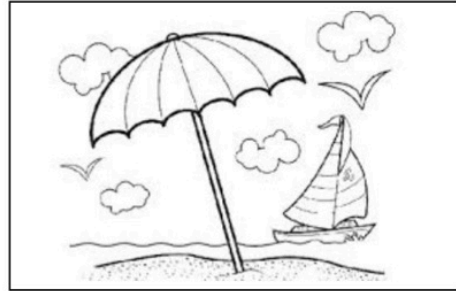




## SHERIFF'S OFFICE

A TRADITION OF SERVICE SINCE 1856

San Mateo County Sheriff's Office  
Public Information Office  
400 County Center  
Redwood City, CA 94063  
Dep. Rebecca Rosenblatt  
650-363-4800 (office)  
650-421-1243 (cell)  
[pio@smcgov.org](mailto:pio@smcgov.org)



# NEWS RELEASE

**Location:** Martin's Beach; 25 Martins Beach Rd Half Moon Bay  
**Type of Incident:** San Mateo County Sheriff's Office Position  
Regarding Trespass Complaints at Martin's Beach

### Summary:

San Mateo County, CA – Recently, concerns have been raised that the Sheriff's Office will be making arrests or issuing citations for trespass at *Martin's Beach* solely based on an allegation by the property owner that a member of the public is accessing the beach. The purpose of this press release is to reassure the public that the Sheriff's will not do so.

In general, establishing a violation of penal code provisions prohibiting trespass requires evidence that the suspect has the intent to access property without the legal right to be on it. It is the Sheriff's Office's understanding that the right of legal access to *Martin's Beach* is currently the subject of litigation that has not been fully resolved. Because of that fact, and until and unless the courts provide more specific guidance, it is unlikely that the elements of trespass can be established. It is of note that the San Mateo County District Attorney has reached the same conclusion. Accordingly, at this time, the Sheriff is exercising his discretion not to cite for trespass when the allegation is simply that someone is accessing Martin's Beach.

The San Mateo County Sheriff's Office also understands that gate fees are being collected from time-to-time at Martin's Beach. It is the Sheriff's Office's view that complaints regarding gate fee violations are primarily a civil matter and will not be investigated criminally. The Sheriff's Office, of course, retains the discretion to cite, arrest and/or investigate crimes occurring at *Martin's Beach* and will do so in appropriate cases on a case-by-case basis.

Release Date: January 27, 2015

