

# HPU's Annual Security and Fire Safety Report 2018

Hawai'i Pacific University's Annual Security Report and Annual Fire Safety Report are organized to meet the compliance requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and the Higher Education Opportunity Act (HEOA). Statistics are contained in this report.

In addition, campus security statistics are also posted on the Hawai'i Pacific University Security and Safety Department website: [www.hpu.edu/security/files/clery-statistics-information-15-16-17.pdf](http://www.hpu.edu/security/files/clery-statistics-information-15-16-17.pdf). Each year, all enrolled students receive e-mail notification of the website to access this report. Faculty and staff receive similar notification via e-mail and at new employee orientations. Copies of the report may also be obtained by contacting the Director of Security and Safety at 808-236-3597. All prospective employees may obtain a copy of this report from the Human Resources Department located in the UB Building at 1164 Bishop Street, Suite 800, Honolulu, Hawai'i, 96813, or by calling 808-544-1188. Security statistics for the Annual Security Report and Fire Safety Report 2017 are for the following years: 2015, 2016, and 2017.

## Campus Security

Hawai'i Pacific University has security at all of its major geographical areas: Hawai'i Loa (HLC), Downtown (D), Oceanic Institute (OI) and the Aloha Tower Marketplace (ATM). Hawai'i Pacific University has a Security and Safety Director who oversees the security and safety operations of all four locations and facilitates security services on military base campuses. The security office located at the Aloha Tower Marketplace serves as the HPU Security Center. From this location, security operations can be coordinated at the other HPU locations as needed.

### Hawai'i Loa Campus

The Hawai'i Loa campus has Security Officers on duty 24 hours a day, seven days a week. Shift hours are 8:00 a.m. - 4:00 p.m., 4:00 p.m. - 12:00 a.m. and 12:00 a.m. - 8:00 a.m. There is one in-house Security Officer who is supplemented with a contracted security service. Aside from ensuring security matters are attended to, security officers will patrol and submit maintenance and facility work orders on areas discovered requiring facility attention i.e. burnt out lights, defective fire or smoke detectors, broken locks, and other facilities issues.

Hawaii Loa Campus has student residences. When students are housed at the residences a security officer is posted. This security officer will conduct patrols in the interior and at the exterior of the buildings and provide the security resource from which students and resident advisors can depend on as necessary to ensure safety.

### Downtown Campus

Downtown campus security hours are from 6:30 a.m. - 10:30 p.m. on weekdays, and 7:00 a.m. - 5:00 p.m. on Saturdays. Security Officers at the Downtown campus are from a contracted security service. These security officers will watch for safety and security concerns in their area of responsibility. They also monitor entrances to the building to ensure no unauthorized persons enter the facility.

### Oceanic Institute

Oceanic Institute is an aquaculture research facility and has Security Officers on duty 24 hours a day, seven days a week. Shift hours are 8:00 a.m. - 4:00 p.m., 4:00 p.m. - 12:00 a.m., and 12:00 a.m. - 8:00 a.m. Security staff is in-house and have dual roles in maintenance and security. Being a research facility, Security/Maintenance is trained to deal with mechanical problems with research equipment along with security concerns at OI.

### Aloha Tower Marketplace

Aloha Tower Marketplace (ATM) is a three story facility located at Honolulu Harbor, Pier 9. The first floor contains a mix of commercial and University facilities. The second and third floors have student/faculty residential housing. The third floor also has the office of the Director of Security and Safety and a limited Alternate Security Operations Center. Security shift hours are 12:00 a.m. – 8:00 a.m., 8:00 a.m. - 4:00 p.m., and 4:00 p.m. - 12:00 a.m. Although entrance to the student residences are controlled by a card reader, a security officer is posted at the residence to assist in providing security for the location and render assistance to community advisors and student residents as required. Two other officers can provide back up as well.

### Security Training

All security personnel are trained and licensed per the State of Hawaii Law. In addition the following is incorporated into the training of HPU security officers: CPR, First Aid and AED; security operations procedures for the particular campus site; traffic control; report writing; human interaction; and enforcement of the Campus and Student Codes of Conduct. The Director of Security and Safety provides annual training (either in-house or contracted) in August to Security Officers regarding the Clery Act and their responsibilities as Campus Security Authorities. Those security officers who are hired or assigned during the year will be provided Clery Act briefings during their initial orientation using the materials provided by the Director of Security and Safety. Security Officers assigned to Campus Security are not allowed to work on any University campus until Clery Act training has been completed.

