

Section:	Campus Safety
Policy Name:	Trespass Policy
Policy Number:	1004
Policy Owner:	University Safety Operations Director
Responsible University Office:	Campus Safety
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Revision:	
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Last Reviewed:	
Authority:	President's Executive Committee

I. Scope of Policy

The University of La Verne is a private institution of higher education with a main campus and multiple regional campuses. The university has the right to set expectations for and the parameters of a person's presence on university property. Access to the university is primarily intended for students, employees, and guests for the purpose of study, work, teaching, conducting university business or attending university events or activities. Consistent with applicable laws, the university has the right to limit or remove a person's access on University of La Verne property.

This policy establishes procedures for taking appropriate action in accordance with California Penal Code 626.2, 626.4 and 626.6 to properly remove or restrict a person from access to the University of La Verne's main campus. In addition, this policy establishes procedures for Regional Campus' (ROC) and College of Law and Public Service (COL) to take appropriate action in removing or restricting individuals from their respective campus.

II. Policy Statement

Any person(s) who poses a) a threat or risk to the safety and security of university students, faculty, or staff, or b) is a significant disruption to the university community or university property or c) violates any other University of La Verne policies will be asked to leave the University of La Verne property by a Campus Safety Officer or respective ROC or COL staff. Person(s) who refuse to leave or have been previously warned or barred from being on the campus will be subject to arrest by local law enforcement.

III. Authority

The President of the University of La Verne has delegated the Director of Campus Safety, Regional Campus Director, and Dean of the College of Law and Public Service or other appropriate site administrator to serve as the designated persons in accordance with the law to facilitate the removal or arrest of a person(s) from University of La Verne campus property.

Regardless of the physical location of the University of La Verne property or site, the University of La Verne Campus Safety Department shall remain the primary facilitator of institutional safety policies and procedures.

IV. Definitions

A. Pursuant to California Penal Code 626(a):

1. “Independent institutions of higher education” means nonpublic higher education institutions that grant undergraduate degrees, graduate degrees, or both, and that are formed as nonprofit corporations in this state and are accredited by an agency recognized by the United States Department of Education.
2. “Chief administrative officer” means either of the following: The president of an independent institution of higher education, or an officer designated by the president to be the officer in charge of a campus or other facility owned, operated.

V. Applicable California Penal Code Violations

- A. **CPC 626.2:** Every student or employee who, after a hearing or institutional process has been suspended or dismissed and been denied access to the campus or facility for a period not to exceed one year.
- B. **CPC 626.4:** The chief administrative officer or designee may notify a person that consent to remain on the campus has been withdrawn whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.
 1. This section shall not affect the power of an independent institution of higher education to suspend, dismiss, or expel any student or employee at the university.
 2. Fourteen Days is the maximum amount of time consent is withdrawn.
- C. **CPC 626.6:** If a person who is not a student, officer, or employee enters a campus or facility, and it reasonably appears that the person is committing any act likely to

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interfere with the peaceful conduct of the activities of the campus or facility, or has entered the campus or facility for the purpose of committing any such act, the chief administrative officer or their designee may direct the person to leave the campus or facility. If that person fails to do so or if the person willfully and knowingly reenters upon the campus or facility within seven days after being directed to leave, the person is guilty of a misdemeanor.

- D. The provisions of this section shall not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly.

VI. Violation

- A. In accordance with Section V, any person may have their ability to be on the University of La Verne property restricted or removed for reasons including but not limited to the 3 following:
 - a. Violations of criminal law;
 - b. Violations of university policies or rules;
 - c. Engaging in conduct that presents a threat or risk to the safety and security of the university community or university property;
 - d. Engaging in conduct or behavior that obstructs, disrupts, or interrupts any University-sponsored event or activity, including educational activities or other essential University processes, or activities by users authorized to use the University's facilities;
 - e. Any person that has been issued a restraining order (CPC 273.6), Protective Order (CPC 166) or a PNG (Persona Non-Grata).

VII. Response to Incidents

- A. Any employee/student on the main campus that observes any violation listed in Section VI should contact the Campus Safety Department to ensure appropriate action is taken. Campus Safety staff will respond to the incident, evaluate the situation and take the following action:
 - 1. If the person(s) has not violated any serious law(s), is not a danger or disruptive to the community, and trespassing is the only violation (v.5), the Campus Safety Officer will inform the person they are violating the university's Trespassing Policy and must leave the property.
 - 2. Officers will inform the person the La Verne Police Department or respective law enforcement agency will be notified if the person does not comply, and they could be subject to arrest.
 - 3. The Campus Safety Officer will advise the person that returning to the property may result in the person being arrested without additional warnings.

