



CRIMINAL TRESPASS POLICY

HOUSING AUTHORITIES OF GUIN, HACKLEBURG, BEAR CREEK & WINFIELD

The Housing Authorities of Guin, Hackleburg, Bear Creek & Winfield hereinafter referred to as the "Authority," is aware of the problem its residents and Authority face with the unwanted presence of persons on, in or about the property of the Authority. Recognizing the seriousness of illegal drug activity as well as other criminal activity, the Authority adopts the following policy in an effort to enhance the safety, health, and well-being of its residents and its property. The goal of the following policy is to reduce criminal activity involving drugs and other activity which threatens the peace and tranquility desired for public housing and its residents. The following policy is to be implemented and carried out under the laws of the State of Alabama and the municipality.

- A. The Authority shall cause a verbal or written warning to be issued to any non-resident who either has no legal right to be on the property of the Authority, or is not an invited guest of a resident. Said warning shall state that such persons shall not come on any property belonging to the Authority for the time periods described below under penalty of being prosecuted for criminal trespass under law. Such warning shall be given to non-residents who:
1. Loiter, engage in or has had a verbal or physical confrontation with law enforcement personnel, residents, guests, or Authority personnel on the property of the Authority, in which no criminal activity occurred; Applicable time period – Six (6) months;
 2. Engage in criminal activity on housing authority property which is non-violent in nature, and which causes no physical injury to another person; Applicable time period – One (1) year;
 3. Engage in criminal activity on housing authority property in which a deadly weapon was used or threatened to be used, or which activity resulted in physical injury to any person; Applicable time period – Three (3) years;
Any person who has been involved in or suspected of being involved in drug related activity on the property of the Authority; Applicable time period - Three (3) years.
 4. Engages in or has engaged in, violent activity on or off of Authority property that during the course of investigation shows the person, listed with National Crime Information Center, SJIS, or ACJIC, as a possible dangerous person. Thus a risk to the peaceful and safe environment of the residents, lawful guests, and staff of the authority; Applicable time period – during the period of the listing and one (1) year after removal from designation.
 5. Have been involved in any criminal or other activity that occurred on the property of the Authority which interferes with the quiet and peaceful enjoyment of the residents. Applicable time period – Six (6) months to three (3) years, depending upon the circumstances and guidelines above.
 6. Damage the property of the Authority; Applicable time period – One (1) year.

7. Any individual who is subject to a lifetime registration requirement under a state sex offender registration program; Applicable time period - Lifetime.
- B. The warning shall be issued to such person or persons by a designated employee(s) of the Authority. A copy of the warning as issued shall be filed with the Executive Director of the Authority or other appropriate officials of the Authority.
- C. Any person who has received a warning to leave the property under the provisions of this policy and who returns to the Authority property before the trespass has been officially lifted in writing, shall be subject to arrest for criminal trespass as provided for in Section 13A-7-1(4), Code of Alabama, 1975, and under the laws of the municipality.
- D. Any person who after receiving a trespass warning returns to the property of the housing authority and who is found to be on said premises shall have the times enumerated herein extended to a term up to twice the original term or expiration of the notice issued by the housing authority.
- E. A copy of the notice, picture, and related documents shall be maintained by the Housing Authority. The names of persons receiving the trespass notice shall be supplied to the local law enforcement agencies for use in their official capacities.
- F. The date of expiration of the notice shall be written on the form. Should the person being served the notice desire to discuss the reasons or circumstances surrounding the notice and the trespass procedure with the director or designated person, application shall be made by the person in writing, and the director or designated person shall schedule a meeting with the person. The Housing Authority shall notify the person in writing of the date and time of the meeting, and the person shall use this notice as permission to be on housing property on said date and time for the meeting. After discussion, the Housing Authority shall have the authority to continue the notice, shorten the notice, or make such decisions relating to the circumstances which shall be equitable, when considering all of the factors involved. No change in the term of the notice shall be made without adequate reason, properly notated, and signed by the parties involved. Any changes shall be given to the local law enforcement agencies.
- G. During the term of the trespass notice, the Housing Authority shall have the authority, under special circumstances and pursuant to the written application of the person as described above, to give written special permission for the person to be on Housing Authority property at a particular time and for a particular purpose. Said permission shall only apply for the specific purposes and for the specific times in the letter. Said special permission shall not constitute a waiver of the provisions of the original notice, except for the specific terms and conditions of the special permission letter in this paragraph. Said letter shall be in the possession of the person while he/she is on Housing Authority property, and shall be produced upon demand by an employee or law enforcement officer. If the person fails to produce said letter, he/she shall be deemed to be in violation of the original trespass notice.