The Director of Security and Safety also provides annual Clery Act training in July/August and, as needed, to university staff and faculty assigned Campus Security Authority responsibilities; attendance logs for these training sessions are forwarded to Human Resources.

Security Officers do not carry firearms and do not have arrest powers. Security personnel are responsible for maintaining public order on campuses. The approach to this responsibility is with professionalism and discretion and with the understanding that service to the campus community is paramount. Issues involving criminal activity will be called upon via the 911 system to the Honolulu Police Department for all campus locations.

### Security Office Locations

The HPU Security Center is located in Building 4, ground floor of ATM. It has the capability of dispatching/forwarding calls and coordinating security for the other campuses. It concurrently operates as the security center for the Aloha Tower Marketplace and, as such, coordinates security matters for ATM tenants. The HPU Security Center's phone number is 808-544-1400 and the cellular number is 808-294-4276. From an HPU land line 22222 can be dialed. The Director for Security and Safety is available by dialing 236-3597.

The Hawai'i Loa campus has three security posts, one at the front gate, one located in the main building (AC) ground floor and a third on the first floor below the Dining Commons, north side of building. Lost and found items are stored at the main building post and inquiries on security matters may be made there as well. The primary Hawai'i Loa campus security phone number is 808-236-3515, or dial 33333 from an HPU land line. The emergency cellular number is 808-478-2788. There is a security office used by the Director of Safety and Security at the physical plant.

The Downtown campus does not have a dedicated Security Office, but the presence of Security Officers is visible on Fort Street Mall. The Downtown campus security phone number is 808-321-1892. From an HPU land line dial 11111.

The Oceanic Institute Security Office is located in the Maintenance Building. Oceanic Institute Security Office phone number is 808-259-3170 and the cellular number is 808-220-2899.

### University Security Cameras

Security Officers at the Hawai'i Loa, Downtown and ATM campuses are assisted in their duties with the use of a camera monitoring system (Lighthouse), which is supervised by the University's Information Technology Services (ITS) Division. The camera monitoring system, which consists of 28 cameras at the Hawai'i Loa campus, 23 cameras at the Downtown campus, and 59 cameras at the Aloha Tower campus are used to monitor various interior public areas, labs, and high-risk areas.

## Reporting Crimes and Emergencies

All students, faculty, and staff are encouraged to report crimes or situations that seem suspicious whether it happens to them or if they are a witness to a crime. Indeed, all persons have the responsibility to report a crime. If a crime occurs on or around campus, witnesses should report it immediately to HPU Security or the Honolulu Police Department (HPD). As previously mentioned, since HPU security officers have no special powers and are not commissioned law enforcement officers, HPD has primary jurisdiction over the areas surrounding all HPU's campuses and is generally called for any incident, crime, or emergency that is outside of the authority of HPU Security. For those persons unable to report crimes, HPU Security will assist.

The Hawai'i Loa front gate is staffed by Campus Security 24 hours a day including holidays and weekends. For non-emergency situations, Hawaii Loa Security can be reached at 236-3515. There are emergency phones on the first or second floor of each residence hall. These phones are directly linked to Campus Security at the front gate and also allows the caller to dial **#-9-1-1**.

The non-emergency phone numbers for Campus Security located at other locations are as follows: 808-321-1892 (Downtown), 808-220-2899 (Oceanic Institute), 808-544-1400 (ATM) or 9-1-1 for emergencies. Whenever possible, the actual victim or witness to the crime should call the police directly, because firsthand information is always more accurate and complete. However, Security Officers at all HPU locations can render assistance with this effort. When notified, Security will dispatch the appropriate Security Officer or contact HPD, firefighters or paramedics/EMTs, as necessary.

The Security Officers are in constant radio contact with other Security Officers who are stationed or roving throughout the HPU community and available to respond to situations as they arise.

Upon receiving information concerning an incident, a Security Officer or police officer will investigate the incident, document the information, and take appropriate action. Security may work with the Honolulu Police Department and other state and federal agencies. Cases are adjudicated through the county in which the incident occurred and/or through the University's judicial system.

