



POLICE STUDIES

Interior Patrol



INTERIOR PATROL

When conducting an interior patrol of New York City Housing Authority (NYCHA) facilities and buildings enrolled in the Trespass Affidavit Program (TAP), it is important that all members of the Department understand the legal boundaries that accompany their role. Understanding these legal boundaries and conducting all interactions in a courteous, professional and respectful manner, are critical parts of building a positive relationship with residents.

While conducting an interior patrol, it is important to remember that these interactions are taking place in the common areas of residents' homes. Do not fall into the trap of considering all interactions to be with the criminal element. This is especially true when officers approach persons to determine their justification for being in a NYCHA or TAP building. Most of the people you will encounter in these buildings will be law-abiding residents and their guests who want to live in or visit an orderly, crime-free environment and should not be subject to accusatory questions in their own homes or the homes of their friends and family unless an officer has an articulable reason for believing that criminal activity is afoot. Positive interactions can create allies and negative interactions can lead to a permanent distrust of police.

Use professional language. Make sure your tone of voice is appropriate for the situation. Remember that by de-escalating a situation, you help yourself stay in control of the interaction. When in doubt, remember what is written on every police vehicle: courtesy, professionalism, respect.

Interior Patrol of Housing Authority Buildings (P.G. 212-60)

If you are assigned to a housing location, your duties will include frequent inspection and patrol of all NYCHA facilities and "interior patrol" of all residential buildings in the complex to which you are assigned.

Interior patrols are designed to assist the Housing Authority in enforcing its rules, limiting criminal activity, providing a safe and secure environment and ensuring the habitability of its residential buildings for Housing Authority residents and their guests.

Prior to conducting interior patrols in Housing Authority locations where VIPER units are established, whenever practical, uniformed members of the service should notify VIPER unit personnel by radio that they are conducting an interior patrol at the location. VIPER unit personnel should advise the UMOS of any known conditions that would call for their attention, or might significantly affect their safety, and should provide appropriate information and assistance to the UMOS during the interior patrol. If VIPER unit personnel cannot be contacted prior to the interior patrol, or if a significant delay would result from waiting for VIPER unit personnel to provide information about the



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building, UMOs may conduct the interior patrol without waiting for a response from the VIPER unit.

While conducting an interior patrol of Housing Authority buildings, you should be alert for persons who may be violating Housing Authority rules and regulations, including potentially unauthorized persons within NYCHA property. Observation of a violation of any Housing Authority rule provides an officer with at least an objective credible reason to approach the person. Upon encountering persons who are violating Housing Authority rules, take appropriate police action pursuant to P.G. 207-29 ("Field Reports") unless there is a basis for criminal enforcement. You may not conduct a Level 3 stop pursuant to P.G. 212-11 ("Investigative Encounters") or arrest any person for a violation of Housing Authority rules, unless the rule violation is also a criminal offense.

Restricted areas are limited to those areas specifically designated as restricted by Housing Authority rules and regulations. If there are no conspicuously posted rules, do not arrest a person for trespassing in a restricted area of a building unless you have probable cause (for example, you have previously warned this person that he or she is not allowed to be in this area). In the absence of such rules, you should instruct the person to leave and prepare a Field Report so long as there is no other basis to arrest. Any person may be arrested for trespassing in a restricted area if he or she refuses to leave after instructed.

Interior Patrol of Private Buildings Enrolled in TAP (P.G. 212-59)

Patrolling multiple dwelling private buildings for criminal activity, including trespassing under the Trespass Affidavit Program is a valuable problem-solving tool, as well as an important component of the Department's crime control strategy. Authorization for interior patrols of buildings that are **not** owned by the New York City Housing Authority is obtained through the Department's Trespass Affidavit Program.

To conduct interior patrol in a residential multiple dwelling private building in the Department's Trespass Affidavit Program, platoon commanders or supervisors should ensure that a **Trespass Crimes – Owner's Affidavit (PD651-051)** or New York County District Attorney's Supporting Affidavit has been signed for the scheduled location within the last six months. Uniformed members of the service will be assigned in teams of two to locations at designated times and will be coordinating their activities with other assigned uniformed members. The number of uniformed members assigned to conduct a particular interior patrol will be based on the size of the building, the number and location of exits, and the nature of the crimes being addressed at that location. Absent exigent circumstances, teams of two or more uniformed members must remain together at all times.

Interior Patrols of NYCHA and TAP Buildings



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Interior patrols can be **directed** (i.e., a search for a suspected criminal, missing person) or **random** (routine patrol). During an interior patrol, a thorough inspection of the entire building is conducted. This includes an inspection of the lobby, roof landing, roof top, basement, hallways, stairwells and elevators.

An interior patrol is the tactically planned patrol of the interior hallways, stairways, lobbies, basements, rooftops, and other common areas of selected multiple occupancy buildings to prevent, detect and take necessary enforcement action regarding illegal activity occurring in public areas of these buildings.

Before entering the building, you must notify communications of the location that you are about to inspect utilizing radio code 10-75I and make an Activity Log entry of the time and street address upon entering the building. This will ensure that any responding officers know your location and will also ensure that you know the address of the location you are about to enter. There have been many times when police officers have attempted to call for assistance only to realize that they do not know where they are.

Inspect front, rear and other exterior doors, intercom systems and the interior of the lobby. Document in your Activity Log whether "No Trespassing" signs are legible and prominently displayed in areas where persons entering the building can readily see them. If such signs are present, identify their specific location (e.g., vestibule entrance, vestibule, above the elevator, courtyard, roof, etc.). The absence of a sign does not preclude effecting a trespass arrest except possibly for an arrest based on an individual's presence in a restricted area of a Housing Authority building. Proceed to the top floor of building by elevator, if operable, otherwise by using stairs. Use staircase to gain access to the roof of the building. Conduct inspection of roof landing, roof, elevator rooms, alarms and any other installations. Ascertain if "Restricted Roof Access" signs and "Restricted Roof Landing Access" signs are posted and legible. Patrol each floor, staircase and hallway within the building from the top floor to the ground floor. Officers should also inspect all accessible basement areas.

Patrol officers must be alert to any persons or loose dogs on the roof; utilize your flashlight when patrolling at night. You should be equally cautious when patrolling the stairwells and hallways. Lower the volume on your radio and secure any loose keys or anything that could identify you, by sound, as a police officer when descending the stairwell. Persons engaged in criminal activity, alerted to your presence through sound, would have time to escape or devise a plan for a possible ambush. When confronting a suspect in a building, be sure to move the suspect to a safe location before conducting an investigation. Be aware, however, that residents and guests may regularly use the stairwell, especially when elevators are not functioning. Your actions should be guided by the facts and circumstances of each interior patrol.



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While conducting an interior patrol, you should be alert for persons who may be engaged in criminal activity (including potential trespassers) based on observed behavior and other credible information. As you approach a person you should be utilizing one of the levels of suspicion appropriate to the encounter. Remember as per case law (*People v. DeBour*, 40 NY2d 210 [1976]; *People v. Hollman*, 79 NY2d 181 [1992]); a police officer is permitted to approach a person to ask non-accusatory questions, provided that the officer has an objective credible reason for the inquiry. Such police questioning is permitted even in the absence of any criminal activity, however, there must be some objective credible rationale for the intrusion (*People v. DeBour*, *supra*; *People v. Hopkins*, 163 AD2d 416 [2d Dept. 1990]).

