The BYU-Hawaii Security Report is written to aid members of the university community in maintaining their personal safety and to advise students and employees of university policies designed to make the campus a safe environment where students may come and learn secular principles within a spiritual atmosphere. This document meets the Federal law which mandates its preparation and distribution. The overall purpose is to:

- publish campus crime data in a summary form;
- disclose pertinent university policies which promote personal safety and security;
- provide victims of sexual offenses with an understanding of their rights, responsibilities and pertinent university policies;
- provide interested parties with the universities drug and alcohol policies;
- summarize graduation rates;
- assist individuals with helps and suggestions to deter criminal behavior;

BYU-Hawaii is committed to providing a "wholesome academic, cultural, social, and spiritual environment" for its students, faculty, staff, and administrators wherein students can learn and grow both spiritually and intellectually in a diverse community committed to high moral values. Located in Laie, Hawaii, BYU–Hawaii and Laie are known for a crime rate below that of other areas in the state and country. The university administration and the Laie community are committed in their efforts to maintain a safe and secure community through a sharing of responsibility. Any program providing for the safety and security of persons cannot be effective unless every individual within the community accepts responsibility for his or her part. This does not imply that the university and surrounding community are free from the various social maladies encountered throughout other parts of the nation.

PREPARATION, PUBLICATION, AND DISTRIBUTION OF INFORMATION

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Act) requires colleges and universities to publish reported campus crime statistics. The Act requires BYU–Hawaii to compile statistics on specific crimes that are committed "on campus, in or on noncampus buildings or property, and on public property" and that are reported to (1) campus security personnel and (2) any "official of an institution who has significant responsibility for student and campus activities" (i.e., housing head residents, coaches, advisors to student groups, the director of the student center, etc.). Specifically, BYU–Hawaii has requested crime report information from any person who has a crime reported to them which has not been reported to the Campus Security and from those individuals who have been designated as "campus security authorities." BYU–Hawaii has also made a
good faith effort to obtain information from the Honolulu Police Department regarding both on-campus and off-campus public property crime. A reported crime which is published in the statistics does not have to be made to, or investigated by the police, nor must a finding of guilt or criminal responsibility be made for the crime to be included in the statistics.

BYU–Hawaii makes a concerted effort to provide every student, faculty, staff, and administrator with a complete copy of the annual Clery Disclosure of Campus Security Policies and Campus Crime Statistics either as an e-mail document or as a hard paper copy by October 1 annually. Employees and students are provided information by e-mail notifying them of the availability of the Campus Safety Report on the BYU–Hawaii Web site at: http://w3.byuh.edu/services/security/2002-03BYUHSecurityRpt.pdf or the location where and how they can obtain a hard paper copy. This procedure is followed at the beginning of each semester or term for all new incoming students. Employees who do not have e-mail accounts are provided written notification of the availability of the report. New employees are provided a hard paper copy of the report during their new employee orientation held within 30 days of their being hired.

The annual crime statistics are submitted to the U.S. Department of Education annually as required by the current federal regulations. This is done through the DOE Web site located at: http://surveys.ope.ed.gov/security/default.asp. These statistics along with statistics from other institutions of higher education in the United States may be viewed at the DOE Web site located at: http://ope.ed.gov/security.

Hard paper copies are available on request through the Security Office and the Human Resources Office.

UNIVERSITY SECURITY SERVICES

BYU–Hawaii provides optimum security services to our University community which consists of approximately 2,300 students, faculty and staff. Our security officers provide 24 hour patrol and security protection for the safety of University properties, employees, students and visitors. BYU–Hawaii security officers do not have the same authority or responsibilities as the Honolulu Police Department. Our security officers are a private security force who receive specialized training in crime prevention and awareness, first aid, defensive tactics, legal updates, evidence gathering, traffic control, etc. The University Security consists of five full time employees, seven part-time/on-call staff employees, and 25 part-time student employees.

Reporting Crimes

University Security handles all campus crime reports, investigations, traffic accidents, enforcement of laws regulating underage drinking, the use of controlled substances, weapons, and other incidents—such as medical and fire
emergencies on the Campus. The university administration is committed to
the reporting and investigation of all crimes committed on campus.
BYU–Hawaii Administration encourages students, faculty, staff, and admin-
istrators to promptly report all crimes to the University Security or the
Honolulu Police Department. **Students living off campus should report all
criminal activity to the Honolulu Police Department.** Campus ecclesiasti-
cal leaders and counselors in the BYU–Hawaii Counseling Center are
encouraged to work with individuals who come to them for parishioner or
professional counseling. Counselors and ecclesiastical leaders are encouraged
to inform the persons they are counseling of the procedure for voluntarily
and confidentially reporting crimes. The administration encourages all
employees to report any and all crimes as soon as practical to permit an
appropriate police response to the reported incident.

Local law enforcement agencies provide the University Security statistics on
crime occurring on properties which are owned, operated, or used by the un-
iversity or on properties which are adjacent to university-owned properties.

University Security officers prepare and submit reports of crimes brought to
their attention to the Honolulu Police Department on a need to know basis.
They also share information on arrests and crimes committed on campus with
appropriate administrative employees of the university. Incidents involving theft
of personal property with serial numbers, which is stolen from campus, are
reported nationwide through the National Crime Information Center (NCIC).

**How to reach the University Security**

Any suspicious or emergency situation and all on-campus criminal activity
should be promptly reported to the University Security 24 hours a day by dialing:

3911 or 3503 for on-campus – emergencies
911 for off-campus emergencies

**Services**

University Security Officers are responsible for providing a full range of public
safety services to the BYU–Hawaii campus community. This includes the record-
ing of all reported crimes, follow-up investigations, traffic accident investigation,
medical and/or fire emergencies, enforcement of criminal, alcohol, drug, and traf-
fic laws and any other matters requiring police presence or assistance.

**Training and Patrol Methods**

Ongoing in-service training in patrol procedures, investigative techniques,
defensive tactics, traffic accident investigation, crime prevention and aware-
ness, CPR, and First Aid. Security officers patrol the campus on foot, in
vehicles, and on bicycles. The University Security office is staffed 24 hours a
day and has direct radio contact with all campus and on-call emergency serv-
ices personnel within the university.
TIMELY WARNING NOTICE

In the event that a situation arises either on or off campus, that in the judgment of the Director of Security constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the University e-mail system, Campus TV, the University newspaper (Ke Alaka‘i) and posted on the University Security website for all students, faculty, and staff.

For situations that could pose a more immediate threat to the university or the community, this information will also be physically posted throughout the University campus to include all major buildings that the general student population would normally frequent.

The Director of Security, after consultation with the Honolulu Police Department and the Vice President of Student Life, will have the Director of University Communications review statements and then take the appropriate steps to disseminate this information.

RESOURCES

Assistance is available to provide educational training programs, and possible referral to outside medical assistance. Individuals may obtain more information by calling:

- Police ..........................................................529-3502 or 529-3351
- Department of Health (Alcohol and Drug Abuse) ....586-3961
- Coalition for a Drug Free Hawaii .........................545-3228

Keeping informed is an important step in developing a healthy lifestyle and in knowing how to cope with problems as they arise. BYUH provide students useful and informative prevention education programs throughout the year. Several departments provide information and counseling on alcohol and related issues to support and encourage healthy, productive lifestyles.

