

Presentation
6.12.19
Included: GR

Trespass Issues and Answers

Gordon Redshaw, Chairman, Security Committee

On 5/8/19 Gordon Redshaw and Dan Losey from the Colonial Pointe Security Committee met with Captain Herckerick and Sergeant Brandich of the LCSO (Lee County Sherriff's Office) at the Pine Ridge sub-station.

The purpose of the meeting was to discuss trespass issues and determine the Community and/or Owner's response.

The LCSO advised the following procedure in the case of an unknown or suspicious person(s) in Colonial Pointe:

1. **DO NOT APPROACH THE PERSON(S)**
2. **CALL THE LEE COUNTY SHERRIF'S OFFICE AT 1-239-477-1234**
3. **REQUEST A DEPUTY ASAP AND ASK THE DISPATCHER FOR THE INCIDENT REPORT NUMBER**
4. **BE READY TO MEET THE DEPUTY WHEN THEY ARRIVE**
5. **IF IT IS AN EMERGENCY CALL 911**

Captain Herckerick explained there are two sets of circumstances involved in our community. This is a summary of the LCSO's requirements to cite for trespass:

TRESPASS ON PRIVATE PROPERTY

The owner, a LCSO officer and the violator must be present to witness the trespass. The LCSO officer must witness the violator on the property.

TRESPASS ON COMMUNITY PROPERTY

A Board Member, a LCSO officer and the violator must be present to witness the trespass. The LCSO officer must witness the violator on the property.

Captain Herckerick and Sergeant Brandich further explained that the actual charges that a violator may face depend on:

- a) Time of Day
- b) The violator's actions and behavior
- c) If the violator is known or unknown in the community
- d) If a vehicle is used to enter the association property

Given the circumstances based on the above factors the violation can be elevated from "Trespass" to "Loitering and Prowling" or beyond.

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more serious