Mere presence near, entry into or exit out of a NYCHA or TAP building, without more, is not sufficient to establish reasonable suspicion for a stop on suspicion of trespass nor is it an objective credible reason to approach and question any person. However, if, for example, a person remains in a lobby, stairwell, hallway or other common area for an unreasonable period of time in light of the intended purpose of the area, this is no longer “mere presence” and you would have an objective credible reason to approach the individual and conduct a Level 1 inquiry (Request for Information). Activities consistent with the intended purpose of such locations include standing and talking for a reasonable period of time, waiting for food deliveries, visitors, and transportation, meeting and greeting neighbors and friends, picking up and dropping off children, checking mailboxes, and any similar activity that occurs in the ordinary course of entrance, exit and movement within the building. Such activities do not give you an objective credible reason to approach.

Trespass Investigations

Be alert for persons who may be engaged in Criminal Trespass. If an officer has an objective credible reason to approach such an individual near or inside of a NYCHA or TAP building (in other words, more than mere presence or entry or exit), based on observed behavior or other credible information, the officer may approach the person(s) and ask the person in a non-threatening and non-accusatory manner:

- If he or she lives in the building
- If he or she is visiting someone in the building
- If he or she has business in the building

As long as the questions would not cause a reasonable person to believe that he or she is suspected of some wrongdoing.

If, based on the answers to the questions in an initial encounter and/or observed behavior, there is a founded suspicion of trespass, an officer may take reasonable measures to verify a person’s authority to be present in the building. Such measures include inspecting and returning identification, requesting a key to the building or



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apartment, requesting the apartment number where the person resides and/or requesting the name or apartment number of the person being visited. The person questioned is not required to answer any question or comply with your requests, and his or her refusal cannot raise the level of suspicion.

An individual who has been approached (in a Level 1 or Level 2 encounter) should not be detained, and may refuse to answer questions, answer only some questions, and is free to leave the building, unless there is reasonable suspicion to believe that the person has committed, is committing, or is about to commit a felony or Penal Law misdemeanor. A person's decision to leave the building, remain silent or refuse to provide information or identification when questioned by the police does not support reasonable suspicion to stop or probable cause to arrest. Remember, a Level 3 stop occurs whenever a reasonable person would not feel free to disregard the officer and walk away.

If you don't have a reasonable suspicion that a person is engaged in criminal activity, questions should be asked in a manner so that a reasonable person would believe that they are free to leave. Police officers can be intimidating to many individuals, and the manner of your questioning may cause a reasonable person to feel like he or she cannot terminate the encounter and walk away. Examples include the use of language or tone indicating that compliance is required, displaying a weapon, obstructing a person's path, or holding onto identification. In such circumstances, you need reasonable suspicion of criminal activity.

Remember, the burden of proving that an individual does not have authority to be in the building rests on the Police. The individual is not required to answer questions, not even about his or her authority to be in the building.

If you suspect the person does not have authority to be in the building, but the person cannot or refuses to explain his or her presence in the building, and you are unable to verify the person's authority to be in the building, you may instruct that person that he or she must leave the building, and that refusal may result in arrest for Criminal Trespass.

However, you may only arrest the person if there is probable cause to believe that the person committed a trespass. A reasonable investigation is ordinarily necessary to determine whether probable cause exists. A person's refusal or inability to produce information does not elevate the level of the encounter.

If the person leaves, prepare a Field Report (if NYCHA) and make an Activity Log entry.

Be mindful that people can be alarmed or intimidated when a police officer questions them in their homes, especially when an officer goes to their apartment. Thus,



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when verifying a person's authority to be in the building, take reasonable measures to avoid such alarm or intimidation by first using the intercom system to contact the resident or permitting the stopped person to call the resident by phone.

Level 3 Stop

Under the Fourth Amendment to the United States Constitution, a person is stopped (temporarily detained in a Level 3 encounter) if under the circumstances, a reasonable person would not feel free to disregard the police and walk away. A Level 3 stop may only be conducted when an officer has *individualized, reasonable suspicion that the subject is committing, has committed, or is about to commit a crime*. In New York State, this means a felony or a misdemeanor in the Penal Law. (CPL § 140.50(1)).

A uniformed member of the service may not stop a person on suspicion of trespass unless the uniformed member reasonably suspects that the person was in or is in the building without authorization. ***Mere presence near, entry into, or exit out of a NYCHA building or a building enrolled in the Trespass Affidavit Program, without more, is not sufficient to establish reasonable suspicion for a stop on suspicion of trespass.*** Some factors that may contribute to "reasonable suspicion" that a person is trespassing, in addition to those factors set forth in P.G. 212-11, are contradictory assertions made to justify presence in the building or assertions lacking credibility made to justify presence in the building. However, be mindful that people can make honest mistakes and may reasonably not know certain information, such as the resident's last name or the resident's specific apartment number.

If you have reasonable suspicion that the person is trespassing, you may stop that person and take additional measures to conduct further investigation, such as temporarily detaining the person while another uniformed member visits the building resident whom the person claims to be visiting or requiring the person to accompany you to the apartment that person claims to be visiting.

In order to conduct a frisk, a police officer must *reasonably suspect that the person stopped is armed and dangerous*. A frisk is a protective measure for the safety of the officer and may not be used as a subterfuge for the discovery of evidence of a crime, such as drugs. A frisk is a carefully limited running of the hands or pat-down over the *outside* of a person's clothing, feeling for a weapon which might be used to harm the officer or others nearby. The frisk must be strictly limited to that which is necessary to uncover weapons.

If a Level 3 stop is made, the officer should take appropriate actions as per P.G. 212-11, "Investigative Encounters." Ensure that a **Stop Report (PD383-151)** is prepared and an **Activity Log** entry is made documenting the encounter.

Arrest



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If probable cause develops that a person has committed or is committing an offense, an arrest may be effected, as per P.G. 208-01 “Law of Arrest.” A reasonable investigation is ordinarily necessary to determine whether probable cause exists.

When a trespass arrest is made in or around a TAP or NYCHA building, you must prepare a **Trespass Crimes - Fact Sheet (PD351- 144)** and document the arrest in your **Activity Log**. You must describe the factors that led you to approach and question the individual. Your description should be detailed and contain facts that were important to establishing probable cause. If the arrest arose from a Level 3 stop, you must also prepare a **Stop Report**. Copies of the **Trespass Crimes – Fact Sheet (PD351-144)** and **Trespass Crimes – Owner’s Affidavit (PD651-051)** or New York County District Attorney’s supporting affidavit, as appropriate for the building, must be included in the arrest package.

The **Trespass Crimes – Owner’s Affidavit (PD651-051)**, will be utilized for Department Trespass Affidavit Program buildings in the Bronx, Brooklyn, Staten Island and Queens. The New York County District Attorney’s Office manages a Trespass Affidavit Program in Manhattan and utilizes its own supporting affidavits. The **Trespass Crimes – Fact Sheet (PD351-144)** will be prepared in every instance, including Manhattan for a trespass arrest in or around a building participating in a Trespass Affidavit Program or a trespass arrest in any NYCHA building.

