

**Kankakee Community College
Department of Police
POLICY AND PROCEDURES
MANUAL**

CHAPTER 9 – GENERAL ORDERS
SECTION 900 –
Effective Date: Annual Review Date: June 30 th Annual Issuing Authority: Richard Soderquist

900 **PURPOSE:**

This policy establishes regulations for all Kankakee Community College District 520 property (hereinafter referred to as KCC property, owned, leased, and managed).

9-100 **SCOPE:**

This policy is established and adopted based on the authority provided in the Illinois Public Community College Act Ch. 110 ILCS 805 / 3 – 42.2 (b), which empowers the Board of Trustees to “establish such other regulations as are determined to be necessary for the protection of community college students, staff, visitors, properties and interests or for the proper maintenance, operation or development of any community college or colleges under the jurisdiction of the Board, and to prescribe fines and penalties for the violation for these regulations.”

9-101A **INSTITUTIONAL REGULATION:**

The enforcement of these regulations is the responsibility of the Chief of Campus Police and the members of the Campus Police Department.

9-101B **APPLICABILITY:**

The provisions of this code apply to all persons within the limits of KCC property, whether faculty, staff, student or visitor.

9-102 **REGULATION VIOLATION NOTICE:**

A KCC regulation violation notice may be issued to persons found to be in violation of these regulations. The notice shall contain the name and address of the violator, the title and section number of the violation committed, the date, time and location of the violation, a brief summary of the allegations, and the signature and identification number of the issuing officer. A copy of the notice will be given to the violator at the time the notice is issued. In addition to the information listed above, this copy will contain the fine amount, payment due date and appeal process information.

9-102A GENERAL POLICY:

It is essential to the operation of KCC that there be recognized standards of conduct for persons present on College property and that those standards be enforced to allow the College to achieve its goal of providing a safe and productive learning environment. The KCC Police Department is tasked with the enforcement of College, local, state and federal laws, ordinances and regulations. The enforcement of the regulations enumerated in this policy, will contribute to maintaining a safe learning and working environment for all members of the College community.

9-102B AUTHORITY:

Kankakee Community College Board of Trustees, Kankakee Community College Administration and the Kankakee Community College Police Department recognize the Illinois Criminal Statutes and the Illinois Vehicle Code of the Illinois Compiled Statutes and adopt those as authority to enforce the college's ordinance regulations.

9-102C SEVERABILITY:

The invalidity of any provisions of this code shall not affect the validity of the remainder of this code. Any invalid provision shall be deemed severed from this Code to the extent of its invalidity and this Code shall be construed and enforced as if it did not contain that particular provision to the extent of its invalidity.

9-103 REGULATIONS AND FINES: It shall be a violation of these regulations of KCC District 520 to:

A (1) Alcohol - Possession or Consumption

- a) Knowingly possess or consume any alcoholic liquor on any College property other than at an event where such possession has been specifically authorized by the College or Foundation, or;
FINE: \$50
- b) Knowingly be in possession of or under the influence of alcoholic liquor when under 21 years of age.
FINE: \$50

A (2) Alcohol Parties – Attendance - Knowingly attend a gathering of more than two people where alcohol is present illegally or in violation of these regulations.
FINE: \$50

A (3) Alcohol Parties – Hosting - Knowingly host a gathering of more than two people where alcohol is present illegally or in violation of these regulations.
FINE: \$100

A (4) Alcohol, Under the Influence while conducting college business or be on college property- Knowingly appear while under the influence of intoxicating liquor.
FINE: \$50

A (5) Assault- Knowingly and without authority engage in activity that reasonably places another in fear of receiving a battery.
FINE: \$100

A (6) Battery-

a) Knowingly and without justification cause bodily harm to another.
FINE: \$200

b) Knowingly make contact of a sexual, insulting or provoking nature with another
FINE: \$200

A (7) Cannabis Possession / Possession with Intent to Deliver (10 Grams or Less)

a) Knowingly possess 10 or less grams of a substance containing cannabis, including medical cannabis.
FINE: \$50

b) Knowingly possess with intent to deliver, 10 or less grams of a substance containing cannabis.
FINE: \$150

A (8) Cannabis/ Controlled Substance Parties – Attendance / Hosting- Knowingly host or attend a gathering of more than two people where cannabis or controlled substances are present illegally or in violation of these regulations.
FINE: Attending \$50 – Hosting \$100

