

**PRESIDENTIAL DIRECTIVE
THE UNIVERSITY OF WYOMING
PD2-2014-1**

Revised January 15, 2016

SUBJECT: Trespass

1. **General information.** It is the policy of the University of Wyoming to maintain an academic community which is open and accessible to the public. However, when an individual's actions are deemed to be harmful and/or disruptive to the university and/or its individual members, contrary to the University's policies, rules or regulations, or where the individual's actions are contrary to law, an individual may be legally barred from University owned or controlled properties.
2. **Purpose.** The directives below are intended to outline the University's processes related to issuing trespass orders and to designate individuals with the authority to issue these orders.
3. **Type, length, and authority.** There are two types of trespass orders that can be issued: (1) site-specific trespass orders, including off-campus sites; and (2) University-wide trespass orders. These orders can be issued for twenty-four (24) hours or longer on a case-by-case basis. Trespass orders shall only be issued by the following University officials: (1) Police Department (UWPD) officers; (2) the Dean of Students; and (3) the Executive Director of Residence Life and Dining Services (RLDS).
4. **Twenty-four (24) hour trespass orders.**
 - a. **Procedure.** All twenty-four (24) hour site-specific and University-wide trespass orders of students and non-students shall be issued by UWPD. Any UWPD officer can issue a twenty-four (24) hour site-specific or a University-wide trespass order.
 - b. **Appeal.** There is no appeal process for a twenty-four (24) hour trespass order.
5. **Trespass order of a non-student.**
 - a. **Procedure.** The University's Chief of Police, in consultation with the University's Office of General Counsel, shall issue site-specific and University-wide trespass orders of non-students, including University employees.
 - b. **Appeal.** A non-student may submit a written appeal to the University's Vice President for Administration for review within ten (10) calendar days of the trespass order. The Vice President for Administration's decision is final.
6. **Trespass order of a University student.**
 - a. **Procedure.**
 - i. **Site-specific trespass order.** The University's Chief of Police or the University's Dean of Students in consultation with the UWPD or the University's Executive Director of Residence Life and Dining Services (RLDS), in consultation with the University's Dean of Students and UWPD, shall issue site-specific trespass orders for the Wyoming Union, University Residence Halls, and University Apartments. All other site-specific trespass orders of University students shall be issued by the University's Chief of Police, in consultation with the University's Office of General Counsel.

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- ii. **University-wide trespass order.** The University's Chief of Police, in consultation with the Office of General Counsel, or the University's Dean of Students, in consultation with the University's Vice President for Student Affairs, UWPD, and the Office of General Counsel, shall issue University-wide trespass orders of University students.

b. **Appeal.**

- i. **Site-specific trespass order.** For trespass orders issued by the Executive Director of RLDS, a student may submit a written appeal to the Vice President for Student Affairs for review within ten (10) calendar days of the trespass order. For trespass orders issued by the University's Chief of Police, a student may submit a written appeal to the University's Vice President for Administration for review within ten (10) calendar days of the trespass order. The relevant Vice President's decision is final.
- ii. **University-wide trespass order.** A student may submit a written appeal to the University's Vice President for Administration for review within ten (10) calendar days of the trespass order. The Vice President for Administration's decision is final.

- 7. **Notice.** For an action in criminal trespass to be brought in the courts of Wyoming there first must be personal communication to the offending individual that he/she is not authorized to enter or remain on the premises. For twenty-four (24) hour trespass orders, notice may be issued verbally. For all other trespass orders, the initial notice may be issued verbally, but written notification shall follow as soon as possible. The written notice shall include the following: (1) the reason the individual is being trespassed; (2) the length of the trespass; and (3) the appeal procedure available to the individual. For all trespass orders, UWPD shall issue the verbal notice and/or deliver the required written notice to the individual.
- 8. **Record-keeping.** UWPD shall keep a record of all trespass orders with the following information: name, date of birth, site-specific area, length, issuance date, expiration date, and status. UWPD shall perform a yearly audit of these records, and records shall be kept for at least seven (7) years past the expiration date of the order.

Approved



Richard C. McGinity
University President



Date

Source:

Originally approved April 24, 2014