Even if there is probable cause to arrest a person for trespassing, officers may exercise their discretion to refrain from arresting that person, and instead instruct that person to leave, under appropriate circumstances.

Completing Interior Patrol

Officers should notify the Communications Section Dispatcher upon exiting the building and make an Activity Log entry indicating the time the building inspection was completed and any conditions noted.

Some examples of your legal authority during an interior patrol are illustrated below:

Situation A:

During an interior patrol of a NYCHA building, an officer notices someone standing near the elevators. The officer has been assigned to this development fairly regularly over the past several months and has gotten to know many of the residents of the building. The officer has never seen this person before. When requested, the person voluntarily shows valid identification establishing a right to be in the building. An *Activity Log* entry



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was made and no further action is required. Neither a *Field Report* nor a *Stop Report* were prepared.

Why is this action appropriate?

The officer had an objective credible reason to approach the person at the **Request for Information** level because the officer was familiar with the residents. If the officer was not familiar with the residents, there would be no objective credible reason to approach the person.

Same facts as above, except the officer questions the person in an accusatory manner, as if the person is suspected of doing something wrong. The officer demands identification and holds onto it while he/she asks additional questions about the person's authority to be in the building.

Why is this action inappropriate? Given the circumstances, the officer had only an objective, credible reason to make a Request for Information, which means questions must be asked in a non-accusatory manner. While the officer was allowed to request identification, she was not permitted to *demand* identification at this level of inquiry. Additionally, a reasonable person would not have felt free to leave when the officer held onto the identification during the continued questioning, requiring at least reasonable suspicion of criminal activity.

Situation B:

While conducting an interior patrol in a NYCHA building, an officer notices someone sitting with no reasonable purpose in a staircase that is known to be a popular area for illegal drug use in the building. The officer approaches the person and asks if he is either a resident or visiting someone in the building. The person tells the officer to "take a hike." The officer tells the person he must either establish his reason for being in the building or leave the location. He complies by leaving the location. A *Field Report* was prepared, an *Activity Log* entry was made and no further action was needed (i.e., No *Stop Report*, etc.).

Why is this action appropriate?

The officer's approach at **Request for Information** was reasonable given the circumstances; the officer had an objective credible reason for requesting information from the person.

Situation C:

Upon entry into a NYCHA building to conduct an interior patrol, an officer becomes aware that the front door lock is broken and she stops in the lobby for several minutes to prepare a Field Report. While in the lobby, the officer



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observes through the lobby windows that a person, a male, has approached the front door of the NYCHA building, but has not attempted to enter the building. As the officer prepares the Field Report, she continues to observe the man standing outside near the front door of the building with no apparent purpose. After the officer has completed the Field Report, she observes a second person, also male, approach the building with a key in hand. As the male begins to insert his key into the front door, he realizes that no key is required because the lock is broken, so he removes his key and enters the lobby. The officer then observes the other male, who had been observed for more than 5 minutes waiting outside near the front door with no apparent purpose, run towards the front door and enter the lobby without attempting to use a key.

The officer approaches the male – who had been waiting outside for some time before running into the building – and explains the concern of unauthorized persons entering the building due to the broken front door lock, and asks in a non-accusatory manner whether he is a resident of the building. The person says he lives in Apartment 6C. The officer politely asks the person if he has identification or a key to the front door and reiterates the concern of unauthorized persons in the building given the broken lock. He says that he left both in his apartment. The officer then asks the man if he would mind coming with her up to 6C. The man complies, and the officer accompanies him to his apartment where the man's wife confirms he is a resident of the building. An *Activity Log* entry was made, and no further action was needed.

Why is this action appropriate?

The officer had an objective credible reason to approach the person at the **Request for Information** level.

Same facts as above, except when the officer asked the man if he would mind coming with her up to 6C, the man refuses. The officer goes up to Apartment 6C and no one answers the door. When the officer returns to the lobby, the man is still standing there. The officer advises the man he must establish a right to be in the building or leave the location. The man refuses to exit the building and informs the officer, "I'm not leaving the building." The officer arrests the person for criminal trespass. A Stop Report was completed following this stop, in addition to all required arrest paperwork including a Trespass Crimes Fact Sheet. An *Activity Log* entry was made, detailing the encounter.

Why is this action appropriate?



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The officer had **Probable Cause** to arrest the man for criminal trespass because she was unable to verify the man's authority to be in the building after undertaking a reasonable investigation, and the man refused to exit the building or promptly establish a right to be in the building.

Same facts as above, except the officer's questions are not polite, but accusatory with no context as to the officer's legitimate concerns about unauthorized persons getting into the building through the broken lock. The man gets upset when asked for identification or a key and states that, as a resident, he shouldn't have to prove anything to anybody. The officer calmly and politely states that he did not intend to accuse the man of doing anything wrong, but instead wanted to make sure that residents, like himself, are safe from unlawful trespassers since the lock is broken. The officer then explains that he has no way of knowing whether or not the man is actually a resident, which is why he is asking for identification or a key. The man voluntarily shows his identification, indicating that he is a resident. An Activity Log entry was made, and no further action was needed.

Why is this action appropriate?

The officer's accusatory approach was not appropriate at the initiation of the encounter because only a Level 1 Request for Information was justified. During Level 1 encounters, questions must be non-accusatory and officers must not act in a threatening manner. Here, the officer recognized that he escalated the situation by questioning the man in an aggressive, accusatory manner. Moreover, any incriminating evidence ascertained from the unlawful questioning would be subject to suppression. In this situation, the officer changed his tone to speak more politely and carefully explained the purpose of his questions and his overall concerns for the man's safety as a resident in order to achieve the primary goal of confirming the man's residency.

Situation D:

An officer on an interior patrol in a TAP building observes a woman approach the front door with a set of keys in her hand. The woman uses her key to enter the door and walks towards the elevators. As the door is closing, another woman walks up, catches the door, and props it open with a brick before entering the building.

The officer approaches the second woman and asks whether she is a resident of the building. The woman responds by saying she doesn't think she needs to answer that question. The officer politely explains that he is just trying to make sure that everyone in the building is safe and explains the concern of unauthorized persons in the building. The officer then asks



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whether the woman has identification. The woman produces her identification which shows her as a resident of the building. The officer thanks the woman, removes the brick from the door, and reminds her that propping the door open could leave the building vulnerable to trespassers. An *Activity Log* entry was made, and no further action was needed.

Why is this action appropriate?

The officer had an objective credible reason to approach the second woman at a **Request for Information** level. The woman entered the building without using her key and then was observed propping the door open with a brick. Further, the officer correctly did not approach the first woman due to the lack of an objective credible reason to approach, as that individual was observed using her key to enter the building and did not prop the door open with a brick.

Situation E:

Upon entry into a NYCHA building to conduct an interior patrol, an officer becomes aware that the front door lock is broken and she stops in the lobby for several minutes to prepare a Field Report. While in the lobby, the officer observes through the lobby windows a man sitting on a bench near the front door with no apparent purpose. The officer then sees an elderly woman approaching the building carrying several shopping bags filled with groceries. The man the officer previously observed sitting on the bench stands up as the elderly woman walks past him and catches the door behind her, following her into the building.

