


STANDARD OPERATING PROCEDURE			
	SUBJECT: Field Interviews - Trespass Orders (CODE 28) SOP 2010-02	DIVISION: ALL	DISTRIBUTION: ALL PERSONNEL
	ISSUING AUTHORITY: CRAIG A. STONE ASSOC. V.P. & CHIEF, CAMPUS SAFETY AND EMERGENCY MANAGEMENT SERVICES (ELECTRONICALLY SIGNED)	EFFECTIVE: FEBRUARY 1, 2010 REVISED: MARCH 21, 2025	SUPERSEDES:

Field Interviews / Trespass Orders (Code 28)

INDEX	PAGE
References & Attachments	2
Applicability, Purpose, Policy & Definitions	2
Procedures: When to Complete a Field Interview Card	3
Officer Safety Considerations	3
Legal Restrictions to Field Interviews	4
Completing Field Interview Form Code (28)	5
Recording Field Interview Data	6
Issuing Trespass Orders	6
Supervisory Responsibility	7
ECC, Communications Officer Responsibility	8
Filing Field Interview / Trespass Warning Data	8
Expunging Field Interview Hard Copy Card Files	8

CALEA STANDARDS: N/A

REFERENCES:

- DPS Field Interview / Trespass Form Code 28 (In ECC)
- Unhoused Individual Resource Card
- New York State Attorney General Guidance – Immigration Enforcement

ATTACHMENTS: N/A

I. APPLICABILITY: This Standard Operating Procedure is applicable to all Syracuse University Department of Public Safety (DPS) employees who are empowered and authorized to conduct field interviews, check suspicious individuals, and/or issue Trespass Warnings on behalf of the University.

II. PURPOSE: The purpose of this policy is to establish guidelines for conducting field interviews and maintaining records of those interviews, as well as for issuing and maintaining records dealing with the issuance of Trespass Warnings (Code 28).

The DPS recognizes that field interviews are a productive tool and source of information for law enforcement and public safety. Field interviews should only be used in the legitimate course of law enforcement activity, and should never be utilized to harass or annoy a particular individual or segment of the University community while not encroaching upon or abridging the Constitutional rights of the people we encounter, including the right and access to counsel should the need arise. When utilized efficiently, field interviews can discourage criminality, identify suspects, and also add an intelligence component to the department that might otherwise be absent.

Likewise, Trespass Warnings as a part of the Field Interview process or as an addition to the Investigative Procedure, may be issued to those individuals who are not affiliated with the University and are involved in some manner of suspicious activity or circumstance that arouse a DPS Officer's 'reasonable suspicion'. Moreover, they may also be issued in response to complaints from University members relative to improper, illegal, or aberrant behavior that is disruptive to the educational process, or threatens the safety or security of the University community members.

III. POLICY: It is the policy of the DPS to safeguard the University while also upholding the rights afforded individuals under the United States Constitution. Members will remain cognizant of the need to patrol proactively and be responsive to complaints, to safeguard the health and safety of the University community, and protect University Property and to use the field interview program as a component of those duties.

IV. DEFINITIONS:

- A. Field Interview:** An officer initiated contact with an individual or group of individuals for the purpose of determining and documenting a subject's purpose for being on property that is University owned, controlled, or operated. Such contacts can be predicated upon a person's suspicious behavior, or upon circumstances that in their totality cause an officer to have reasonable belief that some manner of crime,

offence, or violation of the University's Code of Student Conduct is being, or has been perpetuated.

- B. Trespass Warning: That lawful instruction issued either verbally or in writing by a legitimate University authority instructing a person to leave and/or remain off of University owned, controlled or operated property. Trespass warnings most generally may be issued for periods up to one year, or for a period of up to three years in serious instances of alleged or actual violent crime, including serious or protracted instances of academic disruption, and/or the endangerment of health and safety of the University community, repetitive felonious behavior, possession of a weapon, or threats.
- C. Reasonable Suspicion: That suspicion that is 'more than a hunch' and that is based on a set of clear facts and circumstances that would lead a reasonable person to believe that some manner of offence or violation is being committed, is about to be committed, or has been committed by one or more specific people under suspicion. This can be predicated upon an officer's observations, in conjunction with training and experience and/or reliable information received from an outside source.

V. PROCEDURES:

- A. **When To Complete A Field Interview Form**: Field Interview Forms (Code 28) should be completed for an individual relating to some of the suspicious behavior or suspicious circumstances listed herein, and this list should not be considered all inclusive:
 - 1. Individual(s) located loitering around academic buildings, residence halls, off-campus University controlled property, and other buildings or venues that are closed to the non-university public or the general university community.
 - 2. Individual(s) found upon or within specific University properties areas absent any legitimate purpose.
 - 3. Individuals found upon University owned, controlled, or operated property with items that could be construed as burglar's tools absent any apparent crime or probable cause to make an arrest.
 - 4. Persons or vehicles found in areas where criminal activity has occurred (parking lots / garages, etc...) or in which the activity that is occurring that arouses an officer's reasonable suspicion.
 - 5. Individual(s) known to the DPS for having been involved in criminal behavior on property owned, controlled or operated by the University, or in the neighborhoods immediately adjacent to the University who are found upon University property without any reason or legitimate purpose.
 - 6. Individual(s) who have committed a minor infraction in an Officer's presence and exercising discretion, the officer completed a Field Interview Form / Trespass Warning in lieu of an arrest.

