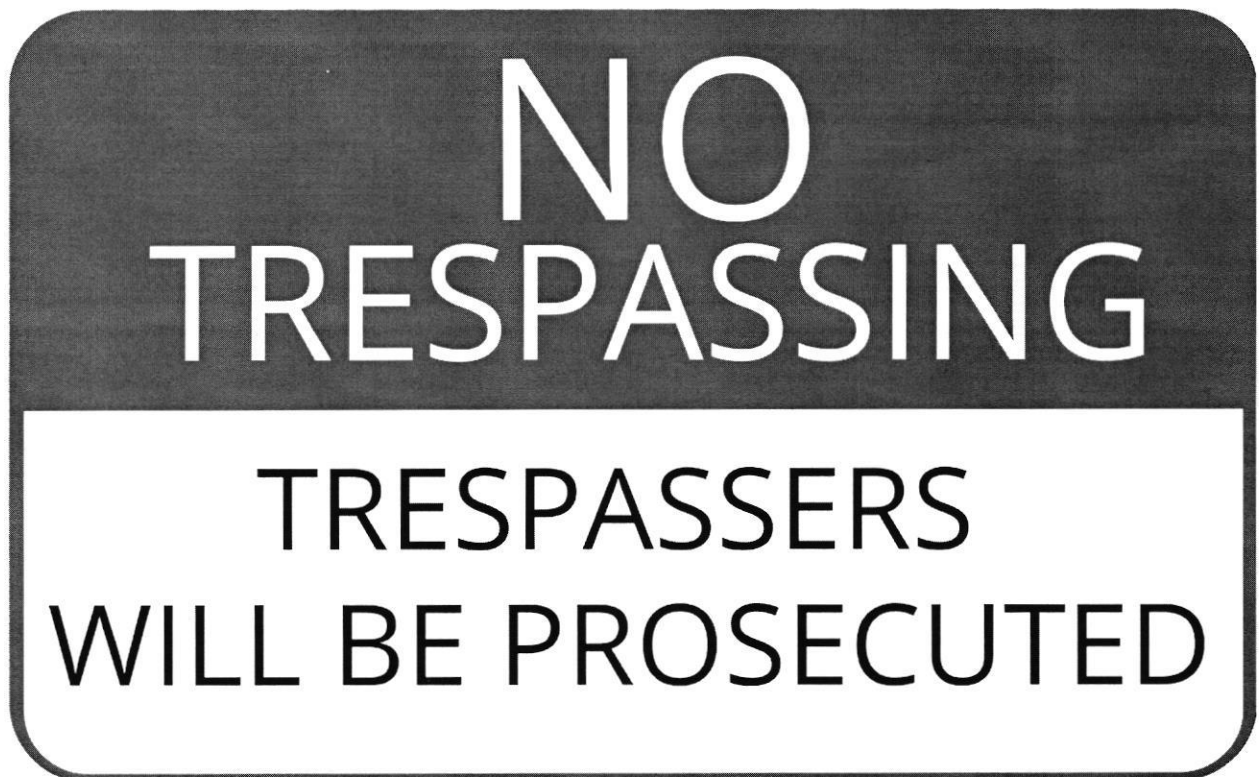


Collier County Teen Court
Collier County Courthouse
3315 East Tamiami Trail
Suite 506
Naples, FL 34112
Tel: 239-252-2756 Fax: 239-252-8272
Email: cfritsch@ca.ejis20.org

CONSEQUENCES OF TRESPASSING



TRESPASSING IN THE NEWS

RICHMOND—Morris E. Ray, the 20 year-old son of former boxer Gordon Ray, was listed in critical condition by authorities at Arlington General Hospital. Surgeons worked on Ray for three hours yesterday to treat gunshot wounds Ray received to his chest and legs. Witnesses say that Ray forced his way past Mrs. Doris D. Gesswin and entered the home of Dr. Alton R. Gesswein, 227 W. Kennedy Blvd. He demanded payment of \$150 that he claimed was owed to him by Gesswein's son. Gesswin says he ordered the man three times to leave his home. When Ray refused to leave, Gesswein said he picked up the telephone to call police. Witnesses said that Ray jumped on Gesswein and threw the physician to the floor. Just as Ray started toward Gesswein again, Mrs. Gesswein shot the intruder with her husband's double barreled shotgun. Police charged Ray with aggravated assault and trespassing. No charges have been placed against Mrs. Gesswein at this time.

