



Policy and Procedure

Number: 1914

Subject: Use of Nonconsent to Trespass Form		
Date Issued: 07-23-99	Effective Date: 02-03-11	Revision Number: 3

POLICY

The "Notice of Nonconsent to Trespass" form will permit the owners/renters of a specific property to inform the Racine Police Department of their desire to prohibit the presence of unwanted persons on property they own or rent. Storefront business owners may also utilize this tool. The owners/renters of property that desire to have this tool available to them, will be required to complete the form and have it approved by an officer of the Racine Police Department and submitted to Records before it will be considered valid. The creation and implementation of the Nonconsent to Trespass (NCT) static cling sticker is designed to enhance the officer's ability to immediately recognize which houses have valid NCT forms signed. The numbers 1-12 on the sticker will indicate to officers what month the Nonconsent is valid through.

PROCEDURE MEMBER:

1. Be aware of the "Nonconsent" forms for addresses within your area of assignment.
 - a. This information will be given to you as you are dispatched to calls for service for addresses that are flagged.
 - b. You will be given this information through the Roll Call Sergeants at Roll Call.
 - c. This information will be updated frequently by the Roll Call Sergeants on the Roll Call Room bulletin boards.
2. Use the existence of these forms to further your investigations into loitering, drug trafficking, and other violations of local ordinance and state statute.
3. When dispatched to calls for service where addresses are flagged for Nonconsent to Trespass forms, prior to taking enforcement action, ensure that Communications personnel verify that the form is still active.
4. Ensure that the "Notice of Nonconsent to Trespass" complaint number is cross-referenced in the new call for service complaint.
5. When assigned by Communications or asked by a citizen to assist in the completion of a "Notice of Nonconsent to Trespass" form:
 - a. Review the Nonconsent Form (PP100) for **completeness, legibility, and accuracy**.
 - b. Verify the citizen's standing for the complaint by examining personal identification, as well as the documentation presented that establishes ownership or the leasing of the specific property concerned.
 - 1) Acceptable documentation of proof includes a proper photo ID **and** one of the following:
 - a) Current property tax statement, or
 - b) The current lease agreement
 - 2) Enter the forms of identification and documentation on the Nonconsent Form (PP100).
 - 3) If the property is a multi-family property, each lawful tenant must complete a form (complaint numbers will be the same on each form). If all lawful tenants do not complete a form, then the approved applications must state the specific areas under which persons can be prohibited or permitted (i.e. the west porch area of the two family, or the rear yard that is controlled by the applicant).
 - 4) **Landlords shall not** complete a form unless the property is vacant. If the property is rented, only the tenant (as evidenced by the lease agreement) can complete a form.
 - c. Obtain a complaint number from Communications for the form and add it to the PP100.
 - d. Sign off on the form.
 - e. Provide the "white" copy of the form to the citizen, advising the citizen of the six month rule.

- f. Advise the citizen about the NCT static cling sticker and encourage them to place it on a front window. The use of the sticker is voluntary but highly recommended.
- g. If the citizen approves the use of the sticker, place the sticker with the appropriate month of expiration number on a window that is clearly visible from the street/or sidewalk. The number on the sticker correlates with the month the Nonconsent expires. Example: If the Nonconsent form is signed in May, six months from May would be November. A sticker with the number 11 would be issued. The number will indicate to officers that enforcement action can be taken through the end of November.
- h. Forward the yellow copy of the notice to your supervisor for review like any other paperwork generated on a call for service.
- i. If an officer responds to a home to renew a Nonconsent form and the home currently has an expired sticker, the officer shall remove the expired sticker and replace the sticker with a valid one. If the sticker is in good condition, the officer can keep the sticker for future reuse, or place it back where the stickers are stored for other officers to use.
- j. Officers shall indicate on NCT form whether a sticker was issued or not.

SUPERVISOR:

1. Upon receipt of a completed "Notice of Nonconsent to Trespass" form:
2. Review the paperwork to ensure the notice is applicable to the address in question and the person applying for the notice has the appropriate authority or control over the property.
3. Approve the paperwork and forward to Records for processing and filing.

**ROLL CALL
SERGEANTS:**

As they are provided, ensure new Notice of Nonconsent to Trespass addresses are mentioned at Roll Call presentations.

CRIME ANALYSIS:

Ensure the listing of Nonconsent to Trespass locations on the Roll Call Room Bulletin boards are never more than one week old.

RECORDS:

1. Photocopy the yellow copy of the Nonconsent notice and forward it to the Support Services Division – Public Safety Systems Administrator.
2. Place the yellow copy into the complaint number file for storage.

**SUPPORT
SERVICES DIVISION
– PUBLIC SAFETY
SYSTEMS
ADMINISTRATOR:**

1. Enter the data from the photocopied Notice of Nonconsent to Trespass form (PP100) into Phoenix.
2. Check Phoenix monthly to ensure that each "FLAG" was documented. (A MLIST can be printed with all the current "FLAGS" documented in Phoenix. Records also keeps a copy of the Use of Nonconsent to Trespass Form.)

**COMMUNICATIONS
UNIT – CALL
TAKER:**

Upon entering a call for service into Phoenix and noting the flag present for a valid Nonconsent to Trespass form, place a comment into the call for service "Comments" section indicating the flag.

**COMMUNICATIONS
UNIT –
DISPATCHER:**

Ensure that the officer(s) dispatched to the call for service is made aware of the flag at the time of dispatch.

NOTES:

- Nonconsent forms for dwellings are valid for approximately six months. This will be calculated by the following standards. Example: If an officer gets a Nonconsent form signed on May 15th, the officer will calculate six months from the date and round out to the end of the month. Therefore Nonconsent is valid through November 30th.
- Nonconsent forms for storefront businesses are valid for the same six month period and shall be handled in the same manner as private dwellings.

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