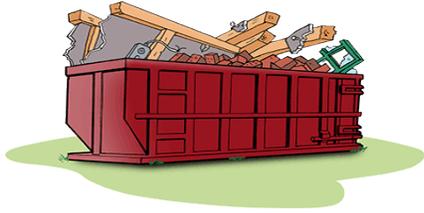


Businesses Who Have Shown an Interest in Clean Up of Homeless Camps



Perfection Cleaning

(530) 598-1987

Rizzardo Landscaping  
& Tree Trimming

(530) 842-4090

Joy's Landscaping

(530) 340-9134

Dirty Deeds Handyman Service

(530) 598-4979

Green Thumb Landscaping

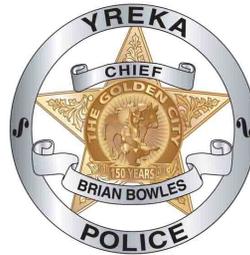
(530) 842-5915

Working with You to make  
Yreka

A Safer and Nicer

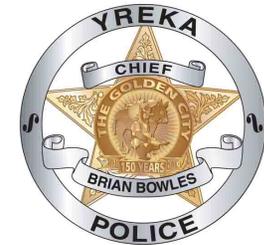
Community

Yreka Police  
Department



*Mission Statement*

*We will work together  
with the community to  
make the public  
concerns our concerns,  
to protect life and  
property, and enhance  
the quality of life in our  
community.*



City Of Yreka



**REFERENCE GUIDE  
TO LAWS  
REGARDING  
PANHANDLING  
LOITERING  
TRESPASSING**

Yreka Police Department  
412 W. Miner Street Yreka, CA 96097

(530) 841-2300

List of Clean Up Services Inside for Property Owners

## What is Panhandling?

Panhandling, California Penal Code 647(c): [Any Person] Who accosts other persons in any public place or in a place open to the public for the purpose of begging or soliciting alms.

Panhandling is accomplished in a variety of ways, including verbal requests as people walk past; standing on the sidewalks or on street

## Is Panhandling legal?

The Supreme Court has ruled that panhandling in and of itself is a form of free speech protected under the first Amendment of the U.S. Constitution, and thus not illegal. **But**, aggressive Panhandling or Soliciting is illegal.

Aggressive begging or soliciting could be any of the following:

- Intentionally blocking the path of the person being solicited;
- Persistent soliciting by following a person closely, while continuing to ask for money or other things of value, after being told by words or actions that the person does not want to give anything; or
- A solicitor's conduct that would cause a reasonable person to fear for his or her safety.

If this should happen to you, call the police so we can respond. Determine if you wish to pursue charges. A Citizen's Arrest Form, with identification of the suspect, should be completed for successful prosecution.

## What is Loitering/Prowling?

[One] Who loiters, prowls, or wanders upon the private property of another, at any time, without visible or lawful business with the owner or occupant. As used in this subdivision, "loiter" means to delay or linger without a lawful purpose for being on the property and for the purpose of committing a crime as opportunity may be discovered. 647(h) California Penal Code

## What is needed to prove and prosecute loitering/prowling?

- ◆ The person delayed, or lingered, or prowled, or wandered on property belonging to someone else; **and**
- ◆ When the person set foot on the property, they had no legal purpose to be there; **and**
- ◆ The person **was on the property with specific intent to commit a crime** on the property in question if the opportunity arose.

**But,**

**Loitering** was legally challenged and determined that the law may compromise the constitutional right to freedom of movement noting that, "Vagrancy statutes cannot turn otherwise innocent conduct into a crime."

Police Officers routinely make prowling arrests **at night around closed businesses**. If you have or suspect you have a prowler, call the police so they can respond to investigate. The officer can assist you in determining the best solution for the situation.

## What is Trespass?

602.1(a) of the California Penal Code defines Trespass as:

Any person who intentionally interferes with any lawful business or occupation carried on by the owner or agent of a business establishment open to the public, by obstructing or intimidating those attempting to carry on business, or their customers, **and who refuses to leave the premises of the business establishment after being requested to leave by the owner or the owner's agent, or by a peace officer acting at the request of the owner or owner's agent**, is guilty of a misdemeanor.

## What is needed to prove Trespassing?

That the person **willfully** entered someone else's property, and did so with the **specific intent** to interfere with the owner's property right, and **refuses to leave** the property when asked to do so.

Arrests for trespassing is normally done by the owner/renter of the property. If the trespasser refuses to leave after being asked to do so by the owner/ renter, an arrest can be made upon completion of a Citizen's Arrest Form for successful prosecution.