A (9) Controlled Substances / Look Alike Drugs

a) Knowingly and unlawfully be in possession of any item that is purported to be or is made to appear significantly similar to cannabis or any controlled substance.
FINE: \$50

b) Knowingly and unlawfully be in possession of any substance which is prohibited or Controlled by the Illinois Controlled Substance Act.
FINE: \$250

c) Knowingly and unlawfully be in possession of, with the intent to deliver, any substance which is prohibited or controlled by the Illinois Controlled Substance Act.
FINE: \$500

A (10) Drugs, Under the Influence- Knowingly appear in a public or work place while on campus under the influence of cannabis, medical cannabis, or a controlled substance.
FINE: \$50

A (11) Drug Paraphernalia Possession- Knowingly possess items commonly used for the consumption, distribution or ingestion of cannabis or controlled substances, with the intent to use them for preparation, delivery, or ingestion into the human body of illegally possessed cannabis or controlled substances or for the ingestion of illegally possessed cannabis or controlled substances, into the human body. Items include but are not limited to, pipes, syringes, packaging material, scales etc.
FINE: \$50

A (12) Disruption- Knowingly disrupt the operation of the College and/or prevent members of the College community from participating in College programs or activities. Examples include, but are not limited to, disruption of classes, sporting events, meetings, speeches/presentations or other authorized college activities occurring on or off campus.
FINE: Up to \$500 or Removal from campus

A (13) Damage to Property- To damage or deface without authority, any property belonging to KCC, or another.
FINE: \$100

A (14) Disorderly Conduct- Knowingly commit any act in such an unreasonable manner as to alarm or disturb another, or to provoke a breach of the peace.
FINE: \$50

A (15) False Reporting: Crime or Emergency - Knowingly transmit or cause to be transmitted to any College employee a report of a crime or emergency, knowing it to be untrue.
FINE: \$150

A (16) Failure to Comply-
FINE: \$50

- a) Knowingly fail to comply with any lawful direction of any College official, police officer or employee or security guard acting in their official capacity.
- b) Knowingly fail to comply with computer lab or College Use of Technology policies.

A (17) Fighting- Knowingly be involved in a physical altercation with another, other than for the limited purpose of self-defense. Self-defense is defined as action taken to eliminate an immediate threat of receiving bodily harm. Such action must cease as soon as the threat of harm is eliminated. A person cannot claim self-defense if they have failed to remove themselves from a confrontation when such removal would have eliminated the need for physical force.

FINE: \$200

A (18) Fireworks- Knowingly possess, offer for sale or explode any fireworks except for any College- authorized display.

FINE: \$25

A (19) Forgery- Knowingly present to another or possess with intent to present to another any false, altered or fraudulent document, record, electronic file or instrument of identification.

FINE: \$100

A (20) Gambling- Knowingly and illegally engage in a game of chance for cash or any other item of value, unless the game is officially authorized by the College.

FINE: \$25

A (21) Gang Representation / Recruitment- Knowingly use gang representation, signing or attempt to recruit others into gang membership.

FINE: Representation or signing - \$50 Recruitment - \$500

A (22) Hazing- Knowingly require the performance of any act by any KCC student for the purpose of induction to any group associated with or connected to the College, if that act is not sanctioned by KCC or it results in bodily harm to any person.

FINE: \$250

A (23) Littering- Knowingly deposit any litter, garbage or offensive material in any place other than an approved and designated garbage receptacle.

FINE: \$25

A (24) Loitering- Knowingly remain in a location on College property after being advised by a College official/employee to move from that location.

FINE: \$50

A (25) Noise Disturbance- Knowingly create noise that is disruptive to the normal operations of the College.

FINE: \$25

A (26) Obstruction, Resistance or Interference with a Member of the KCC Police Department- Knowingly obstruct, resist or interfere with the performance of an authorized act within the official capacity of one known to the person to be a member of the KCC Police or security Department, including providing false information.

FINE: \$150

A (27) Personal Misrepresentation/ Failure to Identify-

FINE: \$50

- a) Knowingly fail to identify him/herself to any College official or to identify him/herself as another.
- b) Knowingly provide false information to any College official.

