



WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

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July 1, 1994

TO ALL BODIES OF ELDERS IN THE UNITED STATES

Dear Brothers:

Many have asked about the proper approach to be taken when coming across homes bearing "No Trespassing" signs. The number of these signs appears to be rising with the crime rate in these "critical times hard to deal with." (2 Timothy 3:1) The following guidelines are designed to answer questions that publishers may have either now or in the future about "No Trespassing" signs.

Over the years publishers in many jurisdictions have called at homes bearing "No Trespassing" signs without being subjected to arrest and prosecution for violation of criminal trespass laws. The homeowners who erected the signs either did not intend for the signs to apply to ministers or there has been a change of residents and the new residents did not intend for the "No Trespassing" signs to apply to our publishers. Thus, where publishers come upon a home bearing such a sign, they should review what they know about the house and its residents. The number of times publishers have called at the home, placed literature, or had friendly conversations should be considered. On the basis of such factors, publishers might determine that there is little or no likelihood of being arrested and that it is safe to proceed and make the call.

However, publishers must still keep in mind that if they enter property bearing "No Trespassing" signs, they are taking a risk of being criminally prosecuted. They may choose to proceed but they are doing so at their own risk. Thus, they must carefully weigh the circumstances surrounding each home. Being advised of this procedure and forewarned about the risks of arrest and prosecution, they will be able to make an informed choice whether to call at homes bearing "No Trespassing" signs.

As a general rule, householders have a right to privacy and to prohibit anyone, including publishers, from entering their property. We therefore recommend that if questions arise, then please review the material in the "Question Box" of the June 1994 issue of *Our Kingdom Ministry* with the publisher. Publishers must be conscious of the fact that some homeowners have forcefully and clearly communicated their desire not to receive visits from Jehovah's Witnesses, and publishers must understand that those desires are not to be taken lightly.

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If publishers call on a house or enter the grounds around such a house where a "No Trespassing" sign is located, they may be subject to criminal prosecution and resulting monetary fines and/or incarceration. To be prosecuted for such conduct is a serious matter. Fines in some states are as much as \$2,500 and incarceration for any length of time can be extremely traumatic.

If a publisher chooses not to call at a home because of a risk of arrest, other means of contacting the homeowner should be considered, for instance, by telephone or mail.—See "Telephone Witnessing—A Way to Reach Many," *Our Kingdom Ministry*, August 1993, pages 3, 4; *The Watchtower*, February 15, 1987, pages 19, 20; "Meeting the Challenge of Apartment Witnessing," *Our Kingdom Ministry*, November 1985, pages 3-6; Announcement No. 5, February 1983, *Our Kingdom Ministry*, page 3; "Presenting the Good News," *Our Kingdom Service*, September 1976, page 8.

It is important to note that "No Trespassing" signs are different from other signs such as "No Soliciting," "No Peddling," or "No Canvassing." If a *municipality* endeavors to enforce the application of such signs other than "No Trespassing" signs to our preaching activity, we would like you to contact the Legal Department with the details. However, if a *householder* at any time informs a publisher that his sign applies to our ministry (no matter what the wording of that sign may be), the publisher should reassure the householder that future calls at his home will cease. This can be done by simply stating:

The application of the sign was not clear to us from its wording. Steps will now be taken to make certain that no further calls are made at your home by Jehovah's Witnesses.

After such homes have been isolated, you will want to list them in a special telephone territory for elders to call annually to determine if there has been any change in the occupant's attitude toward our ministry.—Compare "Telephone Witnessing—A Way to Reach Many," *Our Kingdom Ministry*, August 1993, pages 3, 4; "Question Box," *Our Kingdom Ministry*, June 1994, page 2.

As we move ever closer to the end of this wicked system, there is an increasing need for all of us to be cautious in our disciple-making work. (Matthew 10:16) We trust that this information regarding "No Trespassing" signs will be of help to publishers should questions arise as they endeavor to 'fully accomplish their ministry.'—2 Timothy 4:5.

Your brothers and fellow servants,

Watchtower B. & S. Society
OF NEW YORK, INC.