These programs are made available through:

- University Counseling & Development Center ........293-3516
- Student Health Center .................................293-3510
- University Security Office ..............................293-3911
- University Human Resources Office ..................293-3713

The counselors, medical staff and University employees in these programs are experienced and professional. They offer support for students in an atmosphere of understanding and confidentiality.
ON-CAMPUS CRIME STATISTICS FOR THE UNIVERSITY COMMUNITY

The following statistics, provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, are for your information. These statistics are compiled annually by the Brigham Young University Hawaii Security Department and include all reports of the following offenses received by the Department’s own personnel as well as from university officials with significant responsibility for student and campus activities. If you have any questions, contact Campus Security at (808)293-3911 or 3503.

NUMBER OF REPORTED OCCURRENCES OF SELECTED CRIMES

<table>
<thead>
<tr>
<th>OFFENSES</th>
<th>AREA</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* This category includes all on-campus incidents, including those listed in the category below, “In dormitories or other residential facilities.” Therefore, the two categories are not cumulative, but duplicative.
<table>
<thead>
<tr>
<th>OFFENSES</th>
<th>AREA</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forcible Sex Offenses</td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
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<tr>
<td>Non-Forcible Sex Offenses</td>
<td>Total on Campus *</td>
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<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Forcible Sex Offenses</td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>Total on Campus *</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
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</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
This category includes all on-campus incidents, including those listed in the category below, “In dormitories or other residential facilities.” Therefore, the two categories are not cumulative, but duplicative.

### Hate Crimes

There were no reported hate crimes for the years 2004, 2005, or 2006.

<table>
<thead>
<tr>
<th>OFFENSES</th>
<th>AREA</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Burglary</strong></td>
<td>Total on Campus *</td>
<td>3</td>
<td>4</td>
<td>4</td>
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<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
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<td>3</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Arson</strong></td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
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<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Motor Vehicle Theft</strong></td>
<td>Total on Campus *</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<td>0</td>
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<tr>
<td></td>
<td>On public property</td>
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</tr>
</tbody>
</table>

* This category includes all on-campus incidents, including those listed in the category below, “In dormitories or other residential facilities.” Therefore, the two categories are not cumulative, but duplicative.
## NUMBER OF ARRESTS FOR SELECTED CRIMES

<table>
<thead>
<tr>
<th>OFFENSES</th>
<th>AREA</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Liquor Law Violations</strong></td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<tr>
<td></td>
<td>On public property</td>
<td>0</td>
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</table>

<table>
<thead>
<tr>
<th>OFFENSES</th>
<th>AREA</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Drug Law Violations</strong></td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<td>0</td>
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<tr>
<td></td>
<td>On public property</td>
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<td>0</td>
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</table>

<table>
<thead>
<tr>
<th>OFFENSES</th>
<th>AREA</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Weapons Law Violations</strong></td>
<td>Total on Campus *</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In dormitories or other residential facilities</td>
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<tr>
<td></td>
<td>In or on a non-campus building or property</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* This category includes all on-campus incidents, including those listed in the category below, “In dormitories or other residential facilities.” Therefore, the two categories are not cumulative, but duplicative.
CRIME DEFINITIONS

The data shown above reflect offenses and arrests reported to the BYU–Hawaii University Security and are compiled in accordance with the definitions used in the Uniform Crime Reporting System of the Department of Justice, the Federal Bureau of Investigation (FBI) as modified by the Hate Crime Statistics Act. Data on disciplinary referrals is taken from statistical reports provided by the Honor Code Office based on required reporting categories. In both instances, the data may not reflect the actual rates of crime on campus but, rather, may reflect the rate that the campus community reports crime and the efficiency of the University Security in following up on the reported crimes. The Uniform Crime Reporting System of the Department of Justice, the Federal Bureau of Investigation (FBI) uses the following definitions.

**Murder:** The willful (non-negligent) killing of one human being by another.

**Manslaughter:** The killing of another person through negligence.

**Forcible Sex Offense Definitions:** Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. Forcible sex offenses include:

- **Forcible Rape:** The carnal knowledge (sexual intercourse) of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.

- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

- **Sexual Assault With An Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against the person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical capacity.

- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
Nonforcible Sex Offense Definitions

A nonforcible sex offense is "unlawful, nonforcible sexual intercourse." Examples of nonforcible sexual offenses include incest and statutory rape. BYU–Hawaii has chosen to make other noncontact, sex-related offenses including exhibitionism, voyeurism, and the making of obscene harassing phone calls subject to university sanctions and discipline.

**Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that the injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Arson:** The unlawful and intentional damage, or attempt to damage, any real or personal property by fire or incendiary device.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

**Larceny Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, "con" games, forgery, worthless checks, etc., are excluded.
Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacturing, sale, transporting, furnishing, or possession of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Drug-related Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine.

Weapons Possession: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

The possession or use of any firearm, wrist rocket, paintball gun, or other deadly weapon on campus is prohibited by BYU–Hawaii policy except for law enforcement officers.

Hate Crimes: The crimes listed above and any other crimes become Hate Crimes when bodily injury to any person occurs and when the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim. These are crimes reported to any campus security authority or local police agency and then reported in the Campus Crime Statistics according to the table notations at the end of the crime statistics. The absence of any such notations are indicative of the lack of Hate Crimes being reported.

REPORTING CRIMES

BYU-Hawaii encourages the prompt and accurate reporting of crimes to the University Security or the Honolulu Police Department in order to allow for an appropriate institutional response. Crimes in progress and other emergencies on campus can be reported directly to the University Security by calling 3911 or 3503 from any campus telephone.

The University Security is the preferred contact point for reporting of any crime occurring on campus. However, students and employees may also report incidents of crime to other campus authorities having appropriate supervisory jurisdiction and responsibility for student and campus activities. These employees are encouraged to work with the student and encourage them to report the incident to the Honolulu Police Department having jurisdiction over the matter.
Confidential Voluntary Reporting of Crimes

The university community may report crimes directly to the Honolulu Police Department having jurisdiction over a case, to a designated campus authority or to a counselor or pastoral/ecclesiastical leader of their choosing. Counselors, pastoral/ecclesiastical leaders and campus authorities are encouraged to inform the persons they are working with that they may voluntarily and confidentially report crimes. This can be done through a second party serving as an intermediary. Individuals should be encouraged to report crimes first person when possible. The administration encourages all employees to report any and all crimes as soon as practical to permit an appropriate police response to the reported incident.

Campus Security Authorities

Those campus authorities who have been designated as a contact point are:

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Room</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isileli Kongaika</td>
<td>Vice President, Student Life</td>
<td>LSB 241</td>
<td>3799</td>
</tr>
<tr>
<td>Ken Wagner</td>
<td>Director of Athletics</td>
<td>CAC 161</td>
<td>3760</td>
</tr>
<tr>
<td>Paul Buckingham</td>
<td>Director of Counseling</td>
<td>MCK 181H</td>
<td>3508</td>
</tr>
<tr>
<td>John Elkington</td>
<td>Director of Housing</td>
<td>UHO 110</td>
<td>3542</td>
</tr>
<tr>
<td>Tessie Faustino</td>
<td>Director of Human Resources</td>
<td>LSB 136</td>
<td>3713</td>
</tr>
<tr>
<td>Hans Taala</td>
<td>Director of Security</td>
<td>MCK 148E</td>
<td>3501</td>
</tr>
<tr>
<td>David Lucero</td>
<td>Director of Student Activities</td>
<td>ACR 131</td>
<td>3552</td>
</tr>
</tbody>
</table>

CRIME PREVENTION AND AWARENESS

The BYU–Hawaii University Security provides a variety of programs to promote crime prevention and awareness. In addition to direct efforts in crime prevention and detection, BYU–Hawaii fosters a number of safety and security programs for the benefit of the campus community. These programs are designed to teach the campus community about procedures they can follow to enhance their personal awareness of safety, protection and crime prevention practices. Some of the programs available through the department include:

- Literature: Numerous pamphlets on various topics of crime prevention are available from University Security regarding crime prevention, campus safety, rape awareness, alcohol awareness, sexual harassment, and family violence. An Emergency Procedures flip chart is available for all departments regarding emergency responses. Information on safety and security is provided to students, faculty and staff members regularly through e-mail bulletins, crime alerts, and the Ke Alakai, the university newspaper.
• Security Awareness Fair: Bi-annually, a Security Awareness Fair will be held for all faculty, administration, staff and students with representatives from the Honolulu Police Department, Office of the Prosecuting Attorney, Disability and Communications Access Board, State Tax Department, Attorney General’s Office, and other state departments. During this fair, crime prevention materials are distributed and representatives are available to answer any questions.

