

# **BLOOMINGTON POLICE DEPARTMENT**

## **STANDARD OPERATING PROCEDURE**

### **LOUD PARTIES, EXCESSIVE NOISE, AND CRIMINAL TRESPASS COMPLAINTS**

Reviewed by: Lieutenant Jim Clesson	Effective Date: August 23, 1988
Authorized by: Chief Jamal A. Simington	Revision Date: February 6, 2026

#### **PURPOSE**

The purpose of this SOP is to establish the way Bloomington Police Department Officers respond to calls of loud parties, excessive noise and trespass complaints. This procedure will detail for both the responding police officer(s) and the public what is expected at the scene of such a call.

#### **PROCEDURE**

Officer(s) should use discretion and make every attempt to protect the identity of the complainant.

After receiving the initial loud party or noise complaint, the call will be dispatched for officer(s) to respond. Upon arrival at the scene, the responding officer(s) should be observant for any violations of the law and for verifying the complaint. The officer(s) receiving the initial call will be responsible for:

1. Making a reasonable attempt to contact the caller/complainant if applicable;
2. Locating someone in authority at the scene;
3. Advising him/her of the complaint; and
4. Requesting the person(s) cooperate in reducing the noise or other problems.

During this initial encounter, the responding officer(s) should make a reasonable attempt to obtain the name and address of the person he/she has spoken to and will relay this information to dispatch, along with a brief description of the conditions there and the action he/she took. Dispatch personnel will log the information from the officer at the scene documenting the activities observed and the action taken.

Depending on the circumstances, the officer(s) may issue an ordinance violation or warn the violating party that a subsequent response could result in the issuance of an ordinance violation.

The McLean County State's Attorney's office may not file Disorderly Conduct charges for noise complaints, deferring such issues to local ordinances. Bloomington Legal Department may pursue prosecution for extreme cases of loud parties and excessive noise under the City's

[Disorderly Conduct ordinance \(Chapter 28, Sec. 5, \(a\) \(1\)\)](#) and [Disorderly Premises \(Chapter 28, Sec. 65\)](#).

If the circumstances surrounding the violation can be documented with sufficient detail in the narrative section on the OV form, the officer may do so.

A police report should be written if the violation is of a chronic nature, involves subjects of interest, and/or involves circumstances that require a more detailed explanation.

Upon receiving a subsequent complaint to the same location for the same or similar problem, the responding officer(s) shall be advised by Dispatch that a previous call was received and what action was taken by the responding officer(s). When the responding officer(s) arrive and verify the location of a loud party, they shall take appropriate steps to contact the individual responsible for the party and request that the party be dispersed. The shift supervisor shall be notified of all subsequent calls to problem addresses and the action taken on callbacks. He/she should be prepared to provide adequate manpower to see that these problems can be dealt with properly.

The name and address of persons who may testify in any court proceedings regarding the original or subsequent calls should be obtained. Officers may issue ordinance violations for the appropriate offenses, provided a civilian witness is willing to testify at a later court proceeding. When necessary, officers will generate a police report documenting the incident, circumstances, and any enforcement action taken.

### **Criminal Trespass to Property**

If the call is for Criminal Trespass to Property and results in an individual being banned from returning, the responding officer shall complete a Notice of Trespass Warning and follow the steps set forth in [SOP Number 1.35- Issuance of Private Property Trespass Ban Notice](#).

If an arrest is made for Criminal Trespass-Land (Class B misdemeanor), officers shall issue a citation in lieu of a custodial arrest so long as proper identification is obtained and the subject poses no threat to the community or any person.

Note-Officers have the discretion to arrest those with Class B and lower offenses if:

1. The officer believes the accused poses a threat to a person(s)/community,
2. Arrest is necessary due to persistent criminal activity after a citation is issued (i.e., person refuses to leave),
3. The accused has obvious medical or mental health issues that pose a risk to their own safety.
4. Other exceptions outlined in [725 ILCS 5/109-1\(a-1\)](#)

The PFA does not extend to juvenile offenders. Juvenile offenders should be handled in accordance with [SOP 2.08 Juvenile Contacts and Custodies](#).

### **Unauthorized Occupants (Squatters)**

For purposes of this policy, an unauthorized occupant (commonly referred to as a “squatter”) is a person who knowingly enters or remains on real property without the permission of the owner or lawful possessor and without a valid lease, rental agreement, or other legal right of possession.

Pursuant to 720 ILCS 5/21-3 (Criminal Trespass to Real Property), officers may enforce criminal trespass laws against unauthorized occupants when probable cause exists.

Consistent with Illinois law, the existence or availability of a civil eviction process does not, by itself, prohibit criminal trespass enforcement when the elements of the offense are met.

When responding to complaints of unauthorized occupancy, officers should make reasonable efforts to:

- Verify ownership or lawful possession of the property; and
- Determine whether the occupant can produce credible evidence of lawful possession.

If the occupant cannot demonstrate lawful authority to occupy the property and the owner or lawful possessor denies granting permission, officers may order the occupant to leave and take enforcement action consistent with law and this policy. *Note, the presence of personal belongings, utility usage, or length of stay alone does not establish lawful possession.*

When credible evidence indicates a landlord-tenant relationship or bona fide civil dispute over possession, officers should document the encounter and refer the parties to appropriate civil remedies absent additional criminal conduct.