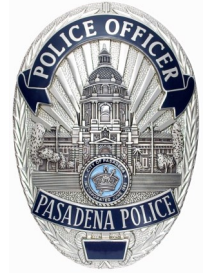




Pasadena Police Department

Patrol's Corner



PC 602 - Trespassing "Cheat Sheet"

Understanding California Penal Code 602, which addresses trespassing and its various subsections, is crucial for both police officers and the City Prosecutor. For police officers, knowledge of this code ensures they can accurately identify and address instances of trespassing, protecting property rights and maintaining public order. It enables officers to distinguish between different types of trespassing offenses, allowing for appropriate enforcement actions and safeguarding community safety. For the City Prosecutor, familiarity with Penal Code 602 is essential for effectively prosecuting trespassing cases, ensuring that legal proceedings are based on a thorough understanding of the law and its nuances. California Penal Code 602 outlines various forms of trespassing, each addressing different situations where someone unlawfully enters or remains on another's property. Not all PC 602(a)-(x) apply in "everyday" enforcement.

Here are some key subsections and examples provided by the City Attorney's Office:

PC 602(f): Tearing down, damaging, or destroying any sign on state, county or city property affixed on government property by the government or automobile association which sign designates a road or highway, gives direction from one point to another and/or relates to fire control.

***Example*:** Temporary signs placed by City giving directions to Rose Bowl, or an event etc., damaged or destroyed by suspect.

PC 602(i): Willfully opening, tearing down, destroying a fence on enclosed land owned by someone else.

***Example*:** Suspect knocking down a fence around a construction site or vacant building.

PC 602(j): Building fires on land owned by someone else where signs forbidding trespass are displayed at intervals not greater than one mile.

***Example*:** Suspect is camping and burning a fire (on land of another where no trespass signs are posted (including parks, etc. where no trespass signs are posted for certain hours).

PC 602(k): Entering property of another (enclosed/unenclosed) with the intent to obstruct, interfere, injure a lawful business or occupation of the person in possession.

***Example*:** Suspect goes into a lawful business and his/her presence and actions interrupts the enjoyments of patrons/tenants/owners of lawful use of property.

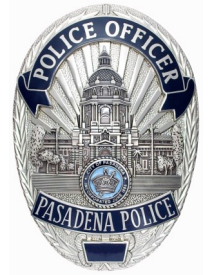
PC 602(m): Occupying property of another without their consent (or agent or lawful possessor's).

***Example*:** Suspect enters property of another without consent and set up a tent **with other indicators like stove, water tank, bedrolls etc., that show going to "occupy" longer than one day.**



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PC 602(n): Driving a vehicle upon property owned by someone else, not open to the public, without consent of owner (agent or lawful possessor).

***Example*:** Suspect drives car/motorhome onto property owned by someone else without their consent, when said property is not open to the public.

PC 602(o)(1): Refusing to leave property owned by another, not open to the public when requested by a peace officer.

***Example*:** Suspect is on or in the property of another and a peace officer request suspect to leave and suspect does not leave within a reasonable time (depends on situation: where, how old, baggage(?) etc.).

PC 602(o)(2): Refusing to leave property owned by another, not open to the public when requested by the owner or the owner's agent (**a trespass letter is considered an owner's agent**).

***Example*:** When owner/agent/lawful possessor asks the suspect to leave and suspect refuses and owner/agent/lawful possessor calls police.

PC 602.1(a): Intentionally interferes with a lawful business carried on by owner/lawful possessor, open to the public by obstructing or intimidating those attempting to carry on the business or customers. Subsection **(b)** is the same as (a), but business is a public agency.

***Example*:** Suspect goes into Starbucks open for business and intentionally stands in way of customers trying to pick up their orders and will not move or allow them to go around him. **Note:** If suspect goes into the Municipal Services Office (public agency) where suspect intentionally obstructs or intimidates people so they cannot pay their utility bill, then its subsection **(b)**.

PC 602.5(a): Anyone without authority who enters or remains on non-commercial property (ex: house, apartment) and remains without consent of owner/agent/lawful possessor. Subsection **(b)** makes it aggravated trespass when suspect does (a) while a person authorized to be in the dwelling is present.

***Example*:** Suspect breaks into or goes into (enters) a vacant apartment and there are no facts of committing a felony crime inside. Subsection **(b)** there is a person authorized to be there (owner, agent, lawful possessor, guest(s)) when suspect enters the property. **Note: enters or remains, thus entry alone is sufficient.**

These subsections aim to protect property rights and public safety by addressing specific trespassing scenarios and providing appropriate penalties for violations. For full legislative text, click here: [PC 602](#).