• Campus Safety Awareness Week: Annually, a Security Awareness Fair, Crime Prevention Expo, Campus Safety Expo and Fire Safety Expo will be held for a week in September in honor of National Campus Safety Awareness month. Literature and information is provided to students, faculty and staff members. Representatives from the Honolulu Police Department, Honolulu Fire Department, BYUH Safety Office and BYUH Security are available to answer any questions.

• Public Service Announcements: 30 second video spots on University Parking and Traffic regulations will be aired on the BYUH campus TV station and before campus movies.

• Building Security: Most academic buildings are unlocked until evening unless there are evening classes or special events. However, when the campus is officially closed, buildings are locked and only employees and authorized students with proper I.D. are admitted. An intrusion alarm system has been installed for the express purpose of improving building security and personal safety. Custodians are also instructed to report any suspicious situations to Campus Security.

• Crime Awareness and Crime Prevention Educations Aids: Free literature and free-for-loan videos on a variety of crime subjects are available to view from the Campus Security. Faculty, administration, staff and students are encouraged to avail themselves of these materials.

• Health and Wellness Fair: Annually, a health and wellness fair will be held for all faculty, administration, staff and students. During this fair an information booth is staffed to distribute crime prevention materials.

• New Student Orientation: At the beginning of a new semester or term the Campus Security participate by staffing an information booth to familiarize students with services and to distribute crime prevention materials. Students are also given safety tips and information to make them aware of crime and ways to avoid becoming victimized by it.

• Operation Identification: Students and employees are encouraged to borrow an engraver from Campus Security for engraving identifying numbers on personal property and to maintain an accurate inventory of their belongings. Engravers are available at no cost.

• Public Information: Crime information is reported in the "Crime Log," that is posted on the Security website. Also, a Campus Crime Log is posted in the Security office for public view, 24 hours a day.
• Aloha Late Night Shuttle: A shuttle service for any student desiring transportation from campus to their home located off-campus. This service is available Mondays-Thursdays from 9:00 pm–12:30 am and Fridays from 9:00 pm–11:30 am. The shuttle service provides transportation in the Laie community only.

• Security Survey Program: Periodic security surveys of campus facilities provide suggestions for improving security of an area and for improving the safety of personnel and students.

• Housing Safety Presentations: Presentations are available to groups of married students and their children upon request by calling the Housing office at 293-3541. The purpose is to teach safety tips and how to avoid becoming crime victims.

• Family Day Fair: Annually, a Family Day Fair will be held for families residing in the married student housing. This fair is sponsored by the Counseling Services and On-Campus Housing to help families become familiar with safety concepts and healthy lifestyles.

• Group Presentations: The Director of Security or Shift Supervisors are available upon request to make safety and security presentations to campus groups.

• Housing Orientation: Annually, Housing supervisors, Head Residents and Resident Assistants are taught how to help prevent crime and assist students to avoid becoming victims of crime.

• Employee Orientation: Upon initial hire, employees receive information about safety procedures on campus during regular orientation, along with the current Campus Security Report.

• Neighborhood Watch Program: The nationally recognized Neighborhood Watch program has been implemented in the Temple View Apartments.

• Sexual Assault Seminars: Throughout the school year seminars are held in campus residence halls and elsewhere to familiarize students and employees with how to avoid or minimize the possibility of becoming a victim of sexual assault.

Numerous pamphlets on various topics of crime prevention are available from the Campus Security Office regarding crime prevention, crime theft, campus safety, operation ID, bicycle safety, date rape, and sexual assault awareness. Information on safety and security is provided to students, faculty and staff members regularly through seminars, films, bulletins, crime alerts, posters, brochures and University newspapers.

A listing of printed materials and professional videos are available through the University Security Office and University Housing.
PERSONAL SAFETY AND PROTECTION

The safety and well-being of our students, faculty, staff, and community patrons are a high priority at BYU–Hawaii. However, the full support and cooperation of the entire university community are required to allow for the pursuit of knowledge in a safe and secure environment. Often, the best defense against being the victim of a sex offense or any crime is one's own personal alertness and awareness, and taking care not to place oneself at risk. The best advice for minimizing the possibility of becoming a victim is to be selective in your activities at all times by not putting yourself at risk. In order to avoid situations that may place an individual at greater risk of becoming a victim of a rape or sexual assault, it is advisable to:

1. Be aware of your rights and obligations. Don't give mixed messages. You have both a right and an obligation to say "NO."

2. Let a friend or roommate know who you will be with, where you will be, and when you expect to return. Leave an address and phone number.

3. Be sensitive to the spirit, your intuition, and your instincts. If you feel you may be at risk, take control by leaving the situation immediately. Don't be afraid to "make waves" if you feel threatened, pressured, or coerced into an activity that is against your will.

4. Attend activities with friends and in groups. "Look out" for one another.

5. Walk with confidence and walk with another person. Stick to well-lighted, populated areas.

6. Refrain from drug and alcohol use.

7. Be extremely selective as to whom you date and where you go with the date.

8. Avoid Internet dates.

Sexual Assault

The high standards of moral purity which each student and employee commit to as a condition of their enrollment or employment at BYU–Hawaii precludes individual involvement in behaviors contrary to their Honor Code commitment to "live a chaste and virtuous life," "respect others," and to "obey the law," including refraining from immoral or abusive behavior. The right of individuals to attend an institution of higher education where they can pursue their education in a safe and supportive environment and be free from all forms of abuse, assault, harassment, and coercive conduct is an inherent right. In reality, unlawful and immoral behaviors are an unfortunate part of our society and may occur at BYU–Hawaii. In this light, all types of sexual assaults or offenses are a very serious concern to BYU–Hawaii. BYU–Hawaii is committed to educating the campus community about the nature and consequences of sexual assault as well as to assist victims or perpetrators in understanding their rights under the Honor Code.
Sexual assaults should be viewed as a terrifying infringement of an individual's right to exercise their own agency over their body. When this agency is taken away by an assault, the victim loses the ability to make their own sexual choice. The very nature of a sexual assault is an act of control or domination that strips one of the parties of their right to moral agency. The end result is the victim is damaged both physically and emotionally. A larger by-product of the assault produces extreme and conflicting feelings in the victim such as guilt, fear, shame, anger, and depression. These emotions must be dealt with if the victim is to return to their "normal" life.

Any violation of another individual's right to be free from forcible or nonforcible sexual offenses constitutes a serious breach of Hawaiʻi criminal law in addition to being a violation of their Honor Code commitment. A violation of this policy by students or employees may result in suspension from school or termination from employment, in addition to possible prosecution under the laws of the State of Hawaiʻi. When any person becomes aware of a forcible or nonforcible sexual offense they should immediately report it to the University Security or to the Honolulu Police Department and to the Vice President of Student Life.

Sex Offender Registry

Information on convicted sex offenders is no longer available to the public. The Hawaii Supreme Court struck down Hawaiʻi's registration law as unconstitutional on November 21, 2001.

