

Letter of Agency (Trespass Arrest Authorization)

Instructions for Port Tenants

The Letter of Agency (Trespass Arrest Authorization) allows an authorized property owner, owner's agent, or person in lawful possession of qualifying property to request assistance from the Port of San Diego Harbor Police Department with enforcement of applicable trespassing laws.

Please complete the following steps:

Step 1: Complete the Letter of Agency

Download and complete the Letter of Agency (Trespass Arrest Authorization) form (included on page 4 & 5 of this PDF).

Please:

- Complete all applicable fields.
- Identify yourself as the Owner, Owner's Agent, or Person in Lawful Possession of the Property.
- Provide the complete business/property address.
- Describe the trespassing or other problems that have occurred at the property.
- Provide an on-site contact name and telephone number.
- Indicate whether the property is closed to the public and posted with "NO TRESPASSING" signage.
- Review the authorization and release provisions carefully before signing.

Important: This authorization applies only to property that meets the applicable legal requirements for a peace officer assistance request, including property that is closed to the public and appropriately posted.

California Penal Code section 602(o) permits a single request for a peace officer's assistance, made in a notarized writing on a form provided by the law enforcement agency, for a period not to exceed 12 months when the premises or property is closed to the public and posted as being closed. The requestor must notify the law enforcement agency in writing if assistance is no longer desired before the authorization expires. The request also expires upon a transfer of ownership of the property or a change in the person in lawful possession.

Step 2: Have the Form Notarized

In accordance with applicable California law, have the completed Letter of Agency notarized by a California Notary Public.

Do not submit the form until the required signatures and notarial acknowledgment have been completed.

Step 3: Submit the Form

Email the completed and notarized Letter of Agency to: investigations@portofsandiego.org

Please retain a copy of the completed form for your records.

Important Information

- The authorization is valid for a maximum of 12 months from the applicable date stated on the form.
- A new Letter of Agency must be completed and notarized if continued authorization is needed after the expiration date.
- The requestor must notify the Port of San Diego Harbor Police Department in writing if the assistance is no longer desired.
- The authorization expires upon a transfer of ownership or a change in the person in lawful possession of the property.
- Submission of a Letter of Agency does not guarantee that an arrest or other enforcement action will occur. Port of San Diego Harbor Police officers will determine the appropriate response based on the circumstances, applicable law, and department policies.



3380 North Harbor Drive, San Diego, CA 92101
619.686.6570 / portofsandiego.org/harborpolice

- The property owner, owner's agent, or person in lawful possession remains responsible for ensuring that required **“NO TRESPASSING”** signage is properly posted and maintained.

For questions regarding the Letter of Agency or the submission process, please contact the Port of San Diego Harbor Police Department at investigations@portofsandiego.org.



Letter of Agency

(Trespass Arrest Authorization)

Start Date:

Expiration Date:

Last Name:

First Name:

M.I.

I am the: ☐ Owner

☐ Owner's Agent

☐ Person in lawful possession of the property

Business/Property address:

Recently, I have experienced problems at my property (Please explain):

Property type:

On-site contact (Name & Phone):

I certify that the property located above is (Select applicable sections):

☐ Closed to the public

☐ Closed to the public, and posted as, "NO TRESPASSING" (602 PC)

I authorize the Port of San Diego Harbor Police (SDHP) to ask unauthorized persons to leave the property. If they refuse to do so, or return thereafter, I authorize the SDHP to act as my agent for the purposes of enforcing applicable law violations on the property. Unauthorized persons are not allowed to loiter, lodge, use electrical outlets/WiFi, or use any of the facilities within the confines of the property. My agent or I will cooperate in the prosecution for these offenses. I understand this letter is valid for a maximum period of TWELVE MONTHS and it is my responsibility to renew the letter, at that time, if the need exists.

Signature/Print name: _____ Date: _____



TRESPASS ARREST AUTHORIZATION

I hereby release and hold harmless the Port of San Diego and the Port of San Diego Harbor Police, its officers, agents, and employees from any and all claims, demands, causes of action or obligations whatsoever arising out of or relating to entry on my property for the purpose of enforcing local, State or Federal laws.

In addition, my agent or I will cooperate fully in the prosecution of anyone who is arrested for a violation of any local or state law, including trespassing and vandalism. A photocopy of this release is to be considered as valid as an original. This release will expire one (1) year after the date signed.

Applicant Signature: _____ Date: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO or _____

On _____ before me, _____, Notary Public, personally appeared, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary