. Signs may include the trespass authority under ORS 164.245 (property) or ORS 164.255 (building/dwelling).

## How can I minimize property damage and theft?

- Post "No Trespassing" signage
- Install motion-activated lighting
- Provide on-site supervision
- Maintain property with low or no brush/tall grass
- Install locks/gates/fences
- Join our Neighborhood Watch Program
- Repair damage and graffiti immediately
- ;`eS^h[VWd egdhV\*S UW `a[ agdE5D3? /EgdhV\*S UW5S\_ VdSDW[erdf[a` S` V? Sbb[ Yfi bdaYdS\_ ži i i žV[ Wad!SCRAM



## Do you have other questions?

Contact the Keizer Police Department Records Section at (503) 390-3713.

If you need assistance filling out the online form, please contact Crime Analysis at (503) 856-3485

