



## BANNING GUIDELINES FOR PRIVATE PROPERTY OWNERS

### I. PURPOSE

The purpose of this guide is to outline the procedures the Howard County Police Department (HCPD) will utilize to assist owners and managers of private property with the enforcement of trespass laws and to identify the responsibilities of each party. The HCPD intends to enforce these laws in an effort to have a positive impact on the community and to have enforcement serve as an effective tool for the resolution of quality of life complaints.

This initiative will be achieved by:

- A. Having private property owners utilize the standardized HCPD Banning Notice template, HCPD Form 1910, to ensure consistency of content and information concerning banned individuals.
- B. Having banned individuals entered into the ILEADS database system which will enable officers on a scene to be able to easily identify trespass suspects.
- C. Having private property owners adhere to the procedures set forth in the banning process.
- D. Ensuring that private property owners notify HCPD of all banned individuals by sending a scanned copy of the Banning Notice to **banning@howardcountymd.gov**.
- E. Ensuring that HCPD is notified via email of all cancelled Banning Notices and allowing for a transitional time period for the processing of paperwork.

### II. RESPONSIBILITIES AND PROCEDURES

- A. In banning individuals from their property, the Private Property Owner hereby agrees to utilize the Banning Notice provided, HCPD Form 1910.
- B. The Private Property Owner shall be responsible for making certain all information contained in the Banning Notice is true and accurate.
- C. The HCPD will not enforce a ban that exceeds one (1) year in duration.
- D. It is the responsibility of the Private Property Owner or an Authorized Representative to issue and serve the Banning Notice. The HCPD may not personally serve an individual with a Banning Letter for private property.

**Exception:** If an officer has personal knowledge that an owner or representative wants an individual banned from the property and the owner or representative has previously completed and signed the HCPD Banning Notice, that officer may present the Banning Notice to the individual for signature when the owner or representative is not on location.

- E. Whenever HCPD provides information to the Private Property Owner that may necessitate the banning of an individual, the Owner agrees to send a Banning Notice to the individual via certified mail. **The certified mail receipt must be signed by the person subjected to the ban.**
- F. The Private Property Owner will scan and email a copy of the signed banning notice to [banning@howardcountymd.gov](mailto:banning@howardcountymd.gov).
- G. Once the HCPD Banning Administrator receives a properly executed banning notice from the Private Property Owner, HCPD Records will enter the banning information into the Records Management System and will maintain the record in accordance with retention laws and regulations.

- H. Whenever the Private Property Owner wants a banned individual arrested or removed from its property, the PPO shall be present to identify the subject, if needed.
- I. Whenever an individual's ban is cancelled, the Private Property Owner shall immediately notify the HCPD Banning Administrator via email that the ban is rescinded.
- J. Failure to adhere to the above guidelines will constitute the banning notice not being accepted by the Howard County Police Department the therefore not enforceable.

### **III. TERM**

Upon sending in a completed banning notice you acknowledge your adherence to the guidelines set forth above.

### **IV. ELEMENTS OF THE BANNING NOTICE**

- A. The Private Property Owner will affix their letterhead to the top of the notice, ensuring their address is prominently displayed.
- B. The Private Property Owner will attach a labeled map indicating where the subject is banned from, or identify specific addresses they are banned from on the rear of the banning notice.
  - 1. For Home Owners Associations, bannings are only applicable to common areas in the community and cannot be enforced on public or private roadways, sidewalks, or privately-owned homes.
  - 2. If the common area does not have a physical address, a map will be required identifying the area.

**Questions regarding this process can be directed to the Banning Administrator within the Howard County Police Department's Community Outreach Division by telephone at 410-313-2207 or via e-mail to [banning@howardcountymd.gov](mailto:banning@howardcountymd.gov).**