Honolulu Police Department
801 South Beretania Street
Honolulu, Hawaiʻi 96813
www.honoluluhpd.org

Forcible Sex Offense Definitions: Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. Forcible sex offenses include:

Forcible Rape: The carnal knowledge (sexual intercourse) of a person, forcibly and/or against that person’s will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
**Sexual Assault With An Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical capacity.

**Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity

**Nonforcible Sex Offense Definitions**

A nonforcible sex offense is "unlawful, nonforcible sexual intercourse." Examples of nonforcible sexual offenses include incest and statutory rape. BYU–Hawaii has chosen to make other noncontact, sex-related offenses including exhibitionism, voyeurism, and the making of obscene harassing phone calls subject to university sanctions and discipline.

BYU–Hawaii is committed to assisting any individual who is the victim of a sexual assault. That commitment includes but may not be limited to the following:

- We will meet with you privately, at a place of your choice in this area, to take a report.
- We will not release your name to the public or to the media.
- Our officers will not prejudge you, and you will not be blamed for what occurred.
- We will treat you and your case with courtesy, sensitivity, dignity, understanding, and professionalism.
- If you feel more comfortable talking with either a female or a male officer, we will do our best to accommodate your request.
- We will assist you in arranging for any hospital treatment or medical needs you may require.
- We will help you seek private counseling, safety, advising, and other available resources.
- We will fully investiagte your case and will help you reach the best outcome possible. This may involve the arrest and full prosecution of the perpetrator. You will be kept up-to-date on the progress of the investigation and/or prosecution.
- We will continue to be available to answer your questions, to explain systems and procedures (such as prosecution and the courts), and to be a listening ear.
We will consider your case seriously regardless of your gender or the gender of the suspect. Victims of a sexual offense are encouraged to report such incidents immediately to the University Security or, if the offense occurred off campus, to the Honolulu Police Department. Prompt reporting allows for the collection and preservation of crucial evidence and facilitates the victim in receiving medical assistance, counseling, and other support services as soon as possible.

If you are the victim of sexual assault or rape:
1. Go to a safe place as soon as possible.
2. Preserve all physical evidence. **Do not** bathe, douche, brush teeth, wash hands, or change clothing.
3. Immediately contact the University Security at 293-3911 and, if the offense occurred off campus, the local police—even if you think you may not press charges.
4. Ask the police to assist in getting you medical attention.
5. Seek someone you can trust to be with you.
6. Use campus and community resources listed in this policy to aid you in your recovery.

**Typical law enforcement procedures following a sexual offense:**
The response and investigative orientation of University Security is that rape is a crime second only to homicide. All reported rape cases will be aggressively and professionally investigated.

1. Victims or others report the offense to University Security and/or the Honolulu Police Department:
   University Security  293-3911
   Honolulu Police Department  911
2. University Security Officers conduct a preliminary investigation including:
   a. Securing the crime scene and collecting evidence.
   b. Calling in additional investigative help.
   c. Helping obtain medical and counseling services for the victim.
   d. Instructing medical personnel to collect and preserve evidence found on the victim.
   e. Identifying possible witnesses and suspects.
   f. Informing the victim of campus and community resources available:
      (1) Abuse, assault, rape
(2) Mental health counseling
(3) Hospitals and health centers

g. In appropriate circumstances, helping locate a "safe house" for the victim for the first 24 hours following the offense.

h. Notifying the Vice President of Student Life about the incident.

3. Patrol officer completes a detailed case report of an investigation. The case report is assigned to an investigator for follow-up conclusion.

a. Interviewing witnesses, suspects, and the victim.

b. Collecting and analyzing evidence.

c. When circumstances warrant, assisting the victim in avoiding contact with the alleged perpetrator through university channels and/or civil means.

d. Review the case with the prosecuting attorney to determine the legal merits of prosecution.

e. Supporting the victim through all court procedures.

f. Assisting the victim to understand his/her crime victim rights.

g. Referring the alleged perpetrator, if a student, to the Vice President of Student Life for appropriate action (the referral may be initiated before, during, after, or in lieu of criminal action as circumstances warrant).

h. Filing criminal charges with the prosecuting attorney. (Failure to bring criminal charges does not preclude the victim from pursuing civil sanctions and/or administrative sanctions against the alleged perpetrator through appropriate university processes).

i. Supporting the victim through the preliminary hearing and trial procedures.

j. Assisting the victim to understand his/her crime victim reparation rights.

More often than not, the victim and the attacker know each other. Students should be aware that acquaintance rape is a serious crime. The lack of verbal or physical resistance because of force or threat of force does not mean consent.

At all times, including dating situations:

• Let a friend or roommate know who you will be with, where you will be, and when you expect to return. Leave an address and phone number.

• Know your intentions and limits. Everyone has a right and an obligation to say no.

• Communicate limits firmly and directly. Don’t give mixed messages.
• Trust your feelings. If you feel threatened, there is probably a good reason. Get away fast.
• Attend activities in groups. Look out for each other. There is security in numbers.
• Be aware of what is going on around you.
• Walk with confidence. Walk with another person.
• Stick to well-lighted, populated areas.
• Never walk or jog alone at night.
• Avoid dense shrubbery where an assailant could hide.
• Carry a whistle or personal alarm to summon help.
• Keep house and car windows closed and locked.
• Keep drapes or blinds closed when dressing.

Adjudication Process and Sanctions

A victim of a sexual offense allegedly perpetrated by a BYU–Hawaii employee should report the crime to the law enforcement agency having jurisdiction where the offense occurred. In addition to reporting the offense to the police, the victim may also choose to report the alleged perpetrator to the BYU–Hawaii Human Resource Services, phone 293-3713, Lorenzo Snow Building for review. The Human Resource Services will make an assessment of the allegation and institute any appropriate sanctions based on established policies and procedures. In the case of a sexual offense, however, the Human Resources Services shall, in addition to the process established in its procedure:

1. Provide the accuser with the information identified by policy as to whom should be contacted for assistance, as to whom the alleged offense should be reported, and emphasize to the accuser the importance of preserving evidence as may be necessary for the proof of a criminal offense.

2. Provide the accuser and the accused with the same opportunities to have others present during an employee disciplinary proceeding and provide the accuser and the accused with information concerning the outcome of any employee disciplinary proceeding when a sexual offense is alleged.

3. Inform the accuser of options to notify proper law enforcement authorities, including campus and local police, and the option to be assisted by campus authorities in notifying the appropriate police agency if the accuser chooses.

4. Provide notification to the accuser of the information identified in this policy of existing counseling, mental health or other Church or community services for victims of sexual offenses both on campus and in the community.
5. If the accuser is a student or is living on campus, provide information concerning options for, and available assistance in, changing academic and living arrangements if requested and if these changes are reasonably available.

**Other Sex Offenses**

Sex offenses are not limited to rape and sexual assault. Other offensive and unacceptable sexual behavior may be in violation of BYU–Hawaii policy or criminal in nature. Exhibitionists, voyeurism (peeping Toms), and persons who make obscene or harassing phone calls are in violation of BYU–Hawaii standards and often are in violation of the law.

**Exhibitionism and Voyeurism**

If you are the victim of an exhibitionist or voyeur (peeping Tom), try not to panic.

- Stay calm. Show no reaction.
- Call the police immediately. Report the time and place of the incident.
- If witnesses are present, get their names and phone numbers.
- Try to get a good look at the offender. A description of the person's appearance will help the police identify him.
- Lock your doors and windows immediately.
- If a car is involved, note the color, make, license plate number, and direction of travel.

