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DEPARTMENT OF THE ARMY  
Little Rock District, Corps of Engineers  
P. O. Box 867  
Little Rock, Arkansas 72203

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Regulation  
No. 405-1-7

8 December 1975

Real Estate  
DISTRICT POLICY AGAINST ILLEGAL TRESPASSING

1. Purpose. This regulation prescribes responsibilities, policies, and procedures for handling illegal trespassing or encroachment on Government-owned land.
2. Applicability. This regulation is applicable to all personnel involved with the management and supervision of Government-owned lands.
3. References.
  - a. ER 405-1-500
  - b. LRD Supplement 1 to AR 190-13
  - c. AR 27-40
  - d. AR 27-20
4. General. It is the responsibility of all employees of the Corps of Engineers to report any instances of trespass or encroachment on Government-owned property. This will be done at the earliest possible date to facilitate handling. All field and project personnel will be constantly alert in order to detect and prevent trespass and encroachments.
5. Field Offices. The Resident or Project Engineer will determine the identity of person or persons responsible for suspected encroachments on Government-owned land and shall notify responsible individual(s) of the suspected encroachment. Copies of correspondence with individual(s) or memoranda of contact will be forwarded to the Chief, Real Estate Division.
  - a. Temporary-type Encroachments (Trespass). Temporary-type encroachments or trespass should be resolved and corrected at field level, if at all possible. This includes but is not limited to someone moving a trailer in on Government-owned land, removing the wheels and setting up housekeeping; someone taking a tarpaulin and enclosing in a well canopy as a place to camp, livestock grazing

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This regulation supersedes LRDR 405-1-7 dated 1 March 1965

LRDR 405-1-7

8 December 1975

in public use, areas, etc. If the efforts to remove trespassers are not successful, the incident should be referred to the District Counsel for appropriate action.

b. Permanent-Type Encroachments. For encroachments where permanent-type structures are involved, the person causing the encroachment should be informed at field level of the suspected encroachment, and the matter referred to the Chief, Real Estate Division, for final decision on corrective action. A report of the suspected encroachment should reach the Chief, Real Estate Division, within 10 days from the date of the field discovery. The person encroaching should be informed of the referral to the District Office, but should not be directed to vacate until an investigation is completed. Efforts to have any work suspended pending completion of the investigation should be continued. Examples of such encroachments are:

- (1) Septic tanks and/or disposal fields.
- (2) Changing terrain (cuts and fills).
- (3) Roads.
- (4) Building of any type.
- (5) All other structures of a permanent type.

6. District Office. The following action will be taken by the Real Estate Division:

- a. Request any necessary surveys of Government boundaries.
- b. Provide followup correspondence relating to encroachments not resolved at field level. (Copies to Construction-Operations Division and field offices).
- c. Followup as necessary where corrective action has to be taken.
- d. Coordinate recommendations made at field level with Engineering and Construction-Operations Divisions.

7. Vandalism and Theft.

a. All cases of vandalism and theft will be investigated immediately by Resident or Project Engineer and reported directly to the District Physical Security Officer in accordance with LRD Supplement 1 to AR 190-13.

b. An immediate report of the offenses by the Resident Engineer to the county law enforcement officers.

LRDR 405-1-7  
8 December 1975

c. Upon receipt of a report of the offense, the Physical Security Officer will report to the Provost Marshall, SWD, in accordance with existing regulations, and to the Chief, Office of Counsel.

d. The Office of Counsel will immediately report the offense to the Little Rock Office of the FBI and to the Chief, Real Estate Division, if the offense involves damage to real property of the United States.

e. The Office of Counsel and Real Estate Division will then proceed in accordance with AR 27-20 and AR 27-40, which outline procedures for settlement of claims against and in favor of the Government.

FOR THE DISTRICT ENGINEER:



CHARLES E. DOWNS  
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