

On the following page is Section 577, Article 27, Annotated Code of Maryland (1957 Edition). Under this ordinance 40 students of the CIG were arrested for violating this ordinance. The cost of bail fees and court costs for violation of this act has cost the CIG \$1,000. There are 21 other students awaiting trial for opposing the ordinance mentioned above. This is the same section that is read to the students during the process of sitting-in.

POLICE DEPARTMENT
CITY OF BALTIMORE

April 22, 1960

TRESPASSING IN RESTAURANTS

1. Attention is directed to Section 577, Article 27, Annotated Code of Maryland (1957 Edition).

"Any person or persons who shall enter upon or cross over the land, premises or private property of any person or persons in this State after having been duly notified by the owner or his agent not to do so shall be deemed guilty of a misdemeanor, and on conviction thereof before some justice of the peace in the county or city where such trespass may have been committed be fined by said justice of the peace not less than one, nor more than one hundred dollars, and shall stand committed to the jail of county or city until such fine and costs are paid; provided, however, that the person or persons so convicted shall have the right to appeal from the judgment of said justice of the peace to the circuit court for the county or Criminal Court of Baltimore where such trespass was committed, at any time within ten days after such judgment was rendered; and, provided, further, that nothing in this section shall be construed to include within its provisions the entry upon or crossing over any land when such entry or crossing is done under a bona fide claim of right or ownership of said land, it being the intention of this section only to prohibit any wanton trespass upon the private land of others. "

2. " Restaurant " is herein used to include not only the serving or dining room of any restaurant but also the entrance areas which are wholly on private property and in the control and possession of the restaurant management.

3. When any member of the Police Department is requested by the owner or manager of any restaurant to arrest any person for trespassing upon restaurant property, it shall be necessary for the restaurant owner or manager to first read the whole of Section 577 above to the alleged trespasser or trespassers in the presence of the police officer and thereafter to direct the alleged trespasser either not to enter upon the restaurant property (if the person has not already entered restaurant property) or to immediately leave the restaurant (if the person is already within the confines of the restaurant). If the alleged trespasser then enters upon restaurant property or refuses to leave the confines of the restaurant property, the restaurant owner shall be requested by the police officer to ask the alleged trespasser or trespassers to identify themselves by name and address. If the alleged trespasser properly identifies himself, then the police officer shall refuse to arrest such person until after the restaurant owner or manager first obtains a warrant for such arrest. If the alleged trespasser fails to properly identify himself, then the police officer shall forthwith place him under arrest for violation of Section 577 above, provided the owner or manager indicates his willingness to accompany the police officer and arrestee to the police station to prefer charges.

Nothing in this directive shall in any way affect established procedures for the arrest of disorderly persons.

OSCAR L. LUSBY, CHIEF INSPECTOR.