

## Loitering and Trespassing Policy

NDCC sec. 12.1-22-03 (3) makes a person guilty of a Class B misdemeanor if:

“Knowing that he is not licensed or privileged to do so, he enters or remains in any place as to which notice against trespass is given by actual communication to the actor by the person in charge of the premises or other authorized personnel or by posting in a manner reasonably likely to come to the attention of intruder.”

Visitors to Mayville State University are expected to respect the need for Mayville State University staff members to conduct business in their respective offices in an orderly and timely manner. When individuals have no legitimate business or when they have been given adequate time to complete their business and subsequently proceed to interfere with University activities or operations, immediate compliance with the law may be enforced. Failure to comply with authorized personnel’s request to leave the premises may result in the arrest of an individual(s) for criminal trespass or other appropriate charge.

When a complaint is received that an individual has not indicated to building staff what business, if any, he/she intends to transact and the individual refuses to leave, the appropriate personnel in that building (two whenever possible) will:

1. Engage person trespassing or loitering in conversation.
2. Attempt to find out what business he/she may wish to transact and try to help get this done so the individual can go on his/her way.
3. If no reason is forthcoming, and the individual is causing a problem or concern to staff or student, explain that state property is accessible only to persons with official business, that he/she has been given every opportunity to transact theirs and they are now being asked to leave Mayville State University property.
4. If he/she refuses to leave the premises or campus, warn him/her again that if they do not leave immediately, you will have to call for assistance to have him/her removed and that they could be charged with criminal trespass, disorderly conduct, or other appropriate charge.
5. Contact the Department head in that area, Physical Plant office 34640 (Daytime), Power House 34789 (Evenings), or 911 for assistance.
6. Under normal circumstances when the individual leaves Mayville State University property as requested, they will be given one warning before being referred to the police department.
7. When the Trespassing Warning form is complete, send it as soon as possible to the Physical Plant office where all active files will be kept. This information is available to all staff members.
8. The Trespass Warning Form is available in the “Forms” folder on the MSU website or from the Physical Plant office. Written reports should be filed on each episode.

**Reviewed: Fall, 2008**

**Sponsor: Vice President for Business Affairs and Physical Plant Director**