The officer approaches the man, explains the concern of unauthorized persons entering the building, and asks in a non-accusatory manner whether he is a resident of the building. The man says he is visiting a friend. The officer asks the man which apartment he is visiting and is told Apartment 5D. The officer then uses the intercom to communicate with the resident in Apartment 5D, who tells the officer that the man is visiting him. An *Activity Log* entry was made, and no further action was needed.

Why is this action appropriate?

The officer had an objective credible reason to approach the man at a **Request for Information** level. The man only attempted to enter the building after catching the door when it had been opened by an elderly woman who was clearly a resident of the building.

Situation F:



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While conducting an interior patrol, two officers observe a group of 9-10 persons congregating in the lobby of a building. As the officers approach, one person abruptly leaves the group and begins walking in the opposite direction. The officers approach the person and ask her whether she lives in the building. She responds that she lives there. The officer asks her what apartment she lives in. She changes her answer and says she was visiting her friend Barbara in apartment 7B. One officer detains her while the other officer investigates and learns that no one named Barbara lives in 7B. The residents of 7B state they did not have a visitor. The person is arrested for criminal trespass. A *Stop Report* was completed following this stop in addition to all required arrest paperwork including a Trespass Crimes Fact Sheet. An *Activity Log* entry was made noting the presence of “No Trespassing” signs in the lobby and functioning door locks.

Why is this action appropriate?

The officers initially had an objective credible reason to approach the person at the **Request for Information** level. When she abruptly changed her story the officer developed **Reasonable Suspicion** to temporarily detain her to conduct an investigation. When subsequent investigation revealed that the person’s story was false, the officer had **Probable Cause** to arrest for trespass.

NOTE: Inability to immediately verify a person’s explanation does not necessarily mean that the person is trespassing. Individuals may honestly be mistaken as to the specific apartment number or may know only certain individuals, but not others, residing in an apartment. Officers should take into consideration these possibilities when conducting investigations and prior to making a decision to arrest.

Same facts as above, except Barbara does reside in apartment 7B and recently had a visitor, but does not recognize the name you provided of the person being detained. The officer asks Barbara the name of her visitor and she admits not knowing her full name, but rather just her nickname. The officer returns to the person and asks if she has a nickname. The nickname provided is the same nickname provided by Barbara. The officer instructs the person to leave since she is no longer visiting Barbara, and she complies. A *Stop Report* was completed following this stop, as well as an *Activity Log* entry, and no further action was needed.

Situation G:

While conducting an interior patrol at 23:30, an officer observes two persons he does not recognize talking in the lobby of a building for an unreasonably long period of time. The officer is aware that the building lobby has recently



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been afflicted by trespassing and drug activity. The officer approaches the persons and asks one of the persons if he lives in the building. The person says he does not. The officer then asks the person if he is visiting, or has just recently visited, a resident of the building. He says he is not. The officer then asks what he is doing in the building and he replies, "Hanging out." The suspect is arrested for criminal trespass. A *Stop Report* was prepared for this stop in addition to all required arrest paperwork including a Trespass Crimes Fact Sheet. An *Activity Log* entry was made noting the presence of "No Trespassing" signs in the lobby and functioning door locks.

Why is this action appropriate?

The officer initially had an objective credible reason to approach the person at the **Request for Information** level. When the suspect admitted that he had no legitimate reason to be in the building, the officer had **Probable Cause** to arrest for trespass.

NOTE: An officer always has the discretion not to arrest this person, but instead instruct that person to leave, given the appropriate circumstances.

Same facts as above, except when the officer returns to the stationhouse and runs the person's name for a warrant check, she sees that he is in fact a resident of the building. The officer should follow appropriate police procedures to void the arrest pursuant to P.G. 210-13 ("Release of Prisoners").

Situation H:

An officer on an interior patrol observes a person on the roof landing of a NYCHA building in violation of conspicuously posted sign forbidding access to the roof landing, including for residents. The sign additionally explains what the roof landing is. The officer asks the person if he is a resident. The person says he is not. The officer then asks why he is on the roof landing, and the person is unable to give any valid justification for his presence. The officer arrests the person for trespass and makes an *Activity Log* entry noting the presence of the sign. A *Stop Report* was prepared for this stop in addition to all required arrest paperwork including a Trespass Crimes Fact Sheet.

Why is this action appropriate?

There was **Probable Cause** to believe the person was trespassing.

NOTE: It is important that the content of the sign gives sufficient notice that being on the roof landing is prohibited, including a clear explanation as to what the roof landing is. In some circumstances, a non-English speaker may not be able to read a sign that is not written in his or her native language. If



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there is uncertainty as to the sufficiency of the sign, give the person an opportunity to leave before making an arrest for trespass.

Same facts as above, but the person observed on the roof landing identifies as a resident, who states that she did not know that it was illegal to be on the roof landing. The officer asks the person if she has identification or a key to the building, and she shows him an identification stating that she resides in apartment 7C. The officer has never encountered this person before, and has no reason to believe she is lying about not knowing that her presence on the roof landing is prohibited. Although there may be probable cause for a trespass arrest, the officer should exercise the discretion to instruct the resident to leave the roof landing rather than make an arrest.

Situation I:

A sector team receives an assignment of a man selling drugs inside the lobby of a NYCHA building. The caller provides the 911 operator with his name and phone number and gives a detailed description of the suspect. Upon entering the building the officers see the suspect in the lobby and forcibly stop the person. Investigation based on **Reasonable Suspicion** reveals that the person did not live in the building nor was he there for any legitimate reason. The suspect is arrested for criminal trespass. A *Stop Report* was prepared for this stop in addition to all required arrest paperwork, including a Trespass Crimes Fact Sheet. An *Activity Log* entry noted “No Trespassing” signs in the lobby and functioning door locks.

Why is this action appropriate?

There was **Probable Cause** to believe the person was trespassing.

NOTE: In the above example, if the scenario were changed to state that the complainant was anonymous, the officers would NOT automatically be at Reasonable Suspicion. In order to rise to the level of Reasonable Suspicion, a more thorough investigation (observations) would need to be conducted.

Situation J:

Two officers are on patrol and enter the lobby of a TAP building to conduct an interior patrol. While in the lobby, which has a functioning magnetic lock door, the officers observe an individual force open the door without a key. Having Reasonable Suspicion of Criminal Trespass, they stop the individual. Investigation reveals the individual is not a resident, and claims to be visiting a friend in apartment 3C. The individual appears nervous and is holding his hands over his waist area. The officers see a suspicious bulge in the shape of a firearm in his waist area, and a frisk reveals a loaded firearm. With Probable



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Cause, the individual is placed under arrest for Criminal Possession of a Weapon. Later investigation reveals that no one in apartment 3C knows the individual, and the charge of Criminal Trespass (Felony) is added to the charges. The officers prepare a *Stop and Frisk Report*, all applicable arrest paperwork, including a Trespass Crimes Fact Sheet, and a comprehensive *Activity Log* entry is made, including a notation regarding the functional door lock.

Why is this action appropriate?

