

# The Plain Facts on Trespass Warnings in Florida

Trespass warnings have no boundaries as to whom they are issued to. Persons more vulnerable to having trespass warnings issued are homeless persons, minorities and the disabled including the mentally handicapped.

Neither reason nor rationale is required to have a trespass warning issued.

Overzealous persons in authority – such as private security guards (Orlando area theme parks such as Universal Orlando, Disney World and Sea World, Tropicana Field in St. Petersburg, etc.) and store managers (Publix, Sweetbay Supermarket, Office Depot, Wal-Mart, 7-Eleven, etc.) – can declare a person a second class citizen and ban a person for life.

Florida's trespassing laws are the most draconian in the United States.

Out of school suspensions imposed on your child are *de facto* trespass warnings. If your child is found on any school district property during the period of your child's suspension your child can be arrested and charged with trespassing.

Florida has no kind of protection whatsoever against banishment. Florida's courts can force a person – whether he or she is a native born Floridian or not – into legal exile by banishing the person from the state for life. On the other hand, Georgia – our neighbor to the north – has some form of protection against banishment in its state constitution. Compare this to a native born United States citizen banished into exile.<sup>1</sup>

Once issued, trespass warnings are permanent.

Trespass warnings can haunt a person many years later, as law enforcement can find out on the computer within seconds.

There is no right of appeal of a trespass warning, especially if the property involved is private commercial property with the implied right of access.

Trespass warnings are convictions for trespassing without the benefit of due process and trial.

Law enforcement – on the orders of private security or a store manager – processes recipients of trespass warnings like if the person was being arrested and booked into the county jail.

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<sup>1</sup> It can happen. The US State Department's Foreign Affairs Manual (7 FAM 1294.3) mentions that as part of a plea agreement between federal or Florida prosecutors and the defendant, the defendant renounces American citizenship in exchange for reduced penalties. For instance, a person arrested and charged with trespassing after warning who intends to live in Europe (for instance, Germany) may be given a plea deal of no adjudication and \$500 fine/60 days probation, on the condition that the person renounce American citizenship upon arrival. This is a classic example of a native born American citizen court ordered and banished into exile.

What may look like public property can be in fact private property in disguise. Remember when the City of St. Petersburg gave away a sidewalk in downtown St. Petersburg to BayWalk?

You can be arrested for the mere going within 1,000 feet of a school in Florida, even if you are on public and not on school district property. Do we live in a dictatorship rather than America – yet?

Lies, perjury, intimidation and libel are the norm in deciding if someone gets a trespass warning. Police reports, incident reports, and even private business surveillance tapes are doctored somehow.

Trespass warnings cost private businesses lost revenue (not to mention that customer you drove away from your store for no reason). That means you, as a store manager, helped drive your store straight into bankruptcy.

Get enough trespass warnings in Florida and you can be theoretically banished from Florida for life. Florida's courts can also ban you for life from any Florida county, city or even the entire state as mentioned earlier.

Trespass warnings are a great tool to rid your business of who you do not want.

Want to turn the public sidewalk in front of you into private property so that you can turn ordinary people into second class citizens by having trespass warnings issued? In St. Petersburg, the St. Petersburg City Council will be more than glad to accommodate you.

Want to make certain trespassing offenses felonies? If you are Corporate Florida, our Republican controlled Florida Legislature will be more than glad to oblige.

Private security – especially security companies such as Wackenhut<sup>2</sup> – have minimal or no background check requirements for new security officer hires. The result: Someone who is wanted for war crimes is hired as a security officer.

Speaking of private security, when they are assigned to protect a business private security looks out for the business' interest – not the patrons. Selections as to who to ban for life and receive a trespass warning are like the Nazi selections of World War II as to who gets to live and who gets the gas chamber.

Since 11 September 2001, law enforcement and private security has had an “us against them” attitude against the public. The general orders: Regard the public as the enemy.

Florida's trespass warning capital: Orlando and Orange County, with its theme parks including Disney World, Sea World and Universal Studios Florida.

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<sup>2</sup> Wackenhut has rigorous standards for certain high risk security officer positions, such as anti-terrorism officers.

For more information on Florida's legalized abuse of power in the name of private property, please see my white paper on Florida's trespassing laws at EdwardRingwald.com, located at <http://www.edwardringwald.com/FlaTrespassLaws.htm>.

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