B. Officer Safety Considerations:

As is the case with vehicle stops, DPS officers will not initiate contacts with individuals engaged in suspicious behavior without first notifying the Emergency Communication Center (ECC) of their location as well as a brief description of what or who they are investigating.

C. Unhoused Individuals: (03/21/25)

Individuals that are found upon University controlled property and interviewed that lack any stable, safe and functioning housing will be provided a Syracuse University Department of Public Safety "Unhoused Persons Resource Card".

Acceptance of the Resource Card by the individual being interviewed is not mandatory; however, these efforts will be documented on the Field Interview Form.

D. Legal Restrictions To Field Interviews:

Case law is very specific relative to the legality and authorization to stop persons on public streets for investigatory purposes. The following guidelines are offered to assist with pedestrian stops and the checking of identification:

1. The buildings, walkways, parking lots, and other properties owned, controlled, and operated by Syracuse University are private property. Students, faculty, and staff are responsible for identifying themselves and/or producing, upon reasonable request, a valid SUID card.
 - a. Officers as University officials are empowered to reasonably inquire into a person's activities at any time provided that person is on private property, and the officer is not overly intrusive and does not engage in stop, question and frisk behavior (Terry v. Ohio, 392 U.S., 1968).
2. Many of the roadways and walkways abutting, adjoining and traversing the University are public property. The DPS under the existing Memorandum of Understanding (MOU) with the Syracuse Police Department has concurrent jurisdiction on all public streets, sidewalks, and thoroughfares which surround and pass through the University.
3. A person should be considered in custody once they have been stopped and/or detained for more than fifteen (15) minutes under the following circumstances;
 - a. They are being detained for more than identification purposes and have not been explicitly told they are free to leave, or are told that cannot leave after requesting to leave.
 - b. Their movement has been restricted for an extended period of time by having been confined in some manner to include having been placed in the rear of a patrol vehicle or mechanical restraints.
 - c. Be aware of an in-custody status and a following interview may activate the need to address an individual's constitutional rights under Miranda.

4. Racial Profiling: Care should be exercised to ensure that University members and the public are not subjected to biased or similarly unprofessional treatment, and that officers remain mindful of the need to avoid even any appearance of bias or racial profiling.
5. DPS officers, like police officers, may ask a person to stop while on a public street to inquire about a situation or ask for information and this should not be construed as a stop. Instead such an inquiry should be viewed as a mere encounter.
 - a. If the subject(s) do nothing to give you reasonable suspicion that they are engaged in a criminal activity there is no need to identify them or complete a field Interview card.
 - b. Officers need to be mindful that subjects cannot be compelled to stop on public streets.
6. Officers are prohibited from stopping and detaining an individual on public property solely because the person 'told you off', was 'disrespectful' or used harsh, insulting, or intemperate language towards you.
7. If the person's behavior, however, reaches the level that the person is causing public inconvenience, annoyance, or alarm or is otherwise engaged in tumultuous or threatening behavior that constitutes Disorderly Conduct under NYS Penal Law Section 240.20 and they are either on University-owned private property, or are in an area where the DPS enjoys jurisdiction under the MOU the officer may act to stop the action and make an arrest.
8. A person running away does not necessarily constitute a crime or give cause for a stop or detention. An officer requires reasonable suspicion that some manner of criminal behavior occurred, and the person running might be responsible.
9. Officers are prohibited from using force to check a person's identification absent other circumstances more clearly specified in the DPS Use of Force policy. Refer to SOP 2011-02 Use of Force for details. That includes the application of weaponless physical force, impact weapon, any chemical agent, and the use or threatened use of a firearm.
10. Likewise, while conducting field interviews officers should not conduct any manner of pat down or search of a person's clothing or possessions absent the ability to articulate 'reasonable suspicion to believe' that the subject is in possession of a dangerous weapon, evidence of a crime, or contraband;
 - a. Officers will never under any circumstances conduct a strip search or body cavity search.