## Campus Security Authorities

Students are encouraged to report crimes to Campus Security Authorities (CSA). The following are Campus Security Authorities as defined by federal legislation, specifically the Clery Act.

- Hawai'i Pacific University Director of Security and Safety.
- Hawai'i Pacific University Security Staff, in-house and contracted.
- Athletics Director, Head Coaches, Assistant Coaches, Trainers, and Athletic Staff.
- Computer Center Staff.
- Academic Advisors.
- Admission Counselors
- Financial Aid Counselors.
- Registrar and Staff
- Campus Recreation Coordinator
- Center for Academic Success Staff
- Student Activities and First year programs Staff.
- Performing Arts Program Staff
- Advisors to Student Organizations
- Faculty Student Lounge at ATM and Sharky's Cove Staff.
- Residence Life and Staff.
- Honor Society Sponsors/advisors.
- Libraries and Learning Commons Staff.
- Dean of Students and Staff.

The Clery Act states that if someone has “**significant responsibilities for student and campus activities,**” he or she is a Campus Security Authority (CSA). By law, CSAs must report a crime (that has been reported to them) to security personnel or a higher authority. There is no discretion. The CSAs “must” report the crimes that come to their attention. There is no need to investigate; only to officially report crimes that are reported to them.

Licensed counselors (including certified Sexual Assault Victim Counselors) and the HPU clergy (pastoral counselors) are exempt from reporting requirements. HPU encourages counselors and clergy, if and when they deem appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary and confidential basis for inclusion in the annual security report. Confidential/anonymous reports are extremely valuable in order to prevent further victimizations and to obtain a more accurate description of HPU campus crime.

## Campus Security Authority Training

Campus Security Authorities have been identified at Hawai'i Pacific University. The Security and Safety Department, under the Director of Security and Safety, conducts annual training for Campus Security Authorities on responsibility for reporting crimes.

## Confidential Reporting

### Security Incident Report

In certain instances, a crime victim may be reluctant to file a report fearing the process and/or loss of his/her anonymity. In such circumstances, crime victims are encouraged to consider making a confidential report to one of the designated Campus Security Authorities. At a minimum, crime victims will receive valuable counseling and referral information. Confidential reports are important because they provide essential information that will enhance the safety of the community-at-large and provide a more accurate depiction of actual campus crime.

If a victim of a crime does not want to pursue action within the University system or the criminal justice system, he/she may still want to consider making a confidential report. Generally speaking (and subject to caveats described below), the Director of Security and Safety can file a report on the details of the incident without revealing the victim's identity. The purpose of this type of report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine if there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the University.

Disclosure of Information for Violent Crimes or Non-Forcible Sex Offenses. The University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### Title IX Requirements for Reporting of Sexual Harassment

All reports or complaints of sexual harassment will be kept confidential, except that individuals with a legitimate need to know will be informed of the complaint in order for the University to conduct a meaningful review of each complaint and for the purpose of determining whether the complaint is isolated, frequent, part of a pattern of practice or pervasive. All records are confidential with access only to individuals with a legitimate need to know. In cases when a reporter or complainant does not want to have a report investigated, the Title IX Coordinator will consider the reasons for the request, including concerns about continued safety and well-being of the person reportedly harmed and members of the campus community. The Title IX Coordinator will initiate confidential consultation with appropriate individuals to analyze the situation and assist in determining appropriate measures to take. Consultation may occur with the Director of Counseling and Behavioral Services, Director of Security and Safety, Director of First-Year Experience, Director of Human Resources, and General Counsel. The Title IX Coordinator will make the final decision about whether to conduct a formal investigation or respond to the report in another manner, including taking informal actions, such as those described in this policy.

## Emergency Notification

The University is committed to the safety and well-being of its faculty, staff, students, and visitors to its campuses. In the event of a significant emergency or dangerous situation involving the immediate threat to the health, safety, or persons on the campuses, the University will immediately notify the university community using the Rave Alert System, InformaCast, Simplex-Grinnell PA system and other media outlets, unless notification would otherwise compromise the effort to assist victims or contain the emergency.

