**An explanation of WCUPD’s Policy regarding Trespass Notice**

**405.4.6** -- A person may be directed to leave the University or a specific area of the University if he or she has:

· been observed prowling around buildings or parking lots without satisfactory explanation,

· committed any crime on University owned or controlled property,

· threatened or interfered with any member or function of the University community, or

· violated any University policy or rule.

**405.4.7** -- Non-visitors who are observed engaging in the behavior described in section 405.4.6 shall be investigated and referred to the appropriate University authority, i.e., Student Judicial Affairs, department head, or dean. They may be directed to leave an area at the time of investigation and for a reasonable time thereafter. However, a trespass warning should not be issued until the appropriate University authority has investigated and responded to the event. This does not preclude the officer from arresting the individual when probably cause exists for the commission of a crime.

**405.5.1** **-- Scope-** Trespass notice will be limited in scope to that which is necessary and reasonable for the protection of the University and its community. In most cases, a simple warning to leave the area will suffice. However, circumstances may require that a person be banned from some or all University property.

**405.5.2 -- Procedures** - When issuing a trespass warning, the officer will explain the following:

1. Under North Carolina general statutes, Western Carolina University has the right to exclude persons from entering or remaining on University owned or leased property or certain areas therein.

2. That the person is now being advised the he or she must immediately leave University property or the specified area and may not return for the time specified in the trespass notice.

3. That the person must immediately leave or be placed under arrest.

4. That if the person violates the notice, he or she will be arrested and prosecuted.

5. That a record is being made of the trespass notice and will be recorded and maintained by the Police Department with a copy being provided to the person.

6. That the person may appeal the trespass notice by submitting a written appeal to the Chief of Police with 10 days of issuance of the trespass notice. However, the trespass notice will remain in effect until the person is notified that the ban is lifted.

7. That, while the person is generally banned from the University for the duration of the notice, the person may request special variances in order to attend certain activities or participate in legitimate business with the University. This variance **must** be requested through the Chief of Police or his designee at least 24 hours in advance of the function or business.

8. That the person should be asked if he or she understands the trespass warning and, if not, further explanation will be afforded.