**Obscene and Harassing Phone Calls**

Use the telephone on your terms—not the terms of the caller. If you receive such a call:

- Do not give out your name or address.
- Hang up at once if a caller makes obscene or harassing remarks or does not respond to your "hello."
- Report these calls to the police.
- Keep a log of repeated calls noting the date, time, content, voice characteristics, background noises, etc.
- Be wary of callers conducting surveys.
- Don't give out confidential information (i.e., credit card numbers or personal information).

**Pornography and Indecent Material**

BYU–Hawaii is affiliated with the Church of Jesus Christ of Latter-day Saints and ascribes to high standards of morality and Christian ethics espoused in the doctrines of the gospel of Jesus Christ. The University maintains the right to
censure any student or employee for involvement with pornographic, erotic, obscene, indecent, or other sexually explicit or offensive materials regardless of the source; i.e., Internet printed materials, videotape or audiotape, live public or private performances, or other offensive expressions or conduct. BYU–Hawaii deems any such conduct as inconsistent with the Honor Code. As such, these offenses are viewed as serious offenses that may result in university disciplinary sanctions including termination from employment or immediate suspension from the university. Some cases may be referred to the criminal courts for prosecution under relevant federal, state, county or city law governing pornography, computer misuse, or indecent conduct.

BYU–Hawaii believes that maintaining an educational and living environment consistent with respect for individual dignity and the moral virtues encompassed by the Gospel of Jesus Christ will assist in discouraging the advent of sexual offenses on campus and within the campus community.

Misconduct

As a condition of enrollment at BYU–Hawaii, students are required to adhere to the Honor Code and university policy. In order to discourage student misconduct on and off campus, principally involving disrespect for the rights of others and university property, the university has empowered the Vice President of Student Life to review cases of misconduct and institute appropriate disciplinary sanctions for violation of their personal commitment to refrain from such involvement. In addition, individuals violating the law may be prosecuted through the local judicial system when appropriate.

Disciplinary sanctions for students in violation of their personal commitment to the Honor Code, dress and grooming standards, and other university rules and regulations will be referred to the Honor Code Office for disciplinary action.

Theft

Theft is the most frequently committed crime on campus. This is because so many personnel and students carelessly leave doors unlocked and valuables unprotected. As with crimes against the person, your best defense against theft is vigilance. Recognize that danger exists and take precautions.

Here are a few suggestions:

- NEVER leave personal belongings unattended even for a minute.
- Keep doors and windows locked.
- Don’t keep large amounts of money in your room or on your person
- Lock your bicycle with a quality "U" style lock.
- Register your bike with City and County of Honolulu and University Security
- Don't lend your keys or credit cards to anyone
- Don't attach ID to your keys.
• Engrave ID numbers on personal property.
• Keep a record of your property including description, make, model, and serial number.
• Don't leave your laundry unattended.
• Always lock your car. Do not leave valuables inside.

EMERGENCIES

Fires, Winter Storms, Earthquakes and Floods

In the event of an emergency, there are some basic life protecting behaviors which every person can follow in order to minimize the losses as a result of such disaster.

General

Do the following:

• Avoid panic, remain calm, use common sense, and render assistance as required.
• Report all emergencies by dialing 3911 or 3503 from an on campus phone.
• Evacuate buildings immediately upon request of authorities, upon hearing an alarm, or if remaining becomes life threatening.
• Know the location of at least two emergency exits in your working/living area.
• Keep a flashlight nearby both at work and in living areas.
• Listen for instructions broadcast over emergency warning systems

Do NOT do the following during an emergency:

• Do not use the telephone except to report emergencies.
• Do not wait to report an emergency to the Police or to those responsible for handling emergencies.
• Do not use elevators or attempt to exit stalled elevators.
• Do not jeopardize your life or the lives of others by attempting to save personal or University property.
• Do not cross police barriers without authorization.
• Do not exceed your training or knowledge when attempting to render first aid.

Fires

• If you discover a fire, activate the nearest fire alarm, then call 911.
• Do not attempt to fight fires alone.
• Do not attempt to rescue others unless you are certain you can do so safely. When fire fighters arrive, inform them of the location of persons still in the building.
When a fire alarm sounds, close windows, open drapes, and exit quickly to the nearest stairwell. Close doors behind you. Never use elevators.

If the door is hot or the hallway is too smoky, stay in the room. Stuff towels or blankets around door cracks. Stay low to the floor where the air is fresher and cooler. Go to the window and attract attention by waving a sheet or coat outside.

After you have left the building, stand clear of the structure and obey the instructions of firefighters and police. Do not reenter the building until you have permission.

Suspicious Packages or Letters and Possible Biological Materials

If you receive a suspicious package or Envelope:

- Do not shake or empty the contents of any suspicious envelope or package.
- Place the envelope or package in a plastic bag or some other type of container to prevent leakage of contents.
- If you don’t have a container, then cover the envelope or package with anything (clothing, paper, trash can) do not remove this cover.
- Then leave the room and close the door or section off the area to prevent others from entering.
- Report the incident to the police, IMMEDIATELY.

If you receive a package or envelope with a powdery substance:

- Do not try to clean up the powder. Cover the spilled contents immediately with anything (clothing, paper, trash can) and do not remove this cover.
- Then leave the room and close the door, or section off the area to prevent others from entering.
- Wash your hands and exposed skin with soap and water to prevent spreading any powder to your face.
- Contact the police, IMMEDIATELY.
- Remove heavily contaminated clothing as soon as possible and place in a plastic bag, or some other container that can be sealed. Give to emergency responders.
- Shower with soap and water as soon as possible.
- Make a list of all the people that were in the area, especially those who had actual contact with the powder.

How to identify suspicious packages and letters

Some characteristics of suspicious packages and letters include the following:

- Excessive postage
- Handwritten or poorly typed addresses
- Incorrect titles
Anthrax organisms can cause infection in the skin, gastrointestinal system, or the lungs. To do so the organism must be rubbed into a cut or wound, swallowed, or inhaled as a fine powder or aerosolized mist. Disease can be prevented after exposure to the anthrax spores by early treatment with the appropriate antibiotics. Anthrax is not spread from one person to another person.

**CAMPUS FACILITIES**

Physical Plant and Housing Maintenance regularly inspect BYU–Hawaii buildings, grounds, and housing facilities with regard to safety and security. Repairs are made promptly, and both departments respond 24 hours a day to reports of potential safety and security hazards (i.e., broken windows and locks).

The BYU–Hawaii University Security and Physical Plant routinely survey the entire campus for safety concerns and monitor exterior areas for adequate lighting at night.

**Reporting a Hazard**

Students and employees are encouraged to assist by reporting any potentially unsafe area or facility to the University Security or to the following departments:

In housing areas, call the housing office at 293-3541.

In general campus areas or buildings, call Physical Plant at 293-3400.

When immediate emergencies or hazards exist after normal business hours or on the weekend, call the University Security at 293-3911.

Most university facilities are open to the public during the day and evening hours when classes are in session. During times when the university is officially closed, university buildings are generally locked and only personnel and authorized students with proper identification are authorized to enter.
On-campus Housing

The residence halls or "hales" for unmarried students on campus are grouped into two areas. Hale 1, 3, and 5, are separated by tennis courts from Hale 2, 4, and 6. They are two-story buildings. The Temple View Apartments (TVA) for married students and their families are located on campus.

Housing Safety and Security

BYU–Hawaii University Housing strives to provide a safe environment for student residents. Once a year University Security provides an updated crime awareness and prevention orientation for head resident and resident assistants. Each fall, programming efforts are dedicated to educating residents on safety and security.

After hours, residence halls are restricted to persons who live and work there. All entrances are locked for security; crash bars provide for emergency exit.