ATLANTA—An Edgewood man, charged with attempted burglary, a felony offense, pleaded guilty, Monday, to a lesser charge of trespassing, a misdemeanor. He was sentenced to 60 days in the county jail. According to Deputy C. William Harcourt of the Fulton County Sheriff's Office, Preston Duffy, 19, broke into an apartment located at 1544 Covington Rd. Duffy had earlier been evicted from the apartment for not paying rent. Before he was arrested, Duffy had taken several articles of clothing, a color TV set and a table lamp from the apartment. He claimed that the articles belonged to him. Duffy said the items were being held by the apartment owner until he paid his overdue rent. In passing sentence, Circuit Court Judge Arthur T. Jamison noted that Duffy had been fined twice before for similar break-ins. Judge Jamison said that Duffy needed to spend time in jail to think about his responsibility for paying his bills.

LOS ANGELES—Two boys, ages 12 and 13, were taken into custody Tuesday by sheriff's deputies. Both were charged with trespassing on property belonging to Allied Textiles, Inc., 144 Rossberry Rd. Allied's guard, Charles L. Simpson, told deputies that on Monday afternoon he saw the two boys attempting to climb a security fence that surrounds the firm's warehouse. He said he led the pair off company property. A spokesperson for Allied claimed that the youths returned later and climbed the fence. He said they entered a warehouse and left a loading dock door open. As a result, many boxes of cloth were ruined by Monday night's rains. Water damage to the material was estimated at \$4,000. The company's insurance agent, C. Roland Burton, said he would ask the county's juvenile court judge to make the boy's parents pay for the damaged cloth.

BALTIMORE—A millionaire clothing manufacturer admitted that he had shot a trespasser next to the outdoor swimming pool of his home Thursday. Joseph R. Reynolds told police that the intruder had come after him with a knife. The 45-year-old executive said he fired two shots from his .38-caliber pistol, killing the stranger. "It was either him or me. I wasn't going to ask him what his intentions were," Reynolds said following the shooting. Police said they found a hunting knife beneath the body of the intruder.

TRESPASSING

Don't go where you aren't wanted

- 1. What is meant by trespassing*

Trespassing is willfully entering the home, building land or vehicle belonging to someone else without being told or invited to enter.
- 2. Is it a crime to trespass?*

Yes
- 3. Is it a crime to refuse to leave a person's property when he/she orders you to leave?*

Yes
- 4. What is a penalty for trespassing?*

That depends on how the trespass takes place. If the trespasser carries a firearm, he/she might be sentenced to spend years in prison. An unarmed trespasser might be fined and be sentenced to spend less than a year in jail.
- 5. If a person gets lost and enters someone's yard by mistake, is he/she guilty of trespassing?*

No. To trespass, a person must enter someone's property willfully, that is, on purpose.
- 6. Why do people trespass on property belonging to others?*

Most often they want to steal something. Some want to satisfy their curiosity. Many people do not know it is against the law
- 7. Can trespassing on another's property be dangerous?*

Yes. It is not at all uncommon to read about trespassers who were shot and killed by property owners who thought the intruders were about to attack them or to steal from them.
- 8. Why does society have laws against trespassing?*

Because most people feel that others, particularly strangers, should not be allowed to come into their homes, buildings, land or vehicles unless they invite them in.
- 9. What rights do citizens have that many trespassers ignore?*

Citizens have rights to privacy and rights to own property.
- 10. How might people suffer when a trespasser intrudes on their property?*

They can't lead normal lives because they become afraid, angry or annoyed.
- 11. Why should anyone fear a trespasser?*

Trespassers often turn out to be thieves who attack and injure property owners.
- 12. How should a person report a trespasser to law enforcement?*

He or she should give his/her name and address and a description of the trespasser. He/She should also report what the trespasser did. If the trespasser used a car, its license tag number should be reported.
- 13. Might a person who enters a school after it has been closed for the day be guilty of trespassing?*

Yes. Furthermore, if he/she climbs over a fence to use the playground, he might also be trespassing.

14. *If a person walks through a door that bears a sign saying "keep out," might he/she be charged with trespassing?*

Yes. The sign is the owners way of telling strangers they are not wanted.

