



HOUSTON COMMUNITY COLLEGE POLICE DEPARTMENT
CRIMINAL TRESPASS WARNING



Police Department

Penal Code Section 30.05 Criminal Trespass

- a) A person commits an offense if he/she enters or remains on or in property, including an aircraft or other vehicle, of another without effective consent or he/she enters or remains in a building of another without effective consent and he/she:
 - 1) Had notice that entry was forbidden; or
 - 2) Received notice to depart but failed to do so.

_____ Is instructed not to return to _____, a Houston Community College District campus or any other Houston Community College property. Failure to comply with this warning will result in the filing of Criminal Trespass (PC 30.05) charges.

Your presence is forbidden on any Houston Community College property with exception of conducting **official business** approved in **writing** by one of the following:

- Dean of Student Services
- General Counsel
- Chief Human Resources Officer
- Chief of Police

Failure to do so will result in your arrest.

Acknowledgment: _____

Date: _____

Witness: _____

Date: _____

Witness: _____

Date: _____

PROCEDURES

Police Department

The State of Texas requires that certain procedures be followed to meet the statutory requirements of Section 30.05, Criminal Trespass. These procedures comply with that requirement and must be used when issued a trespass notice.

1. The "owner" gives the person notice to depart. Notice must be an oral or written communication given by the owner or someone with apparent authority to act for the owner. The "owner" is defined as any college official acting within the scope of their job and in the interest of the college, i.e., Presidents, COOs, Campus Managers, and Police Officers.
2. The "owner" notifies the HCC-PD if the person refuses to leave. HCC-PD will repeat the order to depart. Police will arrest the person if he/she refuses to follow their instructions.
3. Police issue a written criminal trespass warning to the person in custody. The criminal trespass document warns the person that he/she cannot enter any Houston Community College property without the consent of any one of the listed Houston Community College employees. (see warning)
4. Police take a photograph of the subject.
5. Distribution of the criminal trespass document is as follows:
 - a) Original is retained by the Police Department
 - b) Copy given to the violator
 - c) Copy provided to the "owner" (optional)

Currently enrolled students, involved in a disturbance, require different procedures, according to the Student Code of Conduct. The police will escort the student off the property and an administrative report will be completed and furnished to the Dean of Students. The Dean of Students will ensure the student management process as per the Student Code of Conduct.

NOTE:

Use the Criminal Trespass Warning with discretion. Issuing this warning arms a police officer with the tool to arrest on sight. Be advised, the warning is valid for two years, depending on the severity of the incident; however, the district attorney has the right of refusal in charging the subject. To remain valid after the expiration of two years, it is necessary to reissue the warning.

To rescind a warning, use the following process:

1. Forward all requests to the Police Department;
2. Provide a copy of the request to the original party issuing the warning; and
3. Provide the information to a police officer. The police officer will complete the requisite official report.

The Office of General Counsel and/or the Chancellor will make the final decision to rescind the warning.