The Hawai'i Pacific University Security Department along with the Campus Emergency Response Team (CERT) will confirm the existence of a significant emergency and make the appropriate notifications to the Honolulu Police Department and the university community. Security, under the guidance of CERT, will coordinate the response of emergency responders and other necessary actions during an emergency. Hawai'i Pacific University will also test the emergency response and evacuation procedures annually and publicize the emergency response and evacuation procedures throughout the University. Those interested in receiving Rave Alerts can sign up at the following website: <https://www.getrave.com/login/hpu>. All students, faculty, and staff will be automatically enrolled in the Rave emergency text messaging system upon enrollment or hire.

In situations where an immediate threat exists to the community the university, through the incident commander, will determine if evacuation, shelter-in-place, or lockdown procedures will be executed. Such processes are effected in consonance with the HPU Emergency Operations Plan.

## How Crime is reported to the HPU Community

Hawai'i Pacific University reports statistics to the Department of Education annually on October 1. Hawai'i Pacific University Security Department keeps a "Daily Crime Log" that is available for inspection. The most recent 60 day period can be obtained by anyone who desires to view it upon request. Portions of the log that are older will require two business days of a request for public inspection. HPU will also make periodic reports, timely warnings or notices to the HPU community of recent crimes that may affect the quality of life on or around campus areas. These reports are intended to raise awareness regarding criminal activity so that the community can increase or implement personal safety strategies. The Department of Security and Safety will coordinate Timely Warning information through Strategic Communications and other appropriate departments to get the message out.

### Timely Warnings

Timely Warnings and Notices will be distributed through one or more of the following means:

- The HPU Pipeline Website: [campus.hpu.edu](http://campus.hpu.edu).
- The HPU Outlook electronic mailing list for faculty and staff.
- The Hawai'i Pacific University Security and Safety Department website: [www.hpu.edu/About\\_HPU/security/index.html](http://www.hpu.edu/About_HPU/security/index.html).
- Flyers to selected offices on campus, including Student Affairs and Residential Life.
- Rave Alert System.
- Informacast system.
- Alertus desktop system.

This is part of HPU's ongoing effort to notify the community when incidents of criminal activity occur that may have an impact on the quality of life of the campus community at large and to share crime prevention information. HPU faculty, staff, and students can expect to receive timely alerts for HPU campuses and immediate surrounding areas when appropriate. There may also be periodic informational messages about topics in crime prevention such as theft prevention and night safety.

## Collection of Statistics for Annual Security Report

The Director of Security and Safety coordinates the compilation of all statistics, identifies reportable crimes, and reports/publishes statistics to the Department of Education from the University's Campus Security Authorities and

local police for inclusion in the annual report. The Clery Act requires statistics to be reported from a wider geographic area (e.g., adjacent public property and off campus student organization properties), and reports of student disciplinary referrals in addition to arrests for drugs, alcohol, and weapon offenses. The Clery Act mandates the collection of information regarding crimes from non-law enforcement "Campus Security Authorities" having "significant responsibility for student or campus activities."

## Annual Statistics

Hawai'i Pacific University, on an annual basis, and in compliance with the Clery Act, will issue a report by October 1 concerning the incidents on campus for the calendar year prior, January 1 to December 31, and the two preceding years for which the data is available, for incidents reported to Campus Security Authorities or to the appropriate law enforcement agencies. Incidents reported are from the Uniform Crime Reporting (UCR), Group A:

1. Criminal Homicide
  - Murder and Non-Negligent Manslaughter
  - Manslaughter by Negligence
2. Sexual Assault (Sexual Offense)
  - Forcible –
    - Rape
    - Fondling
  - Non-Forcible
    - Incest
    - Statutory Rape
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson

## Hate Crimes

A victim was intentionally selected because of the perpetrator's bias. Criteria include:

1. Race
2. Religion
3. Ethnicity
4. Gender
5. Sexual Orientation
6. Disability
7. National Origin
8. Gender Identity

Hate Crimes will be reported from the Uniform Crime Reporting, Group A, as listed above, along with a second category, Group B:

1. Larceny - Theft
2. Simple Assault
3. Intimidation
4. Destruction/damage/vandalism of property

## Violence Against Women Reauthorization Act, March 2014

The Violence Against Women Reauthorization Act, effective as of March 2014, requires the University to report:

Domestic Violence - Asserted violent misdemeanor and felony offense committed by:

- A current or former spouse or intimate partner of the victim.
- A person with whom the victim shares a child in common.
- A person who is cohabitating with or has cohabitated with the victim as a spouse or an intimate partner.
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA).
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating Violence - Violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  1. The length of the relationship;
  2. The type of relationship; and
  3. The frequency of interaction between the persons involved in the relationship.

