

NO TRESPASS ORDER

Date

Name of Unwanted Person

Date of Birth

This order serves to inform you that you are no longer allowed on the property situated at:

This order will remain in effect until you receive WRITTEN PERMISSION from the owner or authorized person to be on said property.

If you are found on said property in violation of this order, you will be subject to arrest and prosecution for *Criminal Trespass* per New Hampshire criminal statute RSA 635:2.

Sincerely,

Type or print name of property owner or authorized person (if a business, include person's title).

Signature

* * *

RETURN OF SERVICE

I HEREBY CERTIFY that I have provided a copy of this order in-hand to:

_____ on the ____ day of _____, 20____

Time: _____ Location of service: _____

Served by: _____
Print name and title

Signature

Gilford Police Department



TITLE LXII CRIMINAL CODE

CHAPTER 635 UNAUTHORIZED ENTRIES

Section 635:2

635:2 Criminal Trespass. –

- I. A person is guilty of criminal trespass if, knowing that he is not licensed or privileged to do so, he enters or remains in any place.
- II. Criminal trespass is a misdemeanor for the first offense and a class B felony for any subsequent offense if the person knowingly or recklessly causes damage in excess of \$1,500 to the value of the property of another.
- III. Criminal trespass is a misdemeanor if:
 - (a) The trespass takes place in an occupied structure as defined in RSA 635:1, III; or
 - (b) The person knowingly enters or remains:
 - (1) In any secured premises;
 - (2) In any place in defiance of an order to leave or not to enter which was personally communicated to him by the owner or other authorized person;
 - (3) In any place in defiance of any court order restraining him from entering such place so long as he has been properly notified of such order; or
 - (4) On any grounds, lands, or parking areas of any state correctional facility or transitional housing unit operated by the department of corrections without prior authorization or without a legitimate purpose associated with department of corrections operations.
- IV. All other criminal trespass is a violation.
- V. In this section, "secured premises" means any place which is posted in a manner prescribed by law or in a manner reasonably likely to come to the attention of intruders, or which is fenced or otherwise enclosed in a manner designed to exclude intruders.
- VI. In this section, "property," "property of another," and "value" shall be as defined in RSA 637:2, I, IV, and V, respectively.

NO TRESPASS ORDER COMPLETION INSTRUCTIONS

1. Fill out two (2) copies of the *No Trespass Order* using the format provided.
2. Give one copy to the unwanted person either in-hand *or* by sending via certified mail.
3. If you served the *No Trespass Order* in-hand then call the Gilford Police Department (603.527.4737) to notify us of the order. Bring the original *No Trespass Order* to the Gilford Police Department. The original must be signed and the *Return of Service* completed.
4. If you mailed the *No Trespass Order* via Certified Mail then bring, to the Gilford Police Department, a copy of the *No Trespass Order* and the original United States Postal Service (USPS) return receipt for notice slip(s) that have been issued by mail.
5. Retain a copy of the *No Trespass Order* for your own records. The Gilford Police Department will need to retain the original documents.
6. If unwanted persons return to the property trespassed from after having been served with a *No Trespass Order* then call the Gilford Police Department **immediately** at 603.527.4737. If it is an emergency then please call E9-1-1. Unwanted persons will then be subject to arrest for *Criminal Trespass* as outlined in RSA 635:2.