Head residents and/or resident assistants monitor dorm security.

Residents are advised to:

- Lock doors to individual rooms
- Report strangers and suspicious individuals to the University Security, Head Resident or a Resident Assistant.
- Do not prop open secured entrances.
- Be sure visitors are accompanied by a resident even when the halls are open and unlocked (residents are responsible for their guests' actions).

The university has developed and implemented policies and procedures designed to safeguard residence halls and keep them free from uninvited guests and visitors. These processes and procedures are only valuable if each resident takes an interest and active role in making sure visitors or strangers are promptly reported to the head resident or a resident assistant. A co-operative effort helps to ensure that doors are properly secured and not propped open.

Off-campus Student Housing

BYU–Hawaii requires that every single student must reside in approved student housing. In order to meet the housing need, there are numerous privately-owned rental units off campus in which students reside. The university approves these off-campus living units and their owners have agreed to exercise reasonable efforts to maintain rental facilities in good repair, including properly functioning locks on doors and windows. Although housing representatives make annual inspections of most university-approved rental units, the university cannot and does not guarantee or represent that owners and managers always meet health and safety standards established by BYU–Hawaii,
the city, county, or state. Thus, students are individually responsible to carefully choose a safe and secure off-campus apartment.

Crime prevention and crime awareness programs emphasizing security and what residents can do for their own safety and well-being are provided for students who reside off campus. These programs and other crime prevention materials are free and available upon request by calling the University Security at 293-3911.

BYU–Hawaii does not authorize, permit, or recognize off-campus student organizations. The university does not promote, sponsor, or affiliate with any societies, sororities, or fraternities either on a national or local basis.

**ALCOHOL, TOBACCO, AND DRUGS**

BYU–Hawaii supports employee and student participation in programs for the prevention of the inappropriate use of drugs, controlled substances and tobacco/alcohol abuse. The Health Center and/or Counseling Center can provide confidential assistance with drug and alcohol abuse problems. Assistance is available to provide educational training programs, health information and preliminary evaluation and counseling for possible referral for outside medical assistance. Individuals may get further information by calling the Health Center at 293-3510, the Counseling Center at 293-3518 or the Drug Abuse Prevention Office at 586-3961.

Keeping informed is an important step in developing a healthy lifestyle and in knowing how to cope with problems as they arise. BYU–Hawaii provides students with useful and informative prevention education programs throughout the year. Several departments provide information and counseling on alcohol and drug-related issues to support and encourage healthy, productive lifestyles.

The counselors in these programs are experienced and professional. They offer support for students in an atmosphere of understanding and confidentiality. All programs offer individual assessment and referral to both on- and off-campus resources.

In addition, there exist in the local area a number of independent off-campus counseling centers which are not affiliated with the university or its sponsor, The Church of Jesus Christ of Latter-day Saints.

Any student or employee known to be possessing, using, or distributing illegal drugs, alcohol or tobacco, is subject to disciplinary action and, if appropriate, to substantial legal sanctions pursuant to local, state, and federal law.

Each year a few members of the university community may be dismissed from employment or enrollment because of inappropriate involvement with drugs.
These dismissals are tragic both for the individuals involved and their families. Because of the serious nature and consequence of inappropriate drug involvement, it is important that all members of the university community understand the drug policy established by the university and its Board of Trustees.

BYU-Hawaii Drug-Free School Policy

It is the policy of the university that as a condition of employment or enrollment all university personnel and students, regardless of the length of a student's program of study, completely abstain, whether on or off campus, from the possession, use or distribution of any illegal drug, or alcohol and also abstain from the use of any controlled legal substance, without specific medical authorization, that may be harmful to the body.

On December 12, 1989, the federal government enacted the Drug-Free Schools and Communities Act Amendments of 1989. As outlined in the Act, an institution of higher education, as a condition for receiving federal funds under any federal program, must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs by students and personnel. To comply with this law and further its commitment to support society’s effort to eliminate drug and alcohol abuse, BYU-Hawaii has adopted this Drug-Free School Policy to supplement the Honor Code. If there is a conflict between this policy and the Honor Code, the Honor Code will be the controlling document.

Conduct/Disciplinary Sanctions for Drug Violations

The university’s Board of Trustees has also directed that involvement with illegal drugs will result in discharge from employment and dismissal from the university on the first offense except in those circumstances where the only contact with the drug was limited and where the personnel or student has repented before disciplinary action has begun.

The university interprets the Board of Trustees' directive as including (1) the use of illegal substances such as marijuana, cocaine, etc., (2) the intentional misuse of prescription medications, (3) the possession of illegal drugs or drug paraphernalia for use or distribution, and (4) the involvement with users without taking any deterrent action. The repentance provision is interpreted as requiring confession to an appropriate ecclesiastical authority and presentation to the University Drug Abuse Prevention Office prior to public discovery, arrest, or initial action by the university.

The university recognizes there are differences between the intentional misuse of illegal and prescription drugs and the unintentional misuse of prescription drugs prescribed for medical reasons. Those individuals involved in the unintentional misuse of prescription drugs will not normally be subject to disciplinary sanctions, but rather are encouraged to seek assistance from Health Services or Counseling Services.
There are substantial legal sanctions pursuant to local, state or federal law which may be levied against personnel or students for the unlawful manufacture, distribution, possession or use of an illegal drug, controlled substance or alcohol. The law often treats drug offenses as a criminal matter punishable by substantial fines, imprisonment, or other severe sanctions. A description of the applicable legal penalties under local, state or federal law for the unlawful possession or distribution of illegal drugs and alcohol is included in this notice as Exhibit "1".

The health risks associated with the inappropriate use of drugs include, but are not limited to, physical and psychological addiction, physical, psychological and spiritual deterioration, disease and death. A description of the applicable health risks associated with the use of illegal drugs and the abuse of alcohol is included in this notice as Exhibit "2".

**Drug Prevention, Counseling and Treatment**

The university supports participation in programs for the prevention of the inappropriate use of drugs, controlled substances and tobacco/alcohol abuse. The University Drug Abuse Prevention Office can provide confidential assistance with drug and alcohol abuse problems. Assistance is available to provide educational training programs, health information, and preliminary evaluation and counseling for possible referral for outside medical assistance. Individuals may get more information about, or enter the university program through the Health Center or the Counseling Services.

**Biannual Drug-Free School Policy Review**

The university will appoint a standing BYU-Hawaii Drug-Free Compliance Committee which will meet on a biannual basis to review the university’s Drug Abuse Prevention Program to determine its effectiveness, implement changes to the program if needed and insure that appropriate disciplinary sanctions are being consistently enforced against those who are determined to be in violation of the policy.