Stalking - A course of conduct directed at a specific person that would cause a responsible person to:

- Fear for her, his, or others safety; or
- Suffer substantial emotional distress.

## Criminal Actions Concerning Drugs, Alcohol and Weapons

Hawai'i Pacific University maintains a policy regarding a drug free campus and strict guidelines on the legal use of alcohol at the Waterfront Lofts. The abuse of drugs and alcohol are not compatible with the goals of the University. The Clery Act also mandates reporting of drug or alcohol related incidents. Hawai'i Pacific University keeps statistics concerning the number of arrests and/or University referrals, discipline for the following violations occurring on campus:

- Liquor Law Violations;
- Drug Law Violations; and
- Illegal Weapon Possessions.

## Hawai'i Pacific University Campus Security Statistics

Statistics are gathered from reports submitted from the Campus Security Authorities to the Director of Security and Safety (DSS). The DSS will list reportable events on the below charts to reflect the nature of the aforementioned crime categories along with the geographical locations required by the Clery Act. The charts also depict whether the crimes took place on campus, in student residences, on noncampus property, or on public property. The last chart reflects non reportable activity that is provided for information. Calendar year 2017 reflects a decrease in the amount of nuisance crimes such as graffiti and trespass issuance but showed an increase in the amount of thefts, especially with regard to thefts of backpacks and wallets. The following charts reflect statistical data collected for calendar years 2015, 2016, and 2017:

		ALOHA TOWER MARKETPLACE			
OFFENSE	YEAR	On Campus Property	Student Housing	Non Campus Property	Public Property
<b>Criminal Offenses</b>					
Murder/Non-negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Rape	2015	1	1	0	0
	2016	0	0	0	0
	2017	1	1	0	0
Fondling	2015	0	0	0	0
	2016	2	2	0	0
	2017	0	0	0	0
Incest	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Statutory rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Robbery	2015	0	0	0	0
	2016	0	0	0	1
	2017	0	0	0	1
Aggravated Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Burglary	2015	0	0	0	0
	2016	3	3	0	0
	2017	4	4	0	0
Motor Vehicle Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	5	0	0	0
Arson	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Hate Crimes:</b>					
Simple Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Larceny - Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Intimidation	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Destruction of Property	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0



VAWA:					
Domestic Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Dating Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	3	3	0	0
Stalking	2015	0	0	0	0
	2016	2	0	0	0
	2017	4	4	0	1
<b>Arrests and Disciplinary Referrals</b>					
Arrests: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrests: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	5	5	0	0
Arrests: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

HAWAII LOA CAMPUS					
OFFENSE	YEAR	On Campus Property	Student Housing	Non Campus Property	Public Property
<b>Criminal Offenses</b>					
Murder/Non-negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	1	1	0	0
Fondling	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

		HAWAII LOA CAMPUS			
Incest	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Statutory rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Robbery	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Aggravated Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Burglary	2015	1	1	0	0
	2016	1	1	0	0
	2017	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arson	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Hate Crimes:</b>					
Simple Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Larceny - Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Intimidation	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Destruction of Property	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>VAWA:</b>					
Domestic Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Dating Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	2	2	0	0
Stalking	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

Arrests and Disciplinary Referrals					
Arrests: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrests: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrests: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	1	1	0	0

		DOWNTOWN CAMPUS			
OFFENSE	YEAR	On Campus Property	Student Housing	Non Campus Property	Public Property
<b>Criminal Offenses</b>					
Murder/Non-negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Fondling	2015	0	0	0	1
	2016	0	0	0	0
	2017	0	0	0	0
Incest	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Statutory rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Robbery	2015	1	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

		DOWNTOWN CAMPUS			
Aggravated Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Burglary	2015	1	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	1
	2016	0	0	0	0
	2017	0	0	0	1
Arson	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Hate Crimes:</b>					
Simple Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Larceny - Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Intimidation	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Destruction of Property	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>VAWA:</b>					
Domestic Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Dating Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Stalking	2015	2	0	0	2
	2016	0	0	0	0
	2017	0	0	0	0
<b>Arrests and Disciplinary Referrals</b>					
Arrests: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