15. *If someone climbs into someone else's car might he/she be guilty of trespassing?*

Yes. Trucks, vans, buses, boats, ships, freight cars, trailers and airplanes are also considered to be private property that are protected by the trespass laws.

16. *If a student takes a shortcut to school by walking across his neighbors yard, might he/she be guilty of trespassing?*

Possibly, particularly if the neighbor had previously told him/her not to cut across his yard anymore.

17. *Is it a violation to trespass laws to dump trash or garbage on someone else's property?*

Yes.

18. *Television programs often show private detectives picking locks and entering homes, apartments, business offices and warehouses. Are those TV detectives trespassing?*

Yes. They are shown violating not only trespass laws but, very often they are shown taking papers or articles. That means that they are also stealing.

19. *What might property owners do to keep trespassers away?*

Keep their buildings locked, put up "no trespassing" signs, build fences around their property and keep gates locked.

20. *Does the law permit people to use force to protect their property against trespassers?*

Yes. However, they should ask their parents, local attorneys or law enforcement officers to tell them just how much force they can legally use to defend their property. They certainly would not be permitted to kill someone for simply walking on their lawns.

21. *Might "party crashers" be considered trespassers?*

Yes. Since they weren't invited, their being at the party might frighten some guests and anger others. If they are asked to leave and refuse, they could be guilty of trespassing.

WHATS YOUR OPINON

Answer each of the following questions using the blanks space provided or on a separate sheet if needed.

- 1. Would you be frightened or angry if a stranger opened the front door of your home and walked in??**

How would the stranger be violating your right to privacy??

- 2. If someone accused you of being a tattletale, snitch or informer for reporting a trespasser to the police, would you think that person understood their responsibilities as a citizen??**

Why?? Why Not??

- 3. What can you do to discourage trespassers from coming onto your property?**

- 4. You know that it is wrong to trespass. Do you have less of an excuse for committing that crime now that you have learned that trespassing violated society's laws?**

Why?

UNFOLDING A STORY

- The following story is about two boys who learned—the hard way—about trespass laws.
- As you can see, the various, numbered parts of the story are not in order.
- If you understand how trespassing usually occurs, you should have little or no trouble in putting the numbered paragraphs in the proper sequence (order)

THE HAUNTED HOUSE

1. For the next five weeks, Jimmy and Robert worked hard mowing grass, baby-sitting and running errands to make enough money to pay for the repair work.
2. “You **must** have known that it was wrong to break the glass in the front door,” the judge said. “The owners of the mansion claim that it will cost \$50 to repair that broken pane.”
3. As they were getting ready to leave, they heard a sound of car tires crunching on the gravel driveway that led to the house
4. Jimmy boasted that he wasn’t afraid and agreed to go with Robert.
5. Jimmy and Robert ran from the rear door of the mansion into the arms of Officer O’Neil.
6. For more than an hour, Jimmy and Robert carefully explored the old house from basement to attic. They found no signs of ghosts.
7. Mr. Markham and Mr. Hutton told the judge that their sons had learned that trespassing was wrong. They offered to pay for replacing the broken glass in the mansion’s door.
8. Robert explained to the judge that neither he nor Jimmy had known they would be breaking the law by climbing over the wall and going into the empty mansion.
9. Jimmy Markham and Robert Hutton were on their way home after seeing a scary movie about an old, haunted house.
10. They climbed over the wall that surrounded the Lambert property, tiptoed up the mansion’s creaking front porch steps and tried to open the front door. It was locked.
11. A few days later, Officer O’Neil stood before Judge C. M. Baxter. “Your Honor, we got this call telling us that trespassers had broken into the old Lambert place. When we checked it out, we caught these two juveniles running out of the back door.
12. Robert challenged Jimmy to go with him to explore the old Lambert mansion that all of the kids they knew had said was haunted.
13. When they returned to school in the fall, Robert and Jimmy told their classmates about their experience. “No foolin’,” Robert said, “we felt really lucky that Judge Baxter let us off the way he did. Trespassing can be pretty serious. We won’t do that again.
14. They checked all the first floor windows. All of them were locked. They returned to the front door and, using a rock from the driveway, they broke the glass pane beside the door handle. Robert reached through the opening, pressed the latch inside and opened the squeaking door. Cautiously, the pair entered a long dark hallway.
15. Jimmy looked out of the front window and saw a police cruiser. “Its Officer O’Neil,” he yelled to Robert. “Let’s get out of here.”
16. “No,” replied Judge Baxter. “I’m going to rule that Robert and Jimmy—themselves—must pay for repairing the glass they broke. I want them to realize they have to be responsible for the things they do.”