Seeing an individual force their way into a lobby through a locked entrance door provides Reasonable Suspicion of Criminal Trespass. This permits a forcible stop, and in this case the officers were justified in conducting a frisk because they reasonably believed that the suspect was armed and dangerous. An arrest based on Probable Cause is effected.

Police officers in public housing developments and TAP buildings must remember that conducting approaches, forcible stops, or arrests without the appropriate legal authority may face the possibility of the suppression of any evidence obtained during such stop and subject themselves to Departmental disciplinary consequences, including substantiated CCRB allegations of Abuse of Authority, prosecution by the Department Advocate's Office, and appropriate penalties. Unjustifiable interactions also contribute to community distrust of the police, and poor relations with the very community we are trying to serve and protect. A single negative interaction can make a lasting impression on a community member that will taint future interactions with all police officers.

Consider the examples below:

Example 1:

While patrolling a TAP building known for its drug activity at 23:30, an officer sees a person exit the building. The officer approaches the person and asks if he is a resident of the building he just visited.

What was wrong with the above scenario? There was no objective credible reason for the approach because the person merely left the building. The person had already left a TAP building, and when the purpose of an approach is to verify a person's justification for being in a TAP building, officers should not approach a person if the person has already exited the building unless there are other indications of criminality, or an independent objective and credible reason for the approach. That the property is known for its drug activity does not alter the analysis.

Example 2:



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While conducting an interior patrol of a NYCHA building, an officer notices someone enter the building using a key. The officer approaches the person and asks him if he is a resident.

What was wrong with the above scenario?

First, there was no objective credible reason for the approach because the person had merely entered the building. Moreover, the person had established their right to be in the building by using a key. Absent any other objective and credible reason, the officer was not authorized to approach the person.

Example 3:

While conducting an interior patrol in a NYCHA building, police officers observe a group of five teenage boys entering the building together. One of the teenagers uses a key to enter the building, and it is clear from their interactions that all of the teenagers are friends. The officers approach the teenagers and ask if they are residents of the building.

What was wrong with the above scenario?

First, there was no objective credible reason for the approach because the boys had merely entered the building. Moreover, one of the teenagers had established a right to be in the building, and it was clear that the other teenagers were authorized guests (if not residents themselves). Absent any other objective and credible reason, the officer was not authorized to approach any of them.

Example 4:

A sector team observes two individuals exiting the elevators in the lobby of a NYCHA building. The officers note the smell of marijuana in the elevator. The officers approach the two individuals and ask them their reason for being in the building. The individuals mention that their aunt lives in the building. The police officers **forced** the two individuals to take them to their aunt's apartment, to verify that they belonged in the building before they let them leave.

What was wrong with the above scenario?

The level had never risen to Reasonable Suspicion – therefore a forcible stop was not authorized.

What would have made the scenario acceptable?

If the brothers *called* their aunt in the apartment to verify the legitimacy of their presence in the building or if they voluntarily offered to take the officer to their aunt's apartment.



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Example 5:

An officer on an interior patrol observes a person standing in the lobby for several minutes. Upon seeing the officer, the person looks nervous and evasive. The officer approaches the person and asks if he is a resident of the building. The person replies, "I'm just passing through." The officer then arrests the person for criminal trespass.

What was wrong with the above scenario?

According to the N.Y. Appellate Division in *People v. Sanders* (1991), the person's comments did not establish Probable Cause, and, therefore, an arrest was not authorized. An officer can only arrest when the officer has Probable Cause to believe that the person is neither a resident, nor visiting someone in the building, nor otherwise authorized to be in the building.

What would have made the scenario acceptable?

The officer should have asked the person if he was visiting someone in the building or otherwise authorized to be in the building. If the person said he was not visiting someone in the building or otherwise authorized to be in the building there would have been Probable Cause to arrest.

Same facts as above, but the person says that he is visiting a resident in the building. The officer accompanies the person to the apartment, but no one is home. The officer then arrests the person for criminal trespass.

What was wrong with the above scenario?

The fact that a resident is not home does not necessarily mean that the person was not authorized to be in the building. An authorized visitor should not be arrested for trespassing simply because the resident happens not to be at home when the person is trying to visit.

What would have made the scenario acceptable?

Since the person's stated purpose for being in the building was to visit a resident, and that resident was not home, the officer should have asked the person to leave the building. If, after giving the person the opportunity to leave the building, the person still refused to leave, the officer may have arrested the person or issued a summons for criminal trespass.

As stated in the above examples, if an officer develops probable cause during the encounter, an arrest may be effected or a summons may be issued. A uniformed member of service may approach and question persons who may be violating Housing Authority rules and regulations, including potentially unauthorized persons found in Housing Authority buildings. However, an officer may not stop (temporarily detain) a suspected trespasser unless the officer *reasonably suspects* that the person is in the



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building without authority. Whenever a reasonable person would not have felt free to end the encounter and walk away, a Stop Report must be prepared.

Unoccupied Disabled Elevator

If, during interior patrol of a NYCHA building, you come across an **UNOCCUPIED** disabled elevator, your obligation would be to notify Housing Authority Emergency Service Department maintenance personnel by calling (718) 707-5900. You must also inspect elevator doors on each floor and notify Housing Authority Emergency Service Department maintenance personnel or NYPD Emergency Service Unit immediately and remain at scene and secure location until unsafe condition has been corrected if:

- The elevator door glass is missing, or if the outer elevator door opens when elevator is not present;
- There are any other dangerous conditions concerning elevators.

Disabled Housing Authority Elevator Car with Passengers (P.G. 212-28)

If, during interior patrol of a NYCHA building, you come across an **OCCUPIED** disabled elevator, your obligation would be to notify the radio dispatcher and request the response of Housing Authority Emergency Service Department maintenance personnel. Also notify the NYPD Emergency Service Unit and ambulance, if the situation requires the immediate removal of passengers in cases involving, but not limited to a cardiac condition, or a seriously ill passenger, etc.

Note: If a delay in the response of Housing Authority Emergency Service personnel is expected, a request for N.Y.P.D. Emergency Service Unit personnel will be made even in situations deemed to be of a non-emergency nature.

Note: Members of the service shall **NOT** attempt to remove passengers from a disabled elevator car without the assistance of Housing Authority and/or N.Y.P.D. Emergency Service Unit personnel who are trained in the removal of passengers from disabled elevators.

The officer must prepare a **Field Report** and **Aided Report Worksheet**, if necessary, upon completion of assignment. Include names and addresses of passengers and names and shield numbers of responding Emergency Service personnel.



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Field Report (P.G. 207-29)

When a patrol officer takes corrective action for non-criminal conditions occurring on housing authority locations the officer records this occurrence on a **Field Report**. A Field Report will be used to record the following non-criminal conditions occurring on housing authority locations:

- Disabled elevators;
- Damaged or defective door locks or intercom systems;
- Noise complaints;
- Other breaches of Housing Authority Rules and Regulations;
- Follow-up dispositions;
- Damage, accidental, non-criminal, or cause unknown;
- Abandoned and derelict vehicles;
- Resident disputes;
- Fire, non-suspicious;
- Other conditions as specified by appropriate Patrol Guide procedures.

