



CITY OF TONKA BAY
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ITEM NO. 9B

Memo

To: Mayor and City Council
From: Lindy Crawford, City Administrator
Date: July 14, 2015
Re: Trespass Notice

The SLMPD has had a few incidents happen lately in the Excelsior Commons Park that has caused them to think more about developing a process for trespassing people from city property. One incident involved physical contact and the other involving illegal drugs. SLMPD is looking at how to best protect all of the people that live in or come to our area.

Detective Mike O'Keefe has spoken with Attorney Ken Potts regarding this, and he was in support of it as long as there was sufficient information to support the trespass notice. The two scenarios for how the SLMPD could handle future issues are below.

- 1) When a Patrol Officer deals with an individual on a call that they believe would meet the criteria for being trespassed from the property, they will handle the call as normal and complete a report. A copy of the report will be submitted to the City Administrator or their predetermined designee to review the report and make a determination if they believe the persons conduct warrants them to be formally trespassed from the property. They would then need to advise the SLMPD if they wanted the person trespassed or not and we will handle completing the form and mailing it to them certified mail. This will result in the SLMPD having a copy of the record on file in their record management system for quick access out in the field. If the person violates the notice, they are then able to force them to leave or make an arrest if needed.
- 2) City Council could grant the SLMPD preapproval for issuing the trespass notices immediately in person at the time of the call. The notices could only be issued by sworn personnel, and they would need to exercise their best judgment on how best to apply this tool in dealing with individuals. A copy of the report and