Use the underlined spaced below to list (from left to right) the numbers of the paragraphs in the order that is required to make the story unfold properly.

_____, _____, _____, _____, _____, _____, _____,
_____, _____, _____, _____, _____, _____, _____

FACTS ABOUT THE LAW

At age 14, in the state of Florida, a young person can be sentenced to an adult prison

If you know who stole your property, you do not have the right to go onto that person's property and take back your property.

You may be charged with shoplifting if you are with someone who shoplifts, or if you are a lookout.

Changing labels on a product is considered shoplifting.

If you agree to "hold" someone else's drugs you can be charged with possession, even if the drugs do not belong to you. This means you have them in your car, or in your locker, or even in our parent's house.

Stealing is considered a serious crime in other countries. For example, in Pakistan a person who is caught stealing can have his hands or feet cut off.

Subsequent conviction of retail theft increases the degree of classification. For example, a 2nd conviction becomes a 1st degree misdemeanor; a 3rd conviction, even if the items taken were under \$300, becomes a 3rd degree felony.

If a building or park needs repair because of vandalism, everyone in the community pays the cost. This includes your parents.

Shoplifting is our nation's most expensive crime costing more than 16 billion dollars a year. Thee loss of money is paid by the customer through higher prices.

If you are suspended from school and go back onto school property while suspended you can be charged with Trespassing or Trespassing after Warning.

Receiving stolen property, with or without your knowledge, is illegal

If you enter a house, building, or car without permission and have the intentions to commit a crime, you can be charged with burglary.

If you give a police officer false information (a fake name, address) or have an uncooperative attitude during the arrest you can be charged for Resisting Arrest without Violence.

You may be charged with shoplifting, even if you have not left the store.

Violent crimes, such as assault and robbery, are on the rise in America. In 1989, approximately 19,000 people were murdered and more than 400,000 were victims of assault and robbery

TRESPASSING LAW DEFINITIONS

DIRECTIONS: read and know terms

- Burglary:
(1st degree felony)** Entering or remaining in a structure with the intent to commit a crime therein. **Example:** Going into a house to steal the contents.
- Criminal Mischief (Vandalism):** The willful damaging of someone else's property. Property may be a house, car, or personal property. The amount of damage determines the degree of the offense. (\$200.00 in damages is a 2nd degree misdemeanor, \$200.00-\$1000.00 is a 1st degree misdemeanor, and \$1000.00 is a 3rd degree felony. It is also a 3rd degree felony if the property damaged was a religious meeting place or religious article and the cost of damage was \$200.00. **Example:** Breaking windows in a building, slashing tires, carving one's initials in a school desk, or painting on a building or wall.
- Felony:** A serious crime for which the accused can be sentenced to prison (not jail) and in some states, put to death (3rd degree felony is punishable by up to 5 years in prison and a \$5,000.00 fine)
- Jail:** A place used to keep accused persons who are waiting for their trials; also a place to keep lawbreakers that have been court ordered for a misdemeanor (up to one year)
- Loitering:
(2nd degree misdemeanor)** To linger, "hang out", or to loaf around in a public place **Example:** hanging out at a convenience store, public park, or a parking lot.
- Misdemeanor:** A crime less serious than a felony that can result in the lawbreaker being sent to jail for up to one year. (A 1st degree misdemeanor is punishable by up to 1 year in jail and a \$4,000.00 fine) A 2nd degree misdemeanor is punishable by up to 60 days in jail and a \$500.00 fine)
- Prison:** A place used to hold lawbreakers for a period of time greater than 1 year (one year to life).
- Prowling:
(2nd degree misdemeanor)** Moving in a secretive manner, trying not to be seen.
- Resisting Arrest Without Violence:
(misdemeanor)** When a person interferes with a law enforcement officer when he/she is attempting to arrest them. **Example:** Arguing with an officer, giving false information such as a false name, address, or age.
- Robbery:** The taking of money or another's property by force, violence, or threats. **Example:** Telling a lady you will harm

Petit Theft:
(2nd degree misdemeanor)

her if she does not give you her purse, and then taking her purse.

