



CITY OF SHREVEPORT
MAYOR TOM ARCENEUX

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**Understanding Louisiana Trespassing Laws and
Law Enforcement Authority on Private Property**

In response to recent concerns regarding unauthorized individuals on private property, the Mayor's Office would like to clarify Louisiana's trespassing laws and the legal limitations of law enforcement in addressing such situations.

Under Louisiana Revised Statute 14:63 (Criminal Trespass), it is unlawful for an individual to enter or remain on private property without permission from the property owner or lessee. With respect to "squatters" the statute requires that a "lawful possessor" give verbal or written notice to the occupant to vacate or that a lawful possessor post conspicuous signage advising that (a) the property is privately owned, and (b) unlawful trespass is prohibited. Thus, police cannot arrest an alleged squatter without some communication from the lawful possessor that the notice has been given.

The Mayor's Office does not have a policy advising police not to arrest alleged squatters. The law passed by the Louisiana Legislature has certain elements of the crime of criminal trespass for which the police must have probable cause to arrest. Merely observing the condition of a structure does not satisfy the elements of the crime of criminal trespass with respect to alleged squatters.

To give police a clear reason to arrest or to give a citation to an alleged squatter, the Arceneaux administration is proposing changes to the city's Property Standards Code that will give the police probable cause for a violation without any communication for the owner or lawful possessor or even any posting of a no trespassing sign. The proposed ordinance will make it unlawful to occupy structure that has defined dilapidated characteristics, such as holes in the roof, or that there not be an active water account and

service to the structure. Once passed by the City Council, the new ordinance will provide Shreveport Police with an avenue to remove or arrest occupants of an uninhabitable structure without any requirement that the police inquire of a lawful possessor or that certain signage be present.

The Mayor's Office, along with Shreveport police, remain committed to working with residents to address public safety concerns within the boundaries of state and local law, including the expulsion of squatters. The proposed legislation will create a clear path to enforcement and public safety.

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