



Shelburne Police Department

SUBJECT: Trespassing

GENERAL ORDER # 25

EFFECTIVE DATE: May 20, 2026

REVIEW DATE: May 20, 2026

AMENDS/SUPERCEDES: N/A

APPROVED: 
Joshua Flore, Chief of Police

- I. Purpose:** The purpose of this policy is to guide in responding to complaints of trespassing and the issuance of Notices of Trespass.
- II. Policy:** This policy sets forth the department rules and regulations regarding the issuance of Notices of Trespass.
- III. Procedure:**
 - A. The Shelburne Police Department is committed to respecting individual freedom as well as the rights of those who own, rent, lease, or manage private property.
 1. The Department responds to a variety of police incidents which involve requests to remove an individual from private property.
 2. The act of unlawful trespass is a criminal matter.
 3. The issuance of a notice against trespass is a civil process between a property owner and a person.
 - B. Reports of Trespass
 1. It is incumbent on the police to assess complaints for the potential motivation, beyond reporting criminal behavior, on the part of complainants, including those biased in nature or directly targeted at a member of the public's protected class (Race, color, religion, national origin, disability, sex, marital status, age, sexual orientation, or gender identity).
 2. If the potential for biased motivation is detected, the call will be forwarded to a supervisor for review prior to response.

C. Notice of Trespass

1. Proper use of a Notice of Trespass can be a valuable tool; however, it is crucial to recognize the limitations of the civil process and the guidelines within which police must operate.
2. Professional loss prevention staff can be directed to issue their own Notices of Trespass against individuals unless there is a safety risk or a reported underlying crime.
3. Police will enforce a Notice of Trespass that has been sent via certified mail delivery with proof of receipt, or where property is properly signed pursuant to 13 V.S.A. Section 3705.
4. Absent a safety risk or a request from another law enforcement agency, this department will not take on the responsibility of tracking down people solely for the issuance of a Notice of Trespass.

D. Issuing Notices of Trespass

1. A Notice of Trespass will NOT be completed on department letterhead or department-labeled forms.
2. The form used will make clear the relationship between the property owner, or person in lawful possession of the property, and the person to whom the notice is issued.
3. It is imperative that the property owner/person in lawful authority section is completed. This section NEVER lists an officer's name, as the police are not agents of the property.
4. It is important to ensure that officers are not acting as the agent for the property owner.
5. Clear articulation by whose request and under what reason(s) the Notice of Trespass was issued is required in the incident report.

NOTICE OF TRESPASS

To: _____

You are hereby given notice that from this time and date forward, your person or property is no longer permitted on the premises located at:

(Address)

This property is respectively known as: _____
(Business or Residence Name)

This becomes effective immediately. If you are found on this property again, you may be arrested for Unlawful Trespassing, a violation of Title 13 V.S.A § 3705.

Receipt of Service

Property Owner / Agent: _____
(Print Name) (Signature)

Subject Trespassed: _____
(Print Name) (Signature)

Witness / Parent: _____
(If any available) (Print Name) (Signature)

Case Number: _____