The stealing of an item worth less than \$300.00 from a person **Example:** Taking a bicycle from someone, even if you intend to return it.

Trespassing:
(1st degree misdemeanor)

Being on another's property or land uninvited, and/or refusing to leave the property when asked to do so. **Example:** Hunting on someone's property, going on school property while you are suspended, or going onto someone's property after they have warned you not to.

Victim

A person(s) who has (have) been made to suffer because of a crime. Society may be the victim in certain case.

LARCENY-PETTY THEFT ACTIVITY 1 WORKSHEET

DIRECTIONS: you may use the Law Definitions page to help answer the questions, but first try to complete the worksheet without them

- | | |
|--------------------------------------|--|
| a. Loitering | _____ 1. A police officer stops you because you are out past curfew and you give him your brothers name, age and date of birth |
| b. Petit Theft | |
| c. Resisting arrest without violence | _____ 2. Standing in front of the 7-11 store just waiting to see who else shows up so you can hang out. |
| d. Trespassing | |
| e. Burglary | _____ 3. Taking Louis's skateboard without permission even though you planned to give it back when you were done with it. |
| f. Criminal Mischief | |
| g. Prowling | _____ 4. Going into a vacant house to meet your friends and purchase marijuana. |
| h. Robbery | |
| i. Jail | _____ 5. Sneaking around the neighborhood at night trying not to be seen |
| j. Misdemeanor | |
| k. Felony | _____ 6. Walking through someone's yard w/o permission |
| l. Prison | _____ 7. Scratching the paint off the car of someone you don't like |
| m. Victim | _____ 8. Serious crime. Could be sentenced to prison for up to 5 years |
| | _____ 9. You got your person stolen, someone hit you, etc. you were made to suffer in some way |
| | _____ 10. Less serious crime, you can be sentenced to jail for 60 days but no more than one year |
| | _____ 11. A place to house lawbreakers for a period of time greater than one year...could be up to life. |
| | _____ 12. Person waiting on a trial is housed here for up to 1 year |
| | _____ 13. Telling a lady you will harm her if she doesn't give you her purse and then taking the purse |

VOCABULARY QUIZ

MATCH THE FOLLOWING WORDS WITH THEIR SYNONYMS

A SYNONYM IS A WORD THAT HAS A MEANING **SIMILAR** TO ANOTHER WORD/GROUP OF WORDS. IN THE BLANK SPACE NEXT TO THE WORD, WRITE THE LETTER THAT IDENTIFIES IT'S SYNONYM

WORDS	SYNONYM LETTER	SYNONYM
1. ARREST (verb)	_____	A. RULE, REGULATION
2. CONSEQUENCE	_____	B. PUT UP WITH; ENDURE
3. RESPONSIBILITY	_____	C. ONE WHO SUFFERS
4. LAW	_____	D. RESULT, EFFECT
5. PUNISH (verb)	_____	E. TO REQUIRE; INSIST UPON
6. JUSTICE	_____	F. TO GYP, ROOK OR DECEIVE
7. SUFFER (verb)	_____	G. STOP, TAKE INTO CUSTODY
8. CHEAT (verb)	_____	H. FAIRNESS
9. ENFORCE (verb)	_____	I. DUTY
10. VICTIM	_____	J. PENALIZE

MATCH THE WORDS WITH THEIR ANTONYMS

AN ANTONYM IS A WORD THAT HAS A MEANING **OPPOSITE** TO ANOTHER WORD/GROUP OF WORDS. IN THE BLANK SPACE NEXT TO THE WORD WRITE THE LETTER THAT IDENTIFIES ITS ANTONYM

WORDS	ANTONYM LETTER	ANTONYM
1. WIN (verb)	_____	A. UNJUST
2. SUFFER (verb)	_____	B. BAD, EVIL
3. FAIR	_____	C. INNOCENT
4. RIGHT	_____	D. TO BE COMFORTABLE
5. JUST	_____	E. TO PENALIZE
6. GUILTY	_____	F. TO LOSE
7. TRUST (verb)	_____	G. ILLEGAL
8. GOOD	_____	H. WRONG
9. REWARD (verb)	_____	I. TO DISTRUST
10. LEGAL	_____	J. UNFAIR