NYCHA TRESPASS NOTICE PROGRAM

In an effort to reduce crime in NYC Housing Authority Developments, the Department has created the NYCHA Trespass Program. Under this program, any individual who is arrested for felony sale of controlled substance or marihuana on NYCHA development is permanently excluded from entering all NYCHA property. To ensure the effectiveness of this program, the following procedures must be adhered to.

Arrest of an individual for Criminal Sale of Controlled Substance (Felony) or Criminal Sale of Marihuana (Felony) on all NYCHA Development properties

NYCHA “On-Development” (defined)

(See map below for visual example of “on-development” boundaries)

- All NYCHA buildings, apartments, offices, maintenance areas, etc.
- All walkways, streets, grounds, and parking areas located within NYCHA developments.
- All stores, laundries, community centers, childcare centers, senior centers, health stations, etc. within NYCHA developments.
- From the center line of the street inward towards NYCHA buildings.
- All NYC parks and all NYC school playgrounds within or immediately adjacent to NYCHA grounds.
- Piers or bulkheads immediately adjacent to NYCHA grounds.



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When effecting the arrest of an individual “on-development” for felony sale of controlled substance or marihuana, in addition to normal arrest procedures:

- Prepare a NYCHA Trespass Notice
 - Enter the Notice log number, obtained by calling the Housing Bureau wheel
- Have the defendant sign and date the notice
 - If defendant refuses, so state on signature line and initial and date
- Make five copies of the Notice
 - Personally serve the defendant with one **copy** of the notice
 - The remaining four copies are for the desk officer
- Fax a copy of the notice to the Housing Bureau Wheel and call to confirm receipt
- Prepare a “Trespass Notice Package” containing:
 - Original signed Trespass Notice
 - Computer copy of OLBS and Complaint Report
 - Copy of PCI and Request for Laboratory Analysis (if applicable)
 - Copy of Search Warrant (if applicable)
- Deliver the package and four copies of Notice to the desk officer

Note: If the defendant claims that he or she is a NYCHA resident, confirm that the address given by the defendant is a NYCHA location by contacting any PSA or Housing Bureau Wheel. A NYCHA resident will still be served with the Notice and will not be allowed in any NYCHA area other than their resident building and common areas of that development.

Note: Common areas include most areas within the resident’s development. It does not include apartments other than their own or areas where residents are not normally allowed (e.g., rooftops).

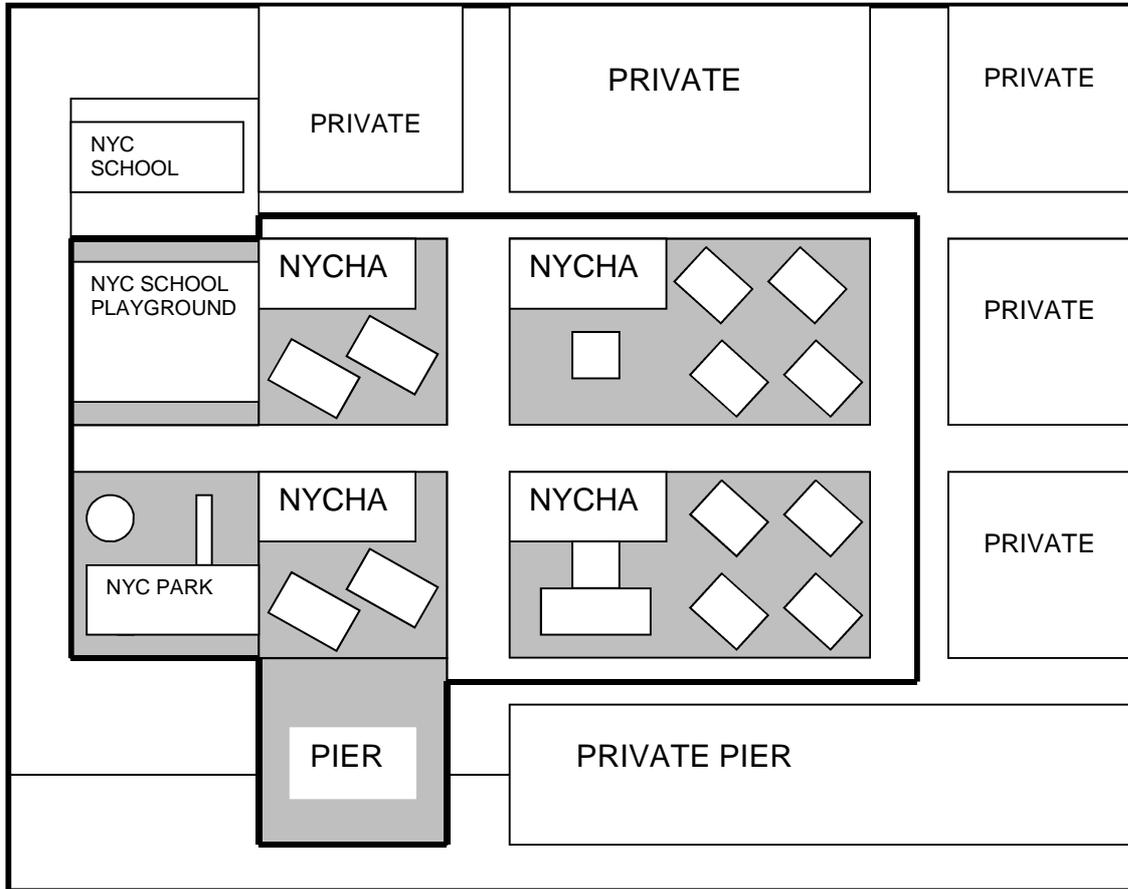


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ON-DEVELOPMENT BOUNDARIES FOR FELONY DRUG SALE ARREST





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Processing Arrests Made Pursuant to the NYCHA Trespass Notice Program

NYCHA Property (defined)

- All NYCHA buildings, apartments, offices, maintenance areas, etc.
- All walkways, streets, grounds, and parking areas located **within** NYCHA developments.
- All stores, laundries, community centers, childcare centers, senior centers, health stations, etc. **within** NYCHA developments.

(See map for visual example of NYCHA property)

When taking enforcement action against an individual on NYCHA property, in addition to normal procedures:

- Conduct a warrant check via communications or call the precinct or PSA and request a check of the NYCHA Trespass Database for the individual stopped.
 - If the individual is in violation of the Trespass Notice (either as the primary or additional charge) **arrest** the individual for trespass.
 - Communications will advise if the person does not have a warrant but have been issued a TRESPASS NOTICE and maybe subject to arrest if found on “NYCHA Property”.

When effecting the arrest of an individual for violation of the Trespass Notice:

- Process as an on-line arrest (no summons or Desk Appearance Ticket will be issued) regardless of the level of the trespass charge
- Charge the defendant with the following offense:
 - Trespass - Violation (140.05 PL) if the individual was found to be on **NYCHA property** (not in a building)
 - Criminal Trespass 3rd Degree – “B” Misdemeanor (140.10 PL) if the individual was found to be inside a **non-residential NYCHA building**
 - Criminal Trespass 2nd Degree – “A” Misdemeanor (140.15 PL) if the individual was found to be inside a **residential NYCHA building**
- Prepare a package of the following documents:
 - Trespass Notice Report, generated from NYCHA Trespass Database
 - Copy of Trespass Notice, if available



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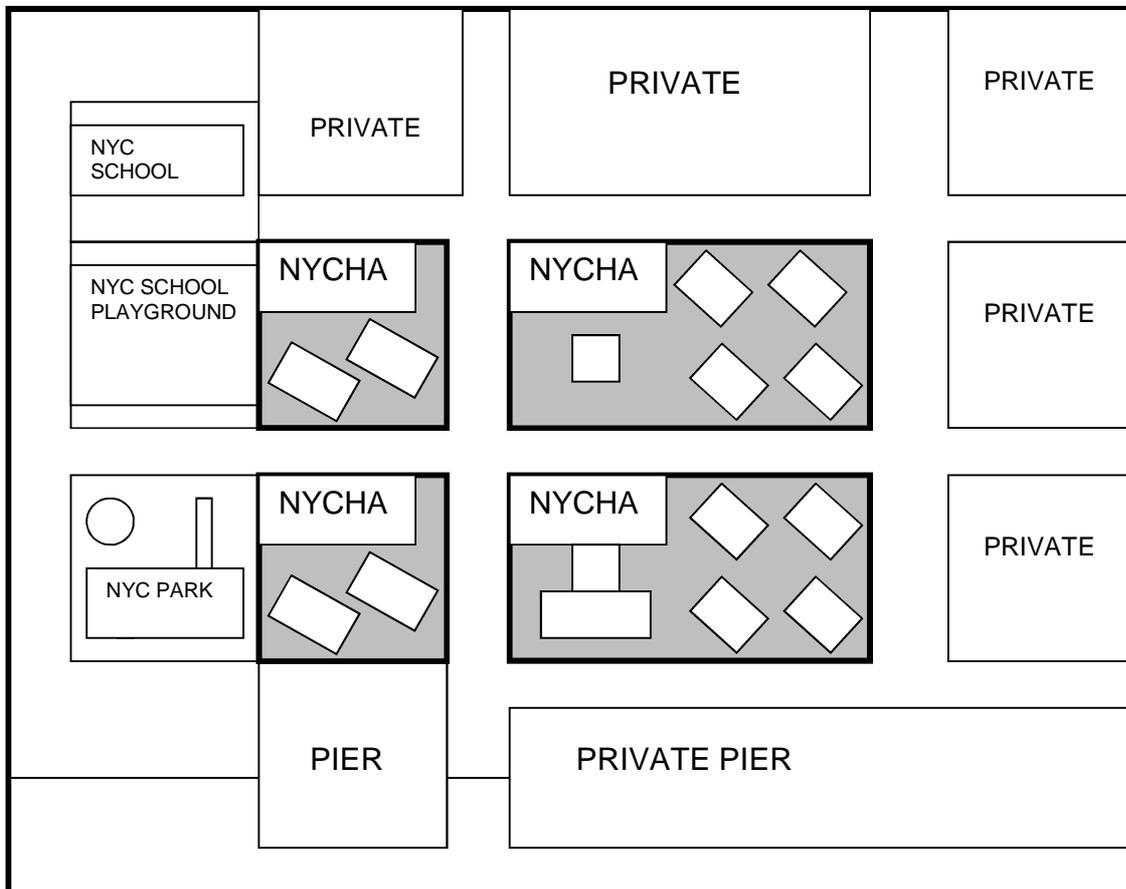
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- Notify Housing Bureau Wheel of arrest
- Deliver all paperwork to the desk officer

Note: The Trespass Notice Program should not be enforced if the individual was found passing through the development en route to, or leaving from police facilities, parole offices, medical facilities, or stores and it can be determined that they were using a direct route between the location and the nearest city street.

NYCHA PROPERTY BOUNDARIES FOR TRESPASS ARREST





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Fire (P.G. 212-58)

The patrol officer's job at the scene of a fire is to protect life and property, as well as to assist the Fire Department. If arriving at the scene by RMP, park vehicle to prevent interference with firefighting operations. Transmit signal 10-84 upon arrival and ensure FDNY is responding if not on-scene and inform dispatcher of any pertinent details. Ensure area in front of building is secured for responding FDNY personnel and all fire hydrants are free of vehicles.

Uniformed members of the service should be aware that some modern buildings are fireproof and may not exhibit conditions that are commonly believed to be observable from outside a building on fire. ***Uniformed members are not trained in, or equipped for, fire suppression or fire rescue operations and should avoid entering any building that is on fire. Absent exigent circumstances, uniformed members of the service should not operate on any floor above the fire and not attempt to navigate through a smoke-filled or fiery environment.*** If there is imminent danger to life and members determine that entering the building is necessary and prudent, comply with the following:

- Notify radio dispatcher of all observations made in connection with fire prior to entry.
- Communicate to FDNY personnel at the scene the number of members of the service who entered the building, including last known location, if possible.
- Maintain communication with radio dispatcher and frequently relay location and ascertain estimated time of FDNY arrival.
- **Use stairs to reach reported fire location. (DO NOT use elevators)**
 - Members should ascend in teams of two.
- Advise radio dispatcher of labeled staircase being used or of any other identifying characteristics of staircase, if not labeled.
- Conduct a visual inspection of stairwell for smoke or flames prior to ascending staircase and inspect each floor below reported fire floor for smoke and/ or fire and note location and distance of other stairways, exits and/or potential areas of refuge.
- DO NOT hold elevator cars on any floor as FDNY units will seek to recall elevators to move personnel and firefighting equipment into position.



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- Conduct a visual inspection of hallway of reported fire floor through the stairwell/hallway door window, if available.
 - Place back of hand on door that separates stairwell from affected floor to detect the presence of heat. An unusually warm door or the presence of smoke, are indicators that there is a fire in the hallway or in an apartment where a door has been left open. This can be an extremely dangerous condition requiring personal protective equipment to enter and is considered “immediately dangerous to life and health.” In these cases, members **should not open the door or enter the hallway** as such action can draw smoke/fire toward the stairwell.
- If smoke and heat are suddenly present, tactically retreat/evacuate by assuming a prone position and crawl or stay as low to the ground as dictated by the situation, moving close to the wall so that wall may be used as a guide to predetermined exit.

Members of the service establishing police lines outside the building should set up beyond the fire apparatus and hydrants in use. Ensure a clear path of access and egress is established and maintained for ambulances. Permit only the following persons and vehicles to enter fire lines:

- Ambulances;
- Police and FDNY vehicles;
- The Mayor and vehicle;
- Members of governmental agencies and their vehicles, in performance of duty;
- Employees of public service corporations and their vehicles, in the performance of emergency duties;
- Persons holding valid unexpired press credentials;
- Red Cross personnel in performance of duty.

Members of the service will record in their Activity Log, relevant details surrounding the fire, including the location, time and persons displaced or injured. Prepare a Complaint Report Worksheet if the fire is suspicious. Prepare Aided Report Worksheet for each injured person. Ensure premises are secure once firefighting operations have concluded.



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CONCLUSION

Whether you are in a Precinct, Transit District, or a Housing Police Service Area, the basic premise is the same: to provide safety and security to citizens, riders and residents. The objective is to establish ties and relations with the public. We should feel, and be perceived as, part of the community that we serve. The citizen's concerns should be our concerns. Our job is to protect life and property, and to actively pursue violators of the law. We cannot accomplish this task without the support of the citizens of this city; it is through daily vigilant patrol that we gain that support.

The Patrol Guide contains more extensive direction and procedures regarding Patrol Operations. The following mandatory Patrol Guide reading **must** be read in conjunction with this chapter.

MANDATORY PATROL GUIDE READING

P.G. 208-76	New York City Housing Authority Trespass Notice Program
P.G. 208-77	Processing Arrests Made Pursuant to the New York City Housing Authority Trespass Notice Program
P.G. 212-26	Inspection of New York City Housing Authority Facilities
P.G. 212-28	Disabled Housing Authority Elevator Car with Passengers
P.G. 212-43	Vacate Orders for Residential Buildings
P.G. 212-58	Fire
P.G. 212-59	Interior Patrol of Multiple Dwelling Buildings Enrolled in the Trespass Affidavit Program
P.G. 212-60	Interior Patrol of Housing Authority Buildings



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TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION

PD 351-144 (Rev. 04-17)

NOTE: This Form Must be Completed by the Officer Who Made the Observations that Led to the Defendant's Arrest.

Defendant's Name: _____ Arrest No.: _____

I, _____, Shield No. _____, a New York City Police Officer/Detective assigned to the _____ (command), deposes and swears as follows:

On _____ (date), at _____ (time), at _____ (location), while on patrol inside this dwelling, an apartment building where people reside, I observed the defendant inside this location as described below.

1. At this time, a sign stating in substance:
- No trespassing
 - Tenants and their guests only
 - No loitering
 - Anyone who remains unlawfully upon these premises will be prosecuted
 - Other: _____

was posted at/on (Indicate location of sign) _____
For NYCHA arrests only: If the defendant was arrested for presence in a restricted area (e.g. the roof), was there a conspicuously posted sign at that location that prohibited entry in that specific restricted area? Yes No

IF YES, where was that sign? _____

2. I DID DID NOT observe the defendant entering the apartment building. IF YOU DID:

a) How did the defendant gain access to the building? _____

b) Did you observe the door to be locked? Yes No

3. How long did you observe the defendant before you approached him or her? _____

4. Where was the defendant when he/she was first approached?

Lobby Stairwell Roof Roof Landing Basement Hallway

Outdoors (describe) _____ Other _____

5. Describe the factors that led you to approach and question the defendant:

6. Was the defendant asked any of the following questions? If yes, please provide the substance of the defendant's response(s) below. *

a) Do you live in the building? Yes No IF ASKED, response: _____

b) Do you have identification? Yes No IF ASKED, response: _____

c) Are you visiting someone in the building? Yes No IF ASKED, response: _____

d) Did the defendant provide a name of the person he or she was visiting? Yes No IF YES, response: _____

e) Did the defendant provide an apartment number? Yes No IF YES, Apt No. _____

IF YES, did you go to the apartment the defendant indicated? Yes No IF Yes, what happened?

* CPL § 710.30 notice is served for defendant's statement(s) which was/were made at or about the time of the above incident

OVER

Trespass Crimes – Fact Sheet (Front)



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f) Do you have business in the building? Yes No IF ASKED, response: _____

g) Did the defendant make any other statements not indicated in No. 6(a) - 6(f) above? Yes No IF Yes,

the defendant also stated in substance: _____

NOTE: If you were unable to verify that the defendant was a tenant or an authorized guest, did you direct the defendant to leave before the arrest? Yes No

7. The statements provided in No. 6 were made at approximately _____ (time) at _____

_____ (location) on _____ (date).

I was present for the statements provided in No. 6 above. Yes No **If you were not present, provide the information of at least one officer who was present for such statements:**

Name: _____ Shield No. _____

8. Were there any other facts beyond the statements listed in No. 6 that caused you to believe that the defendant was not a tenant, guest or on business in the building prior to arrest?

9. The defendant did not have permission or authority to be inside the dwelling based on information and belief the source of which is as follows: (you must choose one)

I observed the defendant trespass inside a New York City Housing Authority building. I am a member of the New York City Police Department and as such I am an agent of this dwelling and defendant did not have permission and authority to enter or remain in the area he/she was found.

The attached owner's/managing agent's affidavit, which was signed within the last six months, authorizes members of the NYPD to act as an agent of the owner/managing agent of said dwelling pursuant to the Trespass Affidavit Program (TAP). (Attach owner/managing agent affidavit).

10. Was arrest evidence or contraband recovered from the defendant? Yes No

a) If YES, describe the evidence and EXACTLY where the evidence was recovered. If it was recovered from the defendant's person indicate where on their person:

b) Did you recover the evidence? Yes No. If NO, did you observe the recovery of the evidence? Yes No.
c) Indicate officer who recovered evidence:

Rank/Name _____ Shield No. _____ Tax No. _____

d) Describe WHEN the evidence was recovered (e.g. before the arrest, during a frisk, incident to arrest):

e) At what location was the evidence recovered (e.g. at the scene, in the precinct/command)

False statements made herein by Deponent are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law.

Deponent/Officer's Signature _____ Date _____

Print Rank/Full Name _____ Tax No. _____ Command _____

Verification by Desk Officer:

Desk Officer's Signature _____ Date _____

Print Rank/Full Name _____ Tax No. _____ Command _____

Trespass Crimes – Fact Sheet (Back)



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**TRESPASS CRIMES –
OWNER'S AFFIDAVIT**
PD 651-051 (05-12)

1. **Whereas** the undersigned is the owner, managing agent or other person in authority relating to the supervision of the premises located at:

(Address of Location)

2. **Whereas** the building described above is a dwelling in which only tenants, invited guests, and authorized personnel are licensed or privileged to enter or remain; and
3. **Whereas** the undersigned is fearful that in recent months, persons who are neither tenants, nor invited guests, nor authorized personnel have occupied the above-described premises for the purchase and use of illegal drugs or to commit other illegal activity; now
4. **THEREFORE IT IS AGREED THAT** the undersigned, having proper permission and authority to do so, hereby binds the owner from the date indicated below for six months, granting full permission and authority to the New York City Police Department (the Department), its employees and agents to enter upon the above described premises at any and all hours of the day for the purpose of arresting those persons found thereon who are not tenants, their family members or invited guests.
5. **IT IS AGREED THAT** members of the Department performing this function act as agents of the undersigned, and are hereby entitled to revoke a person's license and privilege to be in a building if the person, when approached by an officer, refuses to establish a legitimate reason for being in the building. That person should be ordered to leave the building and may be arrested for trespass if he or she refuses to leave the building after being so ordered.
6. **IT IS AGREED THAT** the policy of license and privilege set forth herein has been adequately communicated to all tenants and management personnel.
7. **IT IS AGREED THAT** the undersigned shall place conspicuous signs alerting all persons to building policy that access is limited to tenants, invited guests, and authorized personnel, and that compliance with police inquiries is a condition of building access and use.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS "A" MISDEMEANOR
PURSUANT TO PENAL LAW SECTION 210.45.

(Print Name of Owner/Managing Agent)

(Signature of Owner/Managing Agent)

(Date)

Trespass Crimes – Owner's Affidavit