11. DPS Officers shall not stop, question, interrogate, investigate, or arrest an individual based solely on any of the following: (03/21/25)
 - a. Actual or suspected immigration or citizenship status;
 - b. Any actual or suspected civil violation of federal immigration laws; or
 - c. A civil immigration warrant, administrative warrant, or an immigration detainer in the individual's name, including those identified in the National Crime Information Center (NCIC) database.
12. Officers shall not ask about the immigration status of any individual, including victims of crime, witnesses, or those who contact or approach the police for assistance, unless it is essential to the investigation of criminal activity by that individual. (03/21/25)
13. Officers shall not carry out or assist with the duties of a federal civil immigration officer, nor engage in the enforcement of federal civil immigration law, whether independently, through informal agreements, under Section 1357(g) of Title 8 of the United States Code, or any other law, program, regulation, or policy. (03/21/25)

D. Completing Field Interview Form (Code 28):

1. Officers will document the following information relative to a Field Interview completing all the requisite spaces on the appropriate Field Interview Form:
 - a. Check the box for whether a trespass warning is required, and whether it should be for one year or three.
 - b. Incident number.
 - c. Whether an arrest was also made.
 - d. Nature of the Incident
 - e. Location of Incident
 - f. Whether a criminal history check was completed.
 - g. Subject's name.
 - h. Subject's gender.
 - i. Date of Birth
 - j. Phone Number and Social Security number
 - k. Subject's address.
 - l. Identifying marks to include tattoos and piercings
 - m. Height
 - n. Weight
 - o. Hair color

- p. Eye Color
 - q. Race
 - r. Narrative (to include reason for an extended trespass warning)
 - s. Vehicle, if any
 - t. Associates if any and whether those associates were also issued their own trespass warnings.
- 2. Prior to the completion of the Field Interview or the issuance of a Trespass Warning, the Officer will complete a Wants and Warrant check with the DPS ECC (File 5 check) to ensure that the party is not a wanted person. Likewise, if the individual is on parole or probation, consideration should be given to appraising that particular office of the individuals conduct and actions.
 - 3. The officer will apprise the Communication Officer of any new information for purposes of updating the Computer Aided Dispatch (CAD) notes of the stop.

E. Recording Field Interview Data:

After completing the Field Interview Form the officer will:

- 1. Provide the pink copy to the subject.
- 2. Have a supervisor approve the form, and
- 3. The officer or supervisor will likewise provide the white copy to the Communication Officer who will store the card in the appropriate file within the Emergency Communication Center, and
- 4. The Records, Logistics and Property Manager will upload all information into CNYLEADS and scan the report.

F. Issuing Trespass Orders:

- 1. The Field Interview Form (Code 28) is intended to stand alone be all inclusive; and when completed thoroughly and accurately an investigation report will not be required.
- 2. Officers must recognize that it is important that they correctly differentiate between a 'Field Interview' and a 'Trespass Warning' and check the appropriate boxes on the form.

G. Supervisory Responsibility:

- 1. All Field Interviews and/ or Trespass Warnings must be approved and endorsed by a supervisor; and the supervisor will likewise ensure that the White copy of the form is provided to the Emergency Communications Center in a timely manner for filing and future reference.

2. Supervisors will ensure that all Code 28 forms are properly and fully completed and that the narrative is also complete.

H. ECC - Communication Officer Responsibility:

1. In the Emergency Communications Center Communication Officers will recognize that when officers make an arrest and take a person into custody they are committing themselves to a significant law enforcement action and if done improperly the officers and the Department can be subject to civil liability, and
2. Communication Officers will understand that while a valid trespass warning may serve as a basis for a legitimate arrest a mere Field Interview cannot, and
3. When an officer in the field requests a warrant check and a check for a Code 28, the Communications Officers will take care to differentiate between a Field Interview and a Trespass Warning and will validate that there is, in fact, a valid trespass warning and will access the scanned report.

I. Filing Field Interview / Trespass Warning Data:

1. The Records, Logistics and Property Manager will be responsible for uploading the relevant information from the Field Interview cards and Trespass Warnings into CNYLEADS.
2. Additionally, the Records, Logistics and Property Manager will scan the actual field interview cards into CNYLEADS for the appropriate case.
3. The Records, Logistics and Property Manager will update any list or database used by dispatchers with current persons prohibited from presence on SU owned, controlled or operated properties.

J. Expunging Field Interview Hard Copy Card Files:

1. The Records, Logistics and Property Manager, will be responsible for ensuring that Trespass Warnings are expunged once they pass any expiration date and become outdated.

POLICY REVISION HISTORY

NO	SECTION REVISED	DATE
1	Changed IV. Section D to reflect changes in new Field Interview Form	11/04/2011
2	Changed IV. Section F to remove necessity for Investigation report	11/04/2011
3	Changed IV Section G to clearly articulate supervisory responsibility	11/04/2011
4	Added IV Section H to specify Communications Officer's role in checking and confirming existence of Trespass Warnings.	11/04/2011
5	Updated entire document re Titles	10/28/2012
6	Reviewed for Accreditation Purposes	01/15/15
7	Updated re: Titles	03/07/18
8	Updated re: Unhoused Subjects & Immigration Status / Enforcement	03/21/25