Housing Authorities of Guin, Hackleburg, Bear Creek & Winfield

Special Permission To Visit

Date Issued: _____

This is to advise that:

_____, who has previously been issued a written notice of trespassing by this Housing Authority, has permission to visit:

| | | | |
|---|--------|--------------|--|
| Name of Resident or Place to Visit | | Relationship | |
| Address to Visit | | | |
| Reason for Visit | | | |
| Date/s of Visit/s | Start: | End: | |
| Time/s | From: | To: | |
| Expires | | | |

**** IMPORTANT ****

This Document gives _____ permission to be at the above location on the time/s and date/s indicated for the reason/s stated. Travel to and from the indicated location must be by the most direct route. This does not give permission for the above named person to be on or in any other HA owned apartment, building, or grounds.

THIS DOCUMENT MUST BE IN THE POSSESSION OF THE ABOVE NAMED PERSON WHEN ON _____ HOUSING AUTHORITY PROPERTY!

This Special Visit Permission expires on:

Expires

PHA Official

**Written Notice of Trespassing
Housing Authorities of Guin, Hackleburg, Bear Creek & Winfield**

| | |
|------------------|-----------------|
| Date: | Time: |
| Location: | |
| Name: | Address: |
| DOB: | SSN: |

NOTICE

BE INFORMED THAT YOU ARE TRESPASSING ON PROPERTY OWNED BY THE HOUSING AUTHORITY OF THE CITY OF _____ AND UPON WHICH YOU HAVE NO LEGAL RIGHT TO ENTER OR REMAIN.

Comments: _____

YOU ARE HEREBY ORDERED TO LEAVE AND VACATE THIS PROPERTY AT ONCE, AND YOU ARE FURTHER ORDERED TO REMAIN OFF OF THIS PROPERTY, AND THE HOUSING AUTHORITY PROPERTIES LOCATED AT:

| | | |
|--|--|--|
| | | |
| | | |
| | | |

AND ANY AND ALL OTHER PROPERTIES OWNED BY THE HOUSING AUTHORITY OF _____, ALABAMA. **IF YOU RETURN TO THE AFOREMENTIONED PROPERTY, YOU WILL BE ARRESTED FOR VIOLATION OF THE TRESPASS LAWS OF THE STATE OF ALABAMA AND CITY OF _____.**

UNDER ALABAMA CRIMINAL STATUTE, 13A-7-4, CRIMINAL TRESPASS, THIRD DEGREE IS A VIOLATION, PUNISHABLE UPON CONVICTION BY IMPRISONMENT IN THE CITY OR COUNTY JAIL, NOT TO EXCEED 30 DAYS AND/OR A FINE OF UP TO \$200.00.

_____ | By: _____

This notice expires on: _____

Proof of Service

| | |
|----------------|---------|
| Issuing Person | Witness |
|----------------|---------|

Date _____ Time _____

Notice To Trespasser

Instructions for revocation of the trespass are provided below. If you desire to discuss the reasons or circumstances surrounding the notice and the trespass procedure with the director or designated person, application shall be made in writing, and the director, or a designated person, shall schedule a meeting with you. The Housing Authority will notify you in writing of the date and time of the meeting, and you will use this notice as permission to be on housing property on said date and time for the meeting. After discussion, the Housing Authority shall have the authority to continue the notice, shorten the notice, or make such decisions relating to the circumstances which shall be equitable, when considering all of the factors involved. No change in the term of the notice shall be made without adequate reason, properly annotated, and signed by the parties involved. Any changes shall be given to local law enforcement agencies.

During the term of the trespass notice, the Housing Authority shall have the authority, under special circumstances and pursuant to written application of the person as described above, to give special permission for the person to be on Housing Authority property at a particular time and for a particular purpose. Said permission shall only apply for the specific purposes and for the specific time in the letter. Said special permission shall not constitute a waiver of the provisions of the original notice, except for the specific terms and conditions of the special permission letter in this paragraph. Said letter shall be in the possession of the person while he/she is on Housing Authority property, and shall be produced upon demand by an employee or law enforcement officer. If the person fails to produce said letter, he/she shall be deemed in violation of the original trespass notice.

Trespass notices may be lifted by the following procedure:

1. Trespasser must make written request to the Housing Authority to have such notice lifted. Written request must be accompanied by a signed and currently dated release of information statement specifically allowing the Housing Authority to check police records. Request must at a minimum state your:
 - full name
 - social security number
 - date of birth
 - date no trespass notice was issued
 - reason no trespass was issued
 - why you are requesting permission to be back on the property
2. The Housing Authority will consider the circumstances surrounding each case on an individual basis, but in no case shall a trespasser receive consideration in less than:
 - a. One year (1) for any arrest on Housing Authority property not involving drugs, deadly weapons or violent criminal activity, or;
 - b. Three years (3) for the involvement or suspicion of involvement in drug activity or violent crimes or crimes involving deadly weapons,

From the date the No Trespass Notice is issued.