



## TRESPASS NOTICE POLICY

### A. STATEMENT OF POLICY

The County supports its staff and the public by ensuring a workplace and public county buildings that promote safety from threats, threatening behavior, or acts of violence against staff, visitors, or other individuals on County worksites or as part of County work activities.

Deschutes County strives to provide “Every Time” customer service standards to all individuals, including those who may show up for services disgruntled, frustrated, confused, or angry. Both Risk Management and departments assess the level of risk within Deschutes County worksites and provide job-appropriate information and/or training to staff whose job duties will potentially expose them to workplace violence. Deschutes County has zero tolerance for acts or threats of violence in the workplace.

It is the policy of Deschutes County to issue a trespass notice to individuals who violate our Prevention of Violence in the Workplace Policy ([Deschutes County Administrative Policy No. HR-9](#)) and/or create unacceptable disturbances in the work place. A trespass notice prohibits individuals from entering or remaining in County buildings and/or property for designated length of time. The ability for the County to issue Trespass notices helps to maintain safety and security for all people at County worksites and properties.

### B. APPLICABILITY

The provisions of this policy apply to any Deschutes County employee who has reason to request an individual be trespassed by the County due to acts of violence or threatening behavior, after staff has unsuccessfully attempted to de-escalate tense situations, or individuals, using specific professional techniques, department-specific protocols, or the Deschutes “Every Time” standards.

The Sheriff’s Office is exempt from these provisions and will follow its own trespass notice process. Individual departments may have additional protocols and procedures to determine which types of behaviors warrant a trespass notice and may use those in tandem with this policy.

## C. POLICY AND PROCEDURES

### **1. Definitions**

- a. Harassment: A form of behavior that to a reasonable person is intimidating, hostile, threatening, violent, abusive or offensive.
- b. Threat or Threatening Behavior: A physical, verbal, or written act that expresses, or is reasonably perceived as expressing, an intent to cause physical or psychological harm, or both, to anyone covered by this policy, or an act that is reasonably perceived as expressing intent to cause damage to property.
- c. Worksite: Any place where Deschutes County conducts business. This includes County-owned or leased offices or buildings, County-owned vehicles, personal vehicles when used within the course and scope of conducting Deschutes County work, clients' homes, and other locations where Deschutes County business is being conducted.
- d. Violence or Violent Behavior: A physical, verbal, or written act carried out or caused to be carried out which results, or may result, in physical or psychological harm, or both, to an individual covered by this policy, or damage to property. Examples of violent conduct include but are not limited to physical displays of aggression, such as hitting, pushing, pinching, grabbing, making threatening gestures or postures, or throwing objects. Also covered by this definition are situations in which physical or psychological harm occurs, even if such result was not intended (e.g., horseplay and practical jokes).
- e. Workplace Violence: Includes harassment, threats, threatening behavior, and violence and violent behavior, including behavior which causes harm where no violent intent is present (e.g. horseplay and practical jokes).

### **2. General**

Following any department-specific assessment or de-escalation techniques, including using the Deschutes County "Every Time" customer service standards, and after notifying their immediate supervisor, staff may request to trespass an individual from a County building(s) and/or property following a single incident covered under this policy, or multiple, continued incidents covered under this policy.

Potential reasons for trespassing an individual, may include, but are not limited to the following list:

- Physical contact
- Actual violence or violent behavior, or threatening harm to an

individual

- Disrespectful and/or threatening behavior or speech
- Aggressive use of profanity directed at staff
- Intimidating or threatening phone calls to staff or department
- Intentionally or recklessly damaging County property

In any instance, if staff feel they are being subjected to or threatened with illegal behavior, they are empowered to take immediate action by calling 9-1-1 for a law enforcement response.

### **3. How to File a Trespass Notice Request**

A trespass notice request should be filed immediately after an incident covered under this policy. A trespass notice request form is found in Exhibit A of this policy. The form is also available on the Risk Management website on InsideDC.

Trespass notice requests will be reviewed by the Risk Manager and if appropriate, the Risk Manager will draft a trespass notice for service on the individual.

A trespassed individual will not be allowed on designated County property for a specified period of time. However, trespassed individuals will still have access to County services and will be required to pre-arrange any visit related to County services at a time and location that is acceptable to the department and staff involved in such services. If necessary, the County will develop alternative methods to provide services to the trespassed individual.

### **4. Distribution of Responsibilities**

#### **a. Risk Management**

- Review trespass notice requests and investigate incident, if necessary.
- Draft trespass notice for legal review.
- Coordinate with Sheriff's Office or law enforcement to serve the trespass notice to the individual.

#### **b. Legal**

- Review trespass notice and limitations to be imposed against the individual to be trespassed and return to Risk Management for further action.

**c. Sheriff's Office**

- The Sheriff's Office will serve the notice upon the individual to be trespassed.

**d. County Administrator**

- The County Administrator has final decision-making power on trespass appeals per the instructions in the trespass notice.

**5. Appealing a Trespass Notice**

Trespassed individuals may appeal their trespass notice in writing within ten (10) calendar days of receipt of the notice. A written appeal must describe the reasons why the trespassed individual should not be trespassed. Untimely appeal petitions will not be considered.

If a trespassed individual files an appeal, the County Administrator has final decision-making power (*see Resolution 2023-001*) and must communicate the decision in writing to the trespassed individual within ten (10) calendar days of receipt of the appeal petition.

**6. If a Trespass Notice is Violated**

If a trespassed individual violates their trespass notice, staff should immediately call 9-1-1 and report that the trespassed individual has violated a trespass. 9-1-1 will dispatch law enforcement to respond.

Approved by the Deschutes County Board of Commissioners on \_\_\_\_\_, 20\_\_.

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Nick Lelack  
County Administrator

Exhibit A

## TRESPASS NOTICE REQUEST FORM

**Date of Request:** Click or tap here to enter text.

**Point of Contact:** Click or tap here to enter text.

**Phone Number:** Click or tap here to enter text.

**Trespass Request Type:**

Restrict Access to Building(s): Choose an item.

Other: Click or tap here to enter text.

Restrict Access to Property(s): Click or tap here to enter text.

**Person to be Trespassed (known name):** Click or tap here to enter text.

**Description of individual to be trespassed, if available:**

**Duration of Trespass:**  3 months  6 months  12 months  Other: Click or tap here to enter text.

**Date and time of incident:** Click or tap here to enter text.

**Location of incident (building and floor/dept):** Click or tap here to enter text.

**Incident Description:** Click or tap here to enter text.

**Is this the first incident by this person:**  No  Yes

**Evidence:**  Witness(es), please list: Click or tap here to enter text.

Video  Electronic  Phone/Text  Other: Click or tap here to enter text.

**Please provide a photo of the individual, if available.**

**The County is required to provide alternative service to trespassed individual.**

Point of contact to help with alternatively providing service: Click or tap here to enter text.

**Email completed form to Erik Kropp ([erik.kropp@deschutes.org](mailto:erik.kropp@deschutes.org)) or Risk Manager ([risk@co.deschutes.or.us](mailto:risk@co.deschutes.or.us)).**