**Health Risks of Alcohol Consumption**

The consumption of alcohol may cause a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.
Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms—including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at a greater risk than other youngsters of becoming alcoholics themselves.
**EXHIBIT 1**

I. Federal Penalties for Distribution of Illegal Drugs

Federal Trafficking Penalties (See 21 U.S.C.A. § 841)

<table>
<thead>
<tr>
<th>CSA</th>
<th>PENALTY</th>
<th>QUANTITY</th>
<th>DRUG</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2nd Offense</td>
<td>1st Offense</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Not less than 10 years. Not more than 40 years</td>
<td>Not less than 5 years. Not more than 20 years. Not more than life.</td>
<td>5-99 gm pure or 50-499 gm mixture</td>
<td>METHAMPHETAMINE</td>
</tr>
<tr>
<td></td>
<td>If death or serious injury, not less than 20 years. Not more than life.</td>
<td>Fine of not more than $4 million individual. $10 million other than individual.</td>
<td>100-999 gm mixture</td>
<td>HEROIN</td>
</tr>
<tr>
<td></td>
<td>Fine of not more than $2 million individual. $5 million other than individual.</td>
<td>Fine of not more than $2 million individual. $5 million other than individual.</td>
<td>500-4,999 gm mixture</td>
<td>COCAINE</td>
</tr>
<tr>
<td></td>
<td>5-49 gm mixture</td>
<td>10-99 gm or 100-999 gm mixture</td>
<td>50 gm or more pure or 500 gm or more mixture</td>
<td>COCAINE BASE</td>
</tr>
<tr>
<td></td>
<td>1-9 gm mixture</td>
<td>10-99 gm or 100-999 gm mixture</td>
<td>Not less than 10 years. Not more than 20 years. Not more than life.</td>
<td>PCP</td>
</tr>
<tr>
<td></td>
<td>40-399 gm mixture</td>
<td>10-99 gm or 100-999 gm mixture</td>
<td>If death or serious injury, not less than 20 years, not more than life.</td>
<td>FENTANYL</td>
</tr>
<tr>
<td></td>
<td>10-99 gm mixture</td>
<td>10-99 gm or 100-999 gm mixture</td>
<td>Not less than 20 years. Not more than 20 years. Not more than life.</td>
<td>FENTANYL ANALOGUE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DRUG</th>
<th>QUANTITY</th>
<th>1st Offense</th>
<th>2nd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Others</td>
<td>Any</td>
<td>Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1 million individual. $5 million not individual.</td>
<td>Not more than 30 years. If death or serious injury, life. Fine $2 million individual. $10 million not individual.</td>
</tr>
<tr>
<td>III</td>
<td>All</td>
<td>Any</td>
<td>Not more than 5 years. Fine not more than $250,000 individual. $1 million not individual.</td>
</tr>
<tr>
<td>IV</td>
<td>All</td>
<td>Any</td>
<td>Not more than 3 years. Fine not more than $250,000 individual. $1 million not individual.</td>
</tr>
<tr>
<td>V</td>
<td>All</td>
<td>Any</td>
<td>Not more than 1 year. Fine not more than $100,000 individual. $250,000 not individual.</td>
</tr>
</tbody>
</table>

- Does not include marijuana, hashish, or hash oil. (See separate chart.)
Federal Trafficking Penalties - Marijuana

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Description</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 kg or more; mixture; or 1,000 or more plants</td>
<td>Marijuana</td>
<td>Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than $4 million individual, $10 million other than individual.</td>
<td>Not less than 20 years, not more than life. If death or serious injury, life. Fine not more than $8 million individual, $20 million other than individual.</td>
</tr>
<tr>
<td>100 kg to 999 kg mixture; or 100-999 plants</td>
<td>Marijuana</td>
<td>Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than $2 million individual, $5 million other than individual.</td>
<td>Not less than 10 years, not more than life. If death or serious injury, life. Fine not more than $4 million individual, $10 million other than individual.</td>
</tr>
<tr>
<td>50 to 99 kg mixture</td>
<td>Marijuana</td>
<td>Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1 million individual, $5 million other than individual.</td>
<td>Not more than 30 years. If death or serious injury, life. Fine $2 million individual, $10 million other than individual.</td>
</tr>
<tr>
<td>10 to 99 kg</td>
<td>Hashish</td>
<td>Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1 million individual, $5 million other than individual.</td>
<td></td>
</tr>
<tr>
<td>1 to 99 kg</td>
<td>Hashish Oil</td>
<td>Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1 million individual, $5 million other than individual.</td>
<td>Not more than 10 years. Fine $500,000 individual, $2 million other than individual.</td>
</tr>
<tr>
<td>50 to 99 plants</td>
<td>Marijuana</td>
<td>Not more than 5 years. Fine not more than $250,000, $1 million other than individual.</td>
<td>Not more than 10 years. Fine $500,000 individual, $2 million other than individual.</td>
</tr>
<tr>
<td>Less than 50 kg mixture</td>
<td>Marijuana</td>
<td>Not more than 5 years. Fine not more than $250,000, $1 million other than individual.</td>
<td></td>
</tr>
<tr>
<td>Less than 10 kg</td>
<td>Hashish</td>
<td>Not more than 5 years. Fine not more than $250,000, $1 million other than individual.</td>
<td></td>
</tr>
<tr>
<td>Less than 1 kg</td>
<td>Hashish Oil</td>
<td>Not more than 5 years. Fine not more than $250,000, $1 million other than individual.</td>
<td></td>
</tr>
</tbody>
</table>

II. Federal Penalties for Possession of Illegal Drugs

21 U.S.C. 844(a)

1st Conviction: May be sentenced to a term of imprisonment of not more than 1 year, and shall be fined a minimum of $1,000, or both.

After 1 prior drug conviction: Shall be sentenced to a term of imprisonment for not less than 15 days but not more than 2 years, and shall be fined a minimum of $2,500.

After 2 or more prior drug convictions: Shall be sentenced to a term of imprisonment for not less than 90 days but not more than 3 years, and shall be fined a minimum of $5,000.

Special sentencing provisions for possession of crack cocaine: Shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of $1,000 if:

(a) 1st conviction and the amount of crack possessed exceeds 5 grams; or
(b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams; or
(c) 3rd or subsequent conviction and the amount of crack possessed exceeds 1 gram.
21 U.S.C. 853(a)(2) and 881(a)(7)
Forfeiture of personal and real property used (or intended to be used) to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)

21 U.S.C. 881(a)(4)
Forfeiture of vehicles, boats, aircraft or any other conveyance used (or intended to be used) to transport or conceal a controlled substance.

21 U.S.C. 844a, 28 C.F.R. § 76.3(a)
Civil fine of up to $11,000

21 U.S.C. 862
Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g)
Ineligible to receive, possess, or purchase a firearm.

Miscellaneous
Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

III. Highlights of Hawaii Laws
Under the Hawaii Penal Code, crimes are of three grades according to their seriousness: felonies, misdemeanors, and petty misdemeanors.

- **Class A felony**: fine not exceeding $50,000 and/or imprisonment of not more than 20 years.
- **Class B felony**: fine not exceeding $25,000 and/or imprisonment of not more than 10 years.
- **Class C felony**: fine not exceeding $10,000 and/or imprisonment of not more than 5 years.
- **Misdemeanor**: fine not exceeding $2,000 and/or imprisonment of not more than a year.
- **Petty misdemeanor**: fine not exceeding $1,000 and/or imprisonment of not more than 30 days.

§ § 706-640, 659, 660, 663, H.R.S.
• Promoting (possessing and distributing) drugs (including marijuana) and intoxicating compounds can result in class A or class B or class C felonies.
§ 712-1241 – 1250, H.R.S.

• Consuming or possessing intoxicating liquor while operating motor vehicle or moped is a misdemeanor.
§ 291-3.1, H.R.S.

• Consuming or possessing intoxicating liquor while a passenger in a motor vehicle is a petty misdemeanor.
§ 291-3.2, H.R.S.

• Driving under the influence of intoxicating liquor an result in community service work, treatment programs, suspension of license, fines and/or imprisonment.
§ 291-4, H.R.S.

• A person commits the offense of promoting intoxicating liquor to a minor if he knowingly sells, delivers or gives intoxicating liquor to a minor.
§ 72-1250.5, H.R.S.

Hawaii Penalties for Alcohol and Illegal Drug Abuse

Legal sanctions pertaining to unlawful possession, use and distribution of illicit drugs and alcohol on Federal level is seldom used and to cite very difficult. Therefore the local/state level sanctions will be cited in accordance to the Hawaii Revised Statues.

