



ADDITIONAL INFORMATION REGARDING CPC 602

Why does the Laguna Beach Police Department use CPC 602?

A Trespass Letter of Authorization is a document you fill out and return to the Laguna Beach Police Department. This letter authorizes the Laguna Beach Police Department officers to enforce trespassing after hours in the absence of the property owner or agent. It is authorized by Penal Code § 602(o). Once completed and received by our staff, your Trespass Letter of Authorization will be kept on file at our station.

Your Trespass Letter of Authorization is valid for one calendar year (from the date of submission). By law, your letter must be updated every twelve months. It allows officers to arrest, remove, or advise any person present on the property without lawful business. This letter can be helpful and effective. However, the tool's effectiveness is limited by staffing and resources and the District Attorney's discretion on whether a criminal charge should be issued. Not every type of property can use this approach.

Properties that can file a Trespass Letter of Authorization include:

- Properties that are closed to the general public at all times. For example, undeveloped land and/or vacant commercial properties.
- Commercial properties closed during certain hours may file a Trespass Letter of Authorization limited to the hours when the business is closed.
- Vacant residential properties. This is a single-family residence (private home) only.

Properties that cannot file a Trespass Letter of Authorization include:

- Retail Stores (for enforcement during regular business hours, including 24-hour operations). When retail stores are open to the general public during regular business hours, all members of the public are considered to be allowed on the premises.
- Homeowners' Associations. A Homeowners Association (HOA) cannot file a trespass authorization request because any express or implied invitation to persons to come on the premises from either HOA tenants or co-owners eliminates any criminal intent of the trespassing party in this situation.
- Apartment Complexes. Police officers on regular patrol are not in a position to determine if persons on the property are residents or accompanied guests of residents.
- Condominium communities.
- Occupied single-family homes. Please call the non-emergency number (949) 497-0701 for trespassing issues.

Property owners and agents are responsible for renewing their Trespass Letter of Authorization annually and notifying the Laguna Beach Police Department if there are any updates or changes to their letter.



TRESPASS LETTER OF AUTHORIZATION

Business Name (if any): _____

Property Address: _____

Contact Person: _____ Phone: _____

Other Emergency Contact: _____ Phone: _____

Recently, I have experienced these problems at my property (mark all that apply):

Defecating Drinking Illegal Lodging Littering Urinating Vandalism Other _____

This activity affects me in the following way:

As OWNER / AGENT of the property located above, I request that officers of the Laguna Beach Police Department assist in dealing with trespassers at this location for the next twelve-month period beginning _____ and continuing through _____.

Any persons who are not tenants of this property, or who are not otherwise permitted upon this property for legitimate purposes, are trespassing and I authorize the arrest and prosecution of these violators.

I will support prosecution and will appear in court to testify if necessary.

Signature: _____ Date: _____

Please include your mailing address if it is different from the property location address:

Name: _____

Address: _____

City / State / Zip _____

Instructions:

FAX this letter back to (949) 497-0772 or scan and email it to trespas@lagunabeachcity.net.

You may also mail the form or take it into the Laguna Beach Police Department at the address shown below.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

Place Notary Seal Above