		DOWNTOWN CAMPUS			
Arrests: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrests: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

		OCEANIC INSTITUTE			
OFFENSE	YEAR	On Campus Property	Student Housing	Non Campus Property	Public Property
<b>Criminal Offenses</b>					
Murder/Non-negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Negligent manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Fondling	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Incest	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Statutory rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Robbery	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Aggravated Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Burglary	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

		OCEANIC INSTITUTE			
Arson	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Hate Crimes:</b>					
Simple Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Larceny - Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Intimidation	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Destruction of Property	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>VAWA:</b>					
Domestic Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Dating Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Stalking	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Arrests and Disciplinary Referrals</b>					
Arrests: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Weapons	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrests: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrests: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

		ATM	Hawaii Loa	Downtown	Oceanic Institute
Non Reportable Incidents: Theft Includes: Backpacks, wallets, bicycles etc.					
	2015	3	2	17	0
	2016	10	0	4	0
	2017	28	1	4	0
Non Reportable Incidents: Misc Includes Trespass, vandalism, public nuisance, etc.					
	2015	47	58	63	0
	2016	100	20	17	0
	2017	20	1	2	0

## Policy on Alcohol and Drugs

It is the policy of Hawai'i Pacific University to prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, drug paraphernalia, or alcohol by students on University grounds or other University-sponsored locations and activities. The use of alcohol at the Waterfront Lofts is permitted as described below and in the Student Handbook. The University reserves the right to discipline any student who violates the prohibitions of this policy when on campus or at a University function if, in the University's discretion, the conduct may impact the University's educational mission, and/or the health, and/or safety of any member of the community. Students are responsible for the conduct of their guests and visitors on campus, at University functions, and off campus at all housing complexes where HPU students reside.

## HAWAII PACIFIC UNIVERSITY STUDENT HANDBOOK, DRUGS AND ALCOHOL

Student conduct is guided by the general Code of Student Conduct which is contained in the Hawai'i Pacific University Student Handbook. Implicit in the Code of Student Conduct is the understanding that students are responsible for making their own decisions and accepting the consequences of those decisions.

It is unlawful and strictly prohibited for students to use, manufacture, possess, distribute, sell, any controlled substance, illegal drug, as prohibited by state and federal law on University-owned or University-controlled property or as part of any University activity.

Alcoholic beverages in University owned residential facilities:

Student residents, and their guests are responsible for ensuring the University policy is upheld at all times with regard to alcohol beverages. The use of alcohol is prohibited in some cases and regulated in others as described below:

### Hawaii Loa Campus Residential Community:

- Regardless of the student's age, residents and their guest(s) may not consume, possess, use, distribute, sell or display alcohol beverages and paraphernalia in the individual rooms and common areas (both interior and exterior).
- Empty alcohol containers are prohibited and may be considered evidence of consumption/possession of alcoholic beverages.
- Should alcohol-related problems arise in individual rooms, student residents will be confronted by University staff and held accountable for their actions and the actions of those present in the room, even when not consuming alcoholic beverages personally.

### Waterfront Lofts Residential Community:

- Residents who are of legal age are responsible for their alcoholic beverages in their apartments.
- Consumption of alcoholic beverages is prohibited in all public and common areas, including but not limited to, walkways, lanais, parking lots, and outdoor seating areas.
- Residents and guests are prohibited from being under the influence of alcohol or intoxicated on a lanai.
- Alcohol may be consumed or possessed by those individuals of legal age only inside apartments with the door closed.

- Residents who want to host a “party” in their apartments must register the event with the Waterfront Lofts staff. A party is defined as an intentional social gathering in an apartment in which the occupants equal or exceed twice the number of residents present, and/or when alcohol is present. All residents of the apartment must agree to the terms set forth in the Party Registration Form. For details, refer to the Waterfront Lofts Policies and Procedures.
- Partying that becomes detrimental to the community is inappropriate and subject to disciplinary action. At its discretion, University personnel, including Campus Security, and Waterfront Lofts staff, may terminate parties and/or