



Community College of Rhode Island

Campus Police Department

**Knight Campus, Warwick - Flanagan Campus, Lincoln – Liston Campus,
Providence - Newport County Campus, Newport, Rhode Island**

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	30 November 2023	330.05	11 May 2020
SUBJECT TITLE		SUBJECT AREA	
NO TRESPASS ORDERS		OPERATIONS	
RIPAC REFERENCE		PREVIOUSLY ISSUED DATES	
		11 May 2023, 15 May 2020	
DISTRIBUTION	REEVALUATION DATE		PAGES
ALL	TRIENNIALLY		4

NO TRESPASS ORDERS

I. PURPOSE

The purpose of this policy is to establish procedures for consistent and appropriate issuance of No Trespass Orders (NTO's) to individuals on campuses of the Community College of Rhode Island.

II. POLICY

It is the policy of the Community College of Rhode Island Campus Police Department to ensure the safety of the students, faculty, staff and visitors on our various College properties. NTO's are an effective enforcement tool that officers can use for the removal of dangerous and/or disruptive persons from the campuses. NTO's shall not be issued lightly. Access to our institution is vital to many members of the State. In the case of students, the interest of the safety of

the public must be considered in balance with the interest students maintain in achieving an education. The issuance of an NTO will be in compliance with the following RIGL's:

§11-44-26. Willful trespass - Remaining on land after warning - Exemption for tenants holding over.

(1) Every person who willfully trespasses or, having no legitimate purpose for his or her presence, remains upon the land of another or upon the premises or curtilage of the domicile of any person legally entitled to the possession of that domicile, after having been forbidden to do so by the owner of the land or the owner's duly authorized agent or a person legally entitled to the possession of the premises, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or imprisonment for a term not exceeding one year, or both.

§11-44-26.1 Mandatory minimum fine for willful trespass within school buildings.

Every person who willfully trespasses or, having no legitimate purpose for his or her presence, or having been suspended from attendance at any school, remains within a building used for a public or private school, college, university, junior college, or other public or private educational institution, or on the school grounds or campus grounds of any public or private school, college, university, junior college, or other public or private educational institution after having been forbidden so to do by a local or state police officer or a guard, security officer, or an official of the school, college, university, junior college or other educational institution, shall for the first offense be punished at least by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500), and shall for the second offense be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), and for the third or any subsequent offense by a fine of not less than one hundred fifty dollars (\$150) nor more than five hundred dollars (\$500), and may in addition, be imprisoned not exceeding six (6) months.

III. PROCEDURE

A. Issuance of a No Trespass Order (NTO).

1. Students, faculty and staff have a legitimate purpose on campus property. Other persons shall be issued an NTO that have no legitimate purpose on campus property and
 - a. Has a criminal history that presents safety issues for the College, or
 - b. Through the determination of reasonable suspicion are believed by the officer to have committed or are about to commit a crime, or
 - c. Their actions are disorderly, suspicious, threatening, dangerous or disruptive to the educational environment,shall be issued an NTO.
2. A person who has been trespassed still retains the sole right to use the RIPTA bus stops on our campuses.
3. A student or employee shall be issued an NTO if that student or employee is arrested for a crime while on campus property; has or is about to commit a crime on campus property; presents an immediate danger to the campus community if allowed to remain on campus property; or the NTO is requested by the Dean of Students, Title IX Coordinator or the Director of Human Resources.

4. The following are offenses for which an NTO may be issued. The list is not all inclusive:

- d. Acts/credible threats of physical violence or assault.
- e. Disorderly conduct that disrupts the educational environment or violates RIGL 11-45-1/2. Unless violence is ongoing or imminent, warnings should be given to all persons acting in a disorderly manner to cease such activity and/or disperse or they will be issued an NTO.
- f. Repeatedly ignoring an officer's orders to leave the campus during times of closing or during an emergency.
- g. Carrying or possessing weapons that are prohibited by policy or law.
- h. Possession of prohibited or dangerous narcotics.
- i. Reckless driving on campus that could result in death or serious injury.

C. Notifications

1. A supervisor must approve an issuance of an NTO and should witness the form when practical.
2. Whenever possible NTO's are to be issued to the person in writing. Persons may be orally notified of the order but a written copy of the order shall be mailed, preferably certified, as soon as possible to the last known address of the subject. Any means used in a telephonic notification to confirm the identity of the person served orally shall be documented.
3. Any issued NTO will be documented in an Offense Report and added as an attachment; a Trespass Entry made IMC records; notice of the NTO distributed department wide; and the original place in the NTO records file.
4. In immediate cases the local municipal police department can be requested to issue the NTO with proper documentation.
5. If an NTO has been issued in connection with an incident of sexual violence, sexual misconduct, domestic violence, dating violence or stalking, the Title IX Coordinator should be immediately notified.

D. Expiration of Orders

1. NTO's issued by officers to students or employees will have 'until further advised by the Dean of Students' or 'Director of Human Resources' in the expiration block.
2. For orders involving members of the public who are unaffiliated with the college, a date one year from the date of issuance will be entered.
3. NTO's are enforceable for one year. If the NTO is needed longer than one year the person has to be served/notified of a new one.

B. Enforcement

1. A person with an active NTO is subject to arrest without need of a warning. An NTO must be positively confirmed as active to affect an arrest for a violation of RIGL 11-44-26 or 11-44-26.1. No arrest shall be made if there is any doubt of the validity of the NTO.
2. Any matter involving local and/or state police shall require supplying them with a copy of the NTO for their records.
3. A person, when issued an NTO, will be given a reasonable opportunity to leave. If the person refuses to comply with the order to leave, the officer will use de-escalation and issue a second verbal order to leave. If noncompliance continues the person shall be arrested for no trespassing at that time.
4. The College, through the Dean of Students or the Director of Human Resources, can issue an administrative no contact order or restraining order under the student code of conduct or employee regulations. These are not enforceable by arrest. Violations will be documented and forwarded respectively.

D. Appeals

1. Students may appeal the NTO to the Dean of Students. The Dean of Students shall immediately notify the Chief of any continuance or removal of an NTO to avoid unnecessary enforcement action.
2. Employees may appeal their NTO to the Director of Human Resources. The Director of Human Resources shall immediately notify the Chief of any continuance or removal of an NTO to avoid unnecessary enforcement action.
3. Any member of the public subject to an NTO who is not affiliated with the College as a student, faculty member or staff member may appeal the NTO to the Chief. The Chief will consult with the College administration and legal counsel concerning the appeal. The safety of the College community will be weighed against the need of any individual to access a campus or campus property.
4. Anyone who received an NTO in connection with an incident of sexual violence, sexual misconduct, domestic violence, dating violence or stalking may appeal the NTO to the Title IX Coordinator. The Title IX Coordinator shall immediately notify the Chief/Deputy Chief of any continuance or removal of an NTO to avoid unnecessary enforcement action.
5. Any rescinded NTO will be annotated on the original copy, with a date; in the subject's IMC Master Name Notes/Cautions; and in a follow-up narrative to the original Offense Report. Copies of the NTO shall be removed from publication on bulletin boards, etc. to avoid confusion.

The Chief's office will be responsible for removal.

A handwritten signature in black ink, appearing to read 'JFH', with a long horizontal flourish extending to the right.

Joseph F. Hopkins
Chief of Campus Police

Link: [No Trespass Order Form](#)