



The following is the State Health & Safety
& Oakland Municipal Codes relating to trespassing & loitering.

TRESPASSING 602(I) & O.M.C. 9.32.050

Refusing or failing to leave immediately upon being requested by the owner, owner's agent or by the person in lawful possession.

LOITERING FOR DRUG ACTIVITIES H&S 11530 & O.M.C. 9.58.010

- (a) "Loiter" means to delay or linger without a lawful purpose for being on the property and for the purpose of committing a crime.
- (b) "Public place" means an area open to the public or exposed to public view and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots automobiles, whether moving or not, and buildings open to the general public, including those which serve food or drink, or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

LOITERING FOR DRUG-RELATED ACTIVITY H&S 11532 & O.M.C. 9.58.020

- (a) It is unlawful for any person to loiter in any public place in a manner and under circumstances manifesting the purpose and with the intent to commit an offense specified in Chapter 6 (commencing with Section 11350 "Drugs") and Chapter 6.5 (commencing with Section 11400)
- (b) Among circumstances that are considered in determining whether a person has the requisite intent to engage in drug-related activity are that the person:
 - 1. Acts as a "look-out" either on foot, bicycle or vehicle.
 - 2. Transfers small objects or packages for currency in a furtive fashion.
 - 3. Tries to conceal him or her or any object that reasonably could be involved in an unlawful drug-related activity.
 - 4. Uses signals or language indicative of summoning purchasers of illegal drugs.
 - 5. Repeatedly beckons to, stop, attempts to stop, or engages in conversations with passersby, whether on foot or in a motor vehicle, indicative of summoning purchasers of illegal drugs.