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4. When contacting a compliant homeless individual, the Campus Safety Officer should attempt to assist the individual by contacting homeless resources or the La Verne Police Department's Homeless Outreach officer.
5. Incidents involving violation of a restraining order or protective order, the police will be notified as this is a criminal matter requiring police to investigate.

VIII. Arrest

- A. Situations where there is an immediate threat or concern for the safety of the university community, contact the La Verne Police Department or respective law enforcement agency and request their assistance, as an arrest may be necessary.
 1. Request for an arrest should ONLY be made if the person possesses an immediate threat or safety concern, presents a significant disruption, or the individual refuses to leave after being given warnings by a Campus Safety Officer or respective authorized University officials.
 2. If the individual refuses to leave after being warned by law enforcement, the Campus Safety Officer should have the individual arrested.
 3. An attempt shall be made to contact an on-duty Assistant Director or Director for arrest approval.
 4. If necessary, Campus Safety Officer(s) may use reasonable force, in accordance with department policy and procedures, to detain the person pending the arrival of law enforcement.

IX. Documenting

- A. The handling Campus Safety Officer shall complete a report in the departments Record Management System (RMS) involving trespassing violations when:
 1. The police are notified;
 2. Any violations of a PNG, restraining order, or court order;
 3. The violator has been warned not to return onto the campus;
 4. Campus Safety Officers shall follow appropriate reporting procedures in accordance with Campus Safety policies and the law.

X. Regional Campuses/College of Law and Public Service

- A. Any employee or student that observes a person in violation of Section V, shall notify their respective Director, the College of Law and Public Service Dean or an administrative staff member at the respective campus.
- B. If necessary, a staff member should contact the local law enforcement agency and request assistance for the observed violation in Section V.

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- C. The ROC Director or College of Law and Public Service Dean will be authorized to approve the arrest by local law enforcement.
 - 1. As outlined in the Campus Safety Procedures, appropriate notification shall be given to the violator.
 - 2. Campus Safety must be notified immediately of the incident to ensure appropriate notifications and documentation, as outlined by the law.
- D. Campus Safety will complete a report and document all necessary information.
 - 1. The Campus Safety Director will make appropriate notifications to the President or designee.

XI. Appendices

A. 626.4 PC Admonition Form



Penal Code 626.4 Admonition

“Pursuant to Section 626.4 of the Penal Code, as a Campus Safety Officer of the University of La Verne designated by the University Safety Operations Director of the university, you are being notified that there is reasonable cause to believe that you have willfully disrupted or interfered with the peaceful conduct of the activities of this campus or facility. You are notified that consent for you to remain on this campus and its facilities is withdrawn forthwith for a period of 14 days or until you attend an administrative hearing pursuant to the provisions of Section 626.4 of the Penal Code. If you fail to leave, or return, within 14 days, you are in violation of a misdemeanor and subject to arrest.”

Administrative Hearing Appeal Contact Numbers:

Student Conduct (909-448-4963)
HR/Employee Relations (909-448-4076)

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I understand the above admonition applies to me. If I return to the University of La Verne within fourteen (14) days, I will be arrested for 626.4 PC – Trespassing.

Signature of Subject Date Phone Number

Printed Name of Subject Date

Issuance Date: ___/___/___ Time: ___ : ___ Location: _____

Issuing Officer: _____

ULV Incident Report #: _____ LVPD Case # _____

B. 626.6 PC Admonition Form

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Penal Code 626.6 Admonition

“Pursuant to Section 626.6 of the Penal Code, as a Campus Safety Officer of the University of La Verne designated by the University Safety Operations Director of the university, you are being notified that there is reasonable cause to believe you have willfully disrupted or interfered with the peaceful conduct of the activities of this campus or facility. You are notified that consent for you to remain on this campus and its facilities is withdrawn forthwith for a period of 7 days pursuant to the provisions of Section 626.6 of the Penal Code.

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If you fail to leave, or return, within 7 days, you are in violation of a misdemeanor and subject to arrest.”

I understand the above admonition applies to me. If I return to University of La Verne seven (7) days, I will be arrested for 626.6 PC – Trespassing.

Signature of Subject Date Phone Number

Printed Name of Subject Date

Issuance Date: ___/___/___ Time: ___:___ Location: _____

Issuing Officer: _____

ULV Incident Report #: _____ LVPD Case # _____