

**GENERAL ORDERS MANUAL
WESTERN MICHIGAN UNIVERSITY
DEPARTMENT OF PUBLIC SAFETY**

I. PURPOSE

This general order pertains to the guidelines established for officers when investigating incidents of trespassing on the property of Western Michigan University.

II. POLICY

On October 26, 1973 the Western Michigan University Board of Trustees passed agenda item number 12 which stated:

“Be it resolved that all police officers of the Department of Public Safety, Police Division, are hereby designated as agents of this University for the purpose of enforcing the Compiled Laws of Michigan.

It is the policy of this department to use this agent status to enforce trespassing laws in the following situations:

- A. When an individual is found in violation of a building or facility usage rule; to include, but not limited to the hours “Open to the Public”.
- B. When an individual has been banned or restricted from entering a specific university property or attending a specific function or event.
- C. When an individual’s actions are disruptive to the normal business routine of the University, constitute a crime, present a liability to the university, are a danger to themselves or another, or are otherwise uncooperative with the lawful directives of a university official.

III. PROCEDURE

A. In any of the above situations the officer may:

1. Issue a “trespass warning”: Open a trespass complaint and in the incident report document the subject’s identity, the specific activity which necessitated a trespass warning, and the area/time frame for which they are banned.

The officer must also document the warning given to the individual: “As an agent of Western Michigan University, I hereby ban you from _____(description of property) for **six months** from the date of initial contact. If you are found in violation of this warning, you’ll be subject to immediate arrest for trespassing.” If the subject does not immediately respond to the warning and leave the area, the officer may make a custodial arrest.

2. Issue an appearance citation for trespassing under **MCL 750.552** if the individual has already received a documented warning and is in violation by returning to the banned

area within the prohibited time frame and/or willfully remains in or on such premises, building, or other structure after being warned.

3. A custodial arrest for trespassing may be taken by an officer when the individual refuses to leave after given a trespass warning or has been given appearance citations and continues to trespass. In such incidents, the KCSD jail shall be contacted to ensure they have lodging capability.
 4. Make an arrest for another violation of law committed by the individual, i.e., illegal entry, disorderly conduct, assault and battery, etc. – as facts would dictate.
- B. When an individual is found in violation of a building or facility usage rule, the officer shall take the following actions:
1. Building hours “Open to the Public” - When an individual is found in a building after it has closed, the officer should determine if the individual has keys and/or card access to the building, such as a faculty member would have 24 hours access to their office building. If the individual does not have 24 hour access to the building, then determine if the subject is trespassing (entered the building prior to close and remained after it closed) or committed an illegal entry (entered the building after it closed). Take appropriate action as the facts dictate.
 2. Rules which prohibit specific actions, such as: vulgar language, possession of alcohol, use of another person’s identification to gain entry – The action taken by the officer in these types of situations largely depend on the severity and nature.
 - The officer may warn the individual that if their action continues they will be ejected from the facility (vulgar language at an athletic event).
 - Immediate ejection from a facility (use of another student’s identification to enter the SRC or sporting event) with a warning that if they return they will be subject to immediate arrest for trespassing.
 - Arrest for trespassing (subject refuses to leave facility after requested to do so by the officer).
- C. When an individual has been given a trespass warning and/or has been banned from any Western Michigan University owned property, the officer shall document the incident and **ensure a copy of the report is placed into the trespass file in the dispatch center.**

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Issued by



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