



# CITY & BOROUGH OF JUNEAU

## PARKS & RECREATION DEPARTMENT POLICY MANUAL

<b>Policy No. 100-007</b>	<b>Title: Trespass Policy</b>
<b>Date Reviewed by PRAC:</b> <b>Date Approved:</b>	<b>Last Reviewed:</b>
<b>CBJ Code / Regulation:</b>	<b>Other Reference:</b>

### **Purpose & Need:**

The City & Borough of Juneau Parks & Recreation Department (the "Department") is committed to ensuring that all parks, trails, open spaces, and recreation facilities are safe, welcoming, and accessible to all community members. This policy establishes clear procedures for excluding individuals from Department property when their behavior or actions pose a threat to public safety, violate Department rules, or disrupt the peaceful enjoyment of public spaces.

### **Applicability**

This policy applies to all individuals present on property owned, managed, or operated by the Department, including but not limited to public parks, community centers, aquatic facilities, and trail systems.

### **Procedures**

#### 1. Immediate Removal from Park Property

Any Department employee or police officer who has probable cause to believe a person has violated Department rules, a code of conduct adopted by the Director, or other applicable laws, may require that individual to leave the park or facility immediately. Failure to comply, or returning on the same calendar day, constitutes criminal trespass and may result in arrest and prosecution.

#### 2. 90-Day Exclusion

A person may be excluded from all Department property for up to 90 days for committing any of the following violations:

- Sale, purchase, possession, or consumption of prohibited drugs
- Prostitution or related offenses
- Alcohol-related offenses, including possession or consumption of alcohol in a municipal facility
- Assault, harassment, indecent exposure, indecent conduct, or destruction of property
- Animal-related offenses, including cruelty, dangerous dogs, or directing a dog to attack
- Vehicle prowling or stalking
- Coercive solicitation
- Theft, discharging a firearm, or reckless endangerment
- Sexual misconduct, including indecent exposure, sexual assault, or communication with a minor for immoral purposes



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- Violation of a prior exclusion order
- Reckless driving, street racing, boating under the influence
- Weapons offenses
- Violation of any court-issued protection order
- Graffiti or littering
- Building unauthorized structures in parks or entering parks when closed
- Violation of a CBJ Code of Conduct
- Any repeat violation of Department rules or laws on property managed by the Department within one year

The exclusion shall be in writing and delivered to the person being excluded.

### 3. One-Year Exclusion

A person may be excluded for one year for any of the following:

- Commission of any felony offense
- Serious weapons violations
- Repeated offenses resulting in two or more exclusion notices under this policy within one year

### 4. Issuance of Exclusion Notice

Exclusion notices shall:

- Be in writing
- Include the date of issuance and the specific violation
- Cite the relevant rule or policy violated
- Specify the duration and areas of exclusion
- Outline the method for appeal
- Include a warning of legal consequences for noncompliance
- Exclusion notices may be based on employee or police officer observation or credible civilian reports.

### 5. Appeal Process

Individuals receiving an exclusion notice longer than one day may:

- Submit a written appeal within 7 calendar days to the City Manager.

The City Manager will:

- Review written materials and any additional relevant, credible evidence
- Uphold, rescind, or shorten the exclusion based on a preponderance of evidence
- Issue decisions that are final and binding



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The exclusion will remain in effect throughout the appeal process.

#### **6. Legal Enforcement**

Any person who remains on park property after being excluded, or who reenters during the period of exclusion, may be arrested and prosecuted for criminal trespass.

No finding made in the appeals process will affect or limit subsequent civil or criminal proceedings.