A (28) Posting /Distribution of Flyers- Knowingly post or deliver any advertisement or notice on any College property or any vehicle parked on college property without express written permission from the College.

FINE: \$25

A (29) Public Indecency-

FINE: \$200

- a) Knowingly engage in an act of sexual conduct in any place on campus.
- b) Knowingly fondle another person whether directly or through clothing, inappropriately make contact with or fondle.
- c) Knowingly inappropriately expose oneself unless as an authorized part of a College art class.
- d) Knowingly urinate or defecate in any public place other than a bathroom.

A (30) Smoking / Tobacco Usage- Knowingly use any tobacco product on any college property, other than in a personal vehicle in a parking lot.

FINE: \$100

A (31) Soliciting- Knowingly peddle or offer for sale or solicit the purchase or sale of any item or service, without prior express written permission from the College.

FINE: \$25

A (32) Theft

a. Less Than \$50 – Knowingly exert unauthorized control over property valued by the owner at less than \$50, including lost or mislaid property, with the intent to permanently deprive the owner of the use of said property.

FINE: \$50

b. \$50 but less than \$150 – Knowingly exert unauthorized control over property valued by the owner at, greater than \$50 but less than \$150, including lost or mislaid property, with the intent to permanently deprive the owner of the use of said property.

FINE: \$150

c. \$150 but less than \$500 – Knowingly exert unauthorized control over property valued by the owner at, greater than \$150, but less than \$500, including lost or

mislaid property, with the intent to permanently deprive the owner of the use of said property.

FINE: \$300

A (33) Trespassing / Unauthorized Occupancy- Knowingly be present on or in any College property, or building, when such property or building is closed, or after having been given verbal or written notice that such presence is forbidden, unless authorized.

FINE: \$50

A (34) Unlawful Access – Knowingly and without authority enter any secured area of the College or Foundation property or possess without authority any access device which would permit unlawful entry into such areas.

FINE: \$150

B. Recidivist Provision: The fine for a second or subsequent violation of a specific provision of this policy may be increased up to twice the established fine for that violation up to a maximum of \$750.

9-104 **REGULATION VIOLATION - FINE COLLECTION PROCESS:**

- A. It is the responsibility of the cited individual to resolve the Regulation Violation Notice in one of the following manners:
- 1) Make payment of the designated fine amount at the KCC Accounting Office by the end of the 15 day “payment due” date listed on the notice, or;
 - 2) File a written appeal of the notice with the Campus Police Department prior to the end of the 15-day “payment due” date listed on the notice. **Note:** An appeal form will be provided with the Regulation Violation Notice.
- B. Failure to resolve the notice in one of the above-listed manners may result in the doubling of the fine amount up to a maximum of \$750 and a hold being placed on the violator’s ability to conduct any College business until the fine has been paid.
- C. Once the “payment due” date has passed, the Campus Police Records Division shall forward a letter to the last known address of the violator, notifying them of the placement of the hold and any new fine amount. The College reserves the right to take any additional legal steps within its authority to collect any unpaid fines.
- D. Fines collected shall be deposited into the “General Fund” to be utilized as authorized by the college.

9-105 REGULATION VIOLATION APPEALS PROCESS

- A. If an appeal is filed in regards to a violation notice, the payment due date will be stayed until the outcome of the appeal before the Appeals Committee.
- B. The Appeals Committee shall be appointed by the Chief of Police and shall be composed of the Behavior Intervention Team Chairperson, Coordinator of Student Life, one student from the Student Advisory Council, one Associate Dean or faculty member, and one administrator or support staff member. The Deputy Chief of Police or his/her designee will also have a seat on the Committee as a non-voting member.
- C. If the Appeals Committee rules in favor of the appeal, the violation notice will be rescinded and a notification letter will be sent to the appellant advising that the case has been resolved.
- D. If the Appeals Committee rules against the appeal, a letter will be sent to the appellant advising of the rejection of the appeal. The letter will indicate a 20 day due date, by which the outstanding fine must be paid or a hold will be placed on the violator's ability to conduct any College business until the fine has been paid. The College reserves the right to take any additional legal steps within its authority to collect any unpaid fines.
- E. If the Appeals Committee rules against the appeal but determines there were extenuating circumstances the fine may be reduced to a lesser amount.