

University of Chicago Police Department

GENERAL ORDER

		<i>Effective Date:</i> December 5, 2019	<i>Number:</i> GO 510
<i>Subject:</i> Ban Procedures			
<i>References:</i> Illinois Statute 720 ILCS 5/21-3			
<i>Reevaluation Date:</i> Annually			<i>No. Pages:</i> 3
<i>Amends:</i> 20 JAN 2016 Version		(O.D.P.) 31 JAN 2011	<i>Rescinds:</i>
<i>Approved By:</i> Kenton W. Rainey, Chief of Police		<i>Signature:</i> Original signed document on file in Accreditation Office	

510.1 PURPOSE

The purpose of this order is to establish policy and guidelines for the issuance and enforcement of trespass warnings to non-affiliated persons by UCPD.

510.2 POLICY

UCPD may exercise its right to deny access to a non-affiliated person to some or all University property, after a determination has been made that an individual has engaged, or is reasonably likely to engage, in criminal activity, a violation of University policy, or conduct that is or may reasonably be deemed to be threatening, disruptive, violent or criminal. Trespass warnings remain in effect until modified or withdrawn in writing by an authorized University official.

510.3 DEFINITIONS

Non-Affiliated – any individual that is not faculty, staff, or a current student of the University of Chicago or the University of Chicago Medicine.

Criminal Trespass – as outlined by the Illinois Compiled Statutes (720 ILCS 5/21-3), A person commits criminal trespass to real property when he or she:

- (1) knowingly and without lawful authority enters or remains within or on a building;
- (2) enters upon the land of another, after receiving, prior to the entry, notice from the owner or occupant that the entry is forbidden;
- (3) remains upon the land of another after receiving notice from the owner or occupant to depart;

Trespass Warning – A formal notification to immediately leave the premises and not return under the threat of criminal prosecution. The warning may be issued in writing or verbally.

510.4 BAN PROCEDURES

A. Issuance of Trespass Warnings (non-affiliated)

1. When dealing with non-affiliates of the University, officers need to determine if the actions of the non-affiliate(s) require a trespass warning and/or an arrest. The following guidelines should be used.
 - a. If the non-affiliate is found on University property and commits an offense, the appropriate enforcement action should be taken. Under most circumstances, the individual should also be issued a trespass warning in both arrest and non-arrest situations. The officer should attempt to issue trespass warnings in writing, if circumstances allow it.
 - (1) A written no-trespass notice will inform the banned person:
 - (a) That he/she is barred from University property or parts of University property (specifying the portion);
 - (b) The duration of the ban;
 - (c) The reason for the ban; and
 - (d) That if he/she returns to University property (or the designated portion) he/she will be subject to arrest for criminal trespass.
 - b. If the non-affiliate is causing a disturbance that is disrupting the business of the University and has not committed a criminal offense, the person should be issued a trespass warning and escorted off campus.
 - c. If dealing with a juvenile (under the age of 18) and that person is a non-affiliate of the University, juvenile procedure will apply. The legal guardian will be contacted and present before a trespass warning can be issued to the juvenile.
 - d. If the non-affiliate has previously been issued a trespass warning, the person will be arrested for Criminal Trespass.

- e. All incidents resulting in a trespass warning will be documented on a UCPD Incident Report form. The original written trespass warning will be attached (if applicable).
- f. A copy of the Incident Report form and the written trespass notice, if applicable, will be forwarded to the Office of Legal Counsel so they may follow up with additional written notification and terms of the trespass warning.

B. Issuance of Trespass Warnings (affiliated individuals)

- 1. The University of Chicago Office of Legal Counsel has the authority to issue affiliated and non-affiliated individuals written notice to restrict and/or ban access to University property. The Office of Legal Counsel has the authority to deny any student, employee or visitor access to any part of the campus or the entire campus.
- 2. The Office of Undergraduate Student Housing, Campus Life and Student Services, and Human Resources Services are also authorized to issue a no-trespass warning.
- 3. The written notice issued will be forwarded to UCPD and serve as an official written trespass warning. The person named in the written notice will, if found in violation of the written notice, be arrested and charged with Criminal Trespass.
- 4. The Department records division will, upon the receipt of the written notice, make arrangements to place the information on file in the trespass warning file system and make a CAD entry.