

Visitor wore out welcome at UC

Court asked for 'keep out' order

BY LORI KURTZMAN | LKURTZMAN@ENQUIRER.COM

It is hard to say why Virgil Tuttle keeps returning to the University of Cincinnati.

Clearly it does not want him.

Twenty-two times in the last five years, police there have arrested him for trespassing. Last month, the university got a temporary restraining order barring the 48-year-old former student from campus. On Monday, lawyers for UC walked into a courtroom to argue that he should never be allowed to return.

But Tuttle keeps coming back.

"He's stalking an institution," said the lawyer representing UC, David Fierst from the Ohio Attorney General's Office.

After years of Tuttle sightings and arrests and court appearances, UC is seeking a permanent injunction that would bar him from campus for good. Officials at the university said Tuttle has left them with no other option.

They argue he's become too great a drain on the resources of police, who've spent "hundreds of hours" locating him, cuffing him, writing reports, testifying in court.

"I've tried and I know the officers have tried for over a decade to try to get Virgil to understand," said UC Police Chief Eugene Ferrara. But "Virgil seems to think it's all open to him."

Parts of campus - sports venues, restaurants, some libraries - are open to the public, according to UC policy, but usually only during certain hours. Tuttle's visits have gone beyond that. He's been found all over campus all sorts of times in all manners of consciousness, according to UC police reports: In April 2001, an officer found him dozing in a stall in a third-floor restroom, pants around his ankles. In August 2004, they found him relaxing in a math lounge, feet up, shoes off, lights out. In May 2005, he was in the bushes not far from the police station, drunk, a half-eaten pizza lying next to him.

Tuttle was once a student at UC. After earning his GED in the mid-1980s, he enrolled at the university hoping to study engineering, he said. He was the only one of four siblings to go to college. Tuttle, who grew up in Clifton, said his family didn't encourage education, but he decided to pursue a degree when he reached his mid-20s.

He said he got into various social causes and didn't make steady progress toward that degree. He was last enrolled at UC in the autumn quarter of 2004, the registrar testified Monday, and has since been blocked from registration for not paying tuition. He owes \$999.

He's spent a lot of time on campus anyway, attending lectures and doing research in the library. He says he's still a student; the university claims otherwise.

While UC wants him gone, Tuttle - who says he's just being picked on by some UC cops and wants to stand up for himself - is doing all he can to stay.

"He's very clever, I will give him that," said Mitchell McCrate, UC's interim general counsel. "This is obviously something he gets some pleasure from."

Representing himself, Tuttle spent hours Monday in the Hamilton County Courthouse pleading his case to Common Pleas Judge Dennis Helmick.

Tuttle, his curly, graying hair pulled into a ponytail, was clearly nervous, jumbling his words, rifling through papers, growing flustered as both Fierst and Helmick pushed him to get to the point.

Two of his witnesses didn't show. One who did said she was "pretty sure" he'd once viewed pornography on a UC computer. Another, Director of Judicial Affairs Daniel Cummins, said no, he'd never handled complaints about Tuttle - because "my jurisdiction is only limited to students."

Eventually, Tuttle called himself as a witness and testified about the UC clubs he'd joined and the cops who didn't like him and how he has the right to continue his education. Finally he told the judge: "I'm not that bad a guy. I know it looks bad, but I'm not that bad a guy."

Helmick continued the case until June 22, when he's expected to make his ruling. Meanwhile, the restraining order still stands.