

Tips for Property Owners & Employees

When should you call the police?

Before there is a problem. When you decide to ask a person to leave, you should have someone else calling the police. If the person leaves while you are doing this, then you can cancel the police. It is best to get the police responding until you see if the person is going to comply. Please remember to cancel the police if the problem leaves. It is important to designate specific areas for employees. Visitors to your business need to know what areas are off limits. If there are store room doors in your business place a sign on the door/s stating "authorized personnel only" or "employees only". This then allows for persons to be trespassed from your business if they enter the off limit area. The sign should be placed at average eye level and clearly stated. If the business has a counter area for employees to go behind, place a sign on the counter stating "authorized personnel behind counter only".

Inside your business

Whether you own a retail store or a factory, at some point someone is going to be there, long after you think they should go. How do you make them leave? The answer is, you don't. Let us explain. While certain legally defined circumstances allow for the use of physical force to be used to remove someone from the property, it is best to avoid this if possible. Instead, the law requires that a reasonable request to leave be made. This is an excerpt from the law: Knowingly entering or remaining unlawfully on any real property after a reasonable request to leave by the owner or any other person having lawful control over such property. What does this mean? It means you or your employee can tell him to leave. If the suspect remains, then he/she is trespassing.

Outside of your business

Before trespassing becomes an issue for your business, it can be valuable to have an "authority to arrest" form on file. An "authority to arrest form" gives the police department permission to arrest people trespassing on your property when the business is closed ("no trespassing" signs must be posted). If the business is open an officer will have to make contact with someone to verify that the person is not a customer or otherwise allowed to be on the property. An authority to arrest form is completed by the property owner/agent and then submitted online or to the local police precinct in which the property is located. The files are then available for officers to utilize at their discretion. The form must contain the original signature of the owner/agent. This form needs to be updated every year or when the information contained has changed.

"No trespassing" signs should be placed around your business and are required with the "authority to arrest" forms. The "no trespassing" signs can be purchased through sign companies. The signs need to be placed at all reasonable entrances as well as sporadically throughout the property. They could be mounted on light poles, fences or on the buildings. They should be mounted at a height where they are visible but not so low that they can be easily removed or damaged or tampered with average eye level. More information on signage is included on our website at: <https://www.phoenix.gov/police/neighborhood-resources/criminal-trespass>