



ALBUQUERQUE POLICE DEPARTMENT
FIELD SERVICES BUREAU ORDERS

SOP 4-23

Effective: 01/14/16 Review Due: 01/14/17 Replaces: 05/20/15

4-23 TRESPASS NOTIFICATIONS

4-23-1 Rules and Procedures

A. Criminal Trespass Notification – Order Not to Return Form

1. The purpose of the Criminal Trespass Notification form is to give officers, businesses, and citizens more leverage in enforcing the crime of Criminal Trespass through formal documentation. This form is designed to be used at businesses (for shoplifting, disturbances, etc.) and residences, as a way to formally notify a subject that he/she has been denied consent to enter or remain on the property of another. This form is not designed for parking lot/cruiser problems.
2. If the owner, lessee, proprietor, or any other person in lawful possession of real property, lawfully denies consent for a subject to return on or about that property, an officer shall complete an offense/incident report utilizing the New Mexico Uniform Incident report.
3. The Criminal Trespass Notification - Order Not to Return form shall be completed by the officer. After obtaining the appropriate signatures (if subject refuses, write "Refused"), the officer shall disseminate the copies as follows:
 - a. Attach the original to the Offense/Incident Report.
 - b. The owner/lessee/business denying consent will keep a copy on file at the property.
 - c. The subject/offender being denied consent to return to the property shall be given a copy.
4. If an officer is responding to an alleged violation of Criminal Trespass, the officer shall:
 - a. Include in the Criminal Trespass Offense/Incident report narrative section, the incident number from the upper left-hand corner of the Criminal Trespass Notification form.
 - b. When subpoenaed into Court, obtain a copy of the original Criminal Trespass Notification from Records as evidence.