Promoting a Dangerous Drug

A. First Degree (Class "A" Felony; 20 years/$50,000)

Any person who knowingly

Possesses: one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing methamphetamine, heroin, morphine, or cocaine or any of their respective salts, isomers, and salts of isomers; or one and one-half ounces or more containing one or more of any of the other dangerous drugs; or

Distributes: twenty-five or more capsules, tablets, ampules, dosage units, or syrettes containing one or more dangerous drugs; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one-eighth ounce or more containing methamphetamine, heroin, morphine, or cocaine or any of their respective salts, isomers, and salts of isomers; or three-eighths ounce or more containing any other dangerous drug; or distributes any dangerous drug In any amount to a minor

B. **Second Degree (Class "B" Felony; 10 years/$25,000)**

Any person who knowingly possesses twenty-five or more capsules, tablets, ampules, dosage units, or syrettes containing one or more dangerous drugs; or one or more preparations, compounds, mixtures or substances of an aggregate weight of one-eighth ounce or more containing methamphetamine, heroin, morphine, or cocaine or any of their respective salts, isomers and salts of isomers; or one-fourth ounce or more containing any other dangerous drug; or distributes any dangerous drug In any amount.


C. **Third Degree (Class "C" Felony; 5 years/$10,000)**

Any person who knowingly possesses any dangerous drug In any amount.


**Promoting a Harmful Drug**

A. **First Degree (Class "A" Felony; 20 years/$50,000)**

Any person who knowingly

- **Possesses:** one hundred or more capsules or tablets or dosage units containing one or more of the harmful drugs or one or more of the marijuana concentrates or any combination thereof; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing one or more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or

- **Distributes:** twenty-five or more capsules or tablets containing one or more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or one or more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or any harmful drug or marijuana concentrate In any amount to a minor.


B. **Second Degree (Class "B" Felony; 10 years/$25,000)**

Any person who knowingly possesses fifty or more capsules or tablets or dosage units containing one or more of the harmful drugs or one or more of the marijuana concentrates or any combination thereof; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one-eighth ounce or more containing one or more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or any harmful drug or marijuana concentrate In any amount.

C. Third Degree (Class "C" Felony; 5 years/$10,000)

Any person who knowingly possesses twenty-five or more capsules or tablets or dosage units containing one or more of the harmful drugs or one or more of the marijuana concentrates or any combination thereof.


D. Fourth Degree (Misdemeanor; 1 year/$2,000)

Any person who knowingly possesses any harmful drug in any amount.


Promoting a Detrimental Drug

A. First Degree (Class "C" Felony; 5 years/$10,000)

Any person who knowingly

Possesses: four hundred or more capsules or tablets containing one or more of the Schedule V substances; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing one or more of the Schedule V substances; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one pound or more containing any marijuana; or possesses or cultivates, or has under his control twenty-five or more marijuana plants; or

Distributes: fifty or more capsules or tablets containing one or more of the Schedule V substances; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one-eighth ounce or more containing one or more of the Schedule V substances; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing any marijuana; or sells or barters any marijuana or any Schedule V substance in any amount.


B. Second Degree (Misdemeanor; 1 year/$2,000)

Any person who knowingly

Possesses: fifty or more capsules or tablets containing one or more of the Schedule V substances; or one or more preparations, compounds, mixtures, or substances of an aggregate weight of one-eighth ounce or more, containing one or more of the Schedule V substances; or one or more preparations, compounds, mixtures, or substances, of an aggregate weight of one ounce or more, containing marijuana; or

Distributes: any marijuana or any Schedule V substance in any amount.

C. Third Degree (Petty Misdemeanor; 30 days/$1,000)

Any person who knowingly possesses any marijuana or any Schedule V substance in any amount.


Commercial Promotion of Marijuana

A. First Degree (Class "A" Felony; 20 years/$50,000)

Any person who knowingly

**Possesses:** marijuana having an aggregate weight of twenty-five pounds or more; or possesses, cultivates, or has under his control one hundred or more marijuana plants; or

**Distributes:** marijuana having an aggregate weight of 5 pounds or more; or

Cultivates: on land owned by another person, including land owned by the government or other legal entity, twenty-five or more marijuana plants; or

Uses or causes to be used: any firearm or other weapon, device, instrument, material, or substance, whether animate or inanimate, which in the manner used is capable of causing death, serious bodily injury, substantial bodily injury, or other bodily injury, as defined in chapter 707 in order to prevent the theft, removal, search and seizure, or destruction of marijuana.


B. Second Degree (Class "B" Felony; 10 years/$25,000)

Any person who knowingly

**Possesses:** marijuana having an aggregate weight of two pounds or more; or possesses, cultivates, or has under his control fifty or more marijuana plants; or

**Distributes:** marijuana having an aggregate weight of 1 pound or more; or

Cultivates: on land owned by another person, including land owned by the government or other legal entity, any marijuana plant; or

**Sells or barters:** any marijuana or any Schedule V substance in any amount to a minor.


Promoting Intoxicating Compounds

A. Misdemeanor; 1 year/$2000

Any person who knowingly

**Breathes, inhales, or drinks** any compound, liquid, or chemical containing toluol, hexane, trichlorethylene, acetone, toluene, ethyl acetate, methyl ethyl ketone, trichloroethane, isopropanol, methyl isbutyl ketone,
methyl cellosolve acetate, cyclohexanone, or any other substance for the purpose of inducing a condition of intoxication, stupefaction, depression, giddiness, paralysis or irrational behavior, or in any manner changing, distorting or disturbing the auditory, visual or mental processes: or

**Sells** or offers for sale, delivers or gives to any person under eighteen years of age, unless upon written order of such person’s parent or guardian, any compound, liquid, or chemical containing toluol, hexane, trichloroethylene, acetone, toluene, ethyl acetate, methyl ethyl ketone, trichloroethane, isopropanol, methyl isobutyl ketone, methyl cellosolve acetate, cyclohexanone, or any other substance for the purpose of inducing an intoxicated condition, as defined herein, when the seller, offeror or deliverer knows or has reason to know that such compound is intended for use to induce such condition.

### Promoting Intoxicating Liquor to a Minor

**Misdemeanor; 1 year/$2000**

Any person who knowingly

1. Sells or offers for sale, delivers, or gives to a person intoxicating liquor, and the person receiving the intoxicating liquor is a minor; or

2. Permits a person to possess intoxicating liquor while on property under his control, and the person possessing the intoxicating liquor is a minor.

**Notes:**

1. It is a defense to a prosecution for promoting intoxicating liquor to a minor that:
   
   a. The intoxicating liquor provided to the minor was an ingredient in a medicine prescribed by a licensed physician for medical treatment of the minor; or
   
   b. The intoxicating liquor was provided to the minor as part of a ceremony of a recognized religion; or
   
   c. The defendant provided the intoxicating liquor to the minor with the belief, which was reasonable under the circumstances, that the minor had attained the age of twenty-one; or
   
   d. The defendant provided the intoxicating liquor to the minor with the express consent of the parent or legal guardian and with the belief, which was reasonable under the circumstances, that the minor would not consume any portion of the substance; or
   
   e. The defendant provided the intoxicating liquor to the minor with the express consent of the parent or legal guardian and with the belief, which was reasonable under the circumstances, that the minor would consume the substance only in the presence of the parent or legal guardian; or

2. The fact that a person engaged in the conduct specified by this section is prima facie evidence that the person engaged in that conduct with knowledge of the character, nature, and quantity of the intoxicating liquor possessed, distributed, or sold.

*Minor* - any person less than sixteen years old. For alcohol offenses, any person below the age of 21 years old.