



INTERIM ORDER

SUBJECT: REVOCAION OF PATROL GUIDE 212-59, “INTERIOR PATROL OF MULTIPLE DWELLING BUILDINGS ENROLLED IN THE TRESPASS AFFIDAVIT PROGRAM” AND ADMINISTRATIVE GUIDE 303-27, “TRESPASS AFFIDAVIT PROGRAM” AND REVISION TO VARIOUS PATROL GUIDE PROCEDURES REFLECTING THE DISSOLUTION OF THE TRESPASS AFFIDAVIT PROGRAM		
DATE ISSUED:	REFERENCE:	NUMBER:
10-07-20	*P.G. 212-59, *A.G. 303-27 AND P.G. VARIOUS	85

1. In order to comply with the Department’s dissolution of the “Trespass Affidavit Program,” and to reflect current Department policies and practices, Patrol Guide 212-59, “Interior Patrol of Multiple Dwelling Buildings Enrolled in the Trespass Affidavit Program,” and Administrative Guide 303-27, “Trespass Affidavit Program,” have been deemed OBSOLETE and are hereby **REVOKED**. Furthermore, various Patrol Guide procedures have been revised. In addition, Department forms entitled, “**TRESPASS CRIMES – OWNER’S AFFIDAVIT (PD651-051)**” and “**TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)**” are hereby **REVOKED**, and new Department form entitled, “**NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-145)**” will be completed, as appropriate, by uniformed members of the service effecting an arrest(s) for trespass crimes inside of New York City Housing Authority buildings. Lastly, Department form entitled, “**STOP REPORT (PD383-151)**” has been revised to remove “Trespass Affidavit Program” from applicable caption.

2. Therefore, effective immediately, Patrol Guide 202-26, “Crime Prevention Officer” is amended as follows:

- a. **DELETE** step “19,” opposite actor “CRIME PREVENTION OFFICER,” on page “2.”
- b. **RENUMBER** step “20” to read:
“19”

3. Patrol Guide 208-03, “Arrests – General Processing” is amended as follows:

- a. **REVISE** subdivision “g,” under step “24,” opposite actor “ARRESTING OFFICER,” on page “8” to read:

“ARRESTING OFFICER **g.** **NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-145), if appropriate.**
(1) Prepare form if arrest includes a charge for trespass or criminal trespass in a New York City Housing Authority building.

- b. **REVISE** “FORMS AND REPORTS,” on page “**13**” to read:

**“FORMS AND
REPORTS**

AIDED REPORT
ARREST REPORT - SUPPLEMENT (PD244-157)
ARREST CHECKLIST (PD244-041)
COMPLAINT REPORT WORKSHEET (PD313-152A)
CELLULAR PHONE INFORMATION CONSENT FORM (PD389-051)
JUVENILE ARREST INVESTIGATION/PROBATION INTAKE REPORT WORKSHEET (PD277-151A)
MEDICAL TREATMENT OF PRISONER (PD244-150)
MIRANDA WARNINGS FOR JUVENILE INTERROGATIONS (PD244-1413)
MISSING – UNIDENTIFIED PERSON REPORT (PD336-151)
ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
PRISONER PEDIGREE CARD (PD244-092)
PRISONER TRANSPORT DISPATCH (PD171-132)
PROPERTY CLERK INVOICE (PD521-141)
PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)
REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)
SUPPORTING DEPOSITION (PD244-060)
NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-145)
UNUSUAL OCCURRENCE REPORT (PD370-152)
Omniform Complaint Revision”

4. Patrol Guide 212-11, “Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops” is amended as follows:

- a. **REVISE** “RELATED PROCEDURES,” on page “**15**” to read:

**“RELATED
PROCEDURES**

Executive Officer (P.G. 202-10)
Public Contact – General (P.G. 203-09)
Department Policy Prohibiting Racial Profiling and Bias-Based Policing (P.G. 203-25)
Activity Logs (P.G. 212-08)
Interior Patrol of Housing Authority Buildings (P.G. 212-60)”

5. Patrol Guide 212-60, “Interior Patrol of Housing Authority Buildings” is amended as follows:

- a. **REVISE** subdivision “**e**,” under step “**13**,” opposite actor “UNIFORMED MEMBER OF THE SERVICE,” on page “**4**” to read:

**“UNIFORMED
MEMBER OF
THE SERVICE**

- e. In all cases when an arrest is made for criminal trespass, the arresting officer must:**

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

- (1) **Prepare NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-145) and submit to the desk officer for review**
- (2) **Prepare STOP REPORT, if appropriate**
- (3) **Prepare COMPLAINT REPORT (PD313-152).”**

b. **REVISE** steps “**21**,” through “**23**,” opposite actor “DESK OFFICER,” on page “**5**” to read:

**“DESK
OFFICER**

- 21. Ensure that completed NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION is included in arrest package for all arrests that include a charge of criminal trespass in a NYCHA building.**
- 22. Review NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION for accuracy and completeness, and endorse, as appropriate.**
 - a. Have NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION photocopied.**
 - b. Return original NYCHA TRESPASS CRIMES - FACT SHEET AND SUPPORTING DEPOSITION to arresting officer for inclusion in arrest package.**
- 23. Have photocopies of NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION(S) placed in chronological order in a binder maintained at the desk.”**

c. **REVISE** “RELATED PROCEDURES,” on page “**6**” to read:

**“RELATED
PROCEDURES**

Complaint Reporting System (P.G. 207-01)
Field Reports (P.G. 207-29)
Law of Arrest (P.G. 208-01)
Arrests – General Processing (P.G. 208-03)
Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops (P.G. 212-11)
Summonses (P.G. 209 Series)”

d. **REVISE** “FORMS AND REPORTS,” on page “**6**” to read:

**“FORMS AND
REPORTS**

RIGHT TO KNOW BUSINESS CARD (PD142-012)
RIGHT TO KNOW BUSINESS CARD – GENERAL (PD142-013)
COMPLAINT REPORT (PD313-152)
FIELD REPORT (PD313-1511)
STOP REPORT (PD383-151)
NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-145)”

6. Patrol Guide 212-123, “Use of Body-Worn Cameras” is amended as follows:

a. **REVISE** “RELATED PROCEDURES,” on page “**10**” to read:

**“RELATED
PROCEDURES**

Interrogation of Members of the Service (P.G. 206-13)
Arrests – General Processing (P.G. 208-03)
Arrest Processing Preparation at Stationhouse (P.G. 208-15)
Intoxicated or Impaired Driver Arrest (P.G.208-40)
Investigations by Civilian Complaint Review Board (P.G. 211-14)
**Processing Legal Bureau Requests for Department Records Including
Requests Under the Freedom of Information Law (P.G. 211-17)**
**Investigative Encounters: Requests for Information, Common Law Right
of Inquiry and Level 3 Stops (P.G. 212-11)**
Interior Patrol of Housing Authority Buildings (P.G. 212-60)
**Guidelines for the Use of Video/Photographic Equipment by
Operational Personnel at Demonstrations (P.G. 212-71)**
**Guidelines for Uniformed Members of the Service Conducting
Investigations Involving Political Activities (P.G. 212-72)**
**Vehicle Collisions Which Result in Death, Serious Injury and Likely
to Die, or Critical Injury (P.G. 217-02)**
Accidents – Department Property (P.G. 217-10)
Loss or Theft of Department Property (P.G. 219-20)
**Reporting and Investigation of Force Incident or Injury to Persons
During Police Action (P.G. 221-03)**
**Firearms Discharge by Uniformed Members of the Service (P.G. 221-
04)”**

7. Delete any references to Patrol Guide 212-59, “Interior Patrol of Multiple Dwelling Buildings Enrolled in the Trespass Affidavit Program” and Administrative Guide 303-27, “Trespass Affidavit Program” wherever they appear in the Department Manual.

8. Department forms “**TRESPASS CRIMES – OWNER’S AFFIDAVIT (PD651-051)**” and “**TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)**” have been deemed OBSOLETE and are hereby **REVOKED** and should be destroyed.

9. Delete any references to Department form “**TRESPASS CRIMES – OWNER’S AFFIDAVIT (PD651-051)**” wherever they appear in the Department Manual.

10. **REVISE** references to Department form “**TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)**” wherever it appears in the Department Manual to read:

**“NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING
DEPOSITION (PD351-145)”**

11. Department form “**NYCHA TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-145)**” will be available as a form fillable PDF on the Department Intranet in the “Department Forms” section.

12. Revised Department form entitled, “STOP REPORT (PD383-151)” can be requisitioned from the Quartermaster Section as follows:

<u>INDEX NUMBER</u>	<u>PD NUMBER</u>	<u>TITLE</u>
2259	383-151 [Rev. 10-20]	STOP REPORT

13. Department form entitled, “STOP REPORT (PD383-151)” is also available on the Department Intranet in the “Department Forms” section.

14. All existing copies of Department form entitled, “STOP REPORT (PD383-151)” bearing a revision date prior to [Rev. 10-20] are OBSOLETE and are to be destroyed.

15. Operations Order 36, series 2018, is hereby REVOKED.

16. Upon publication, this Interim Order has been incorporated into the On-Line Patrol Guide and On-Line Administrative Guide.

17. Any provisions of the Department Manual or any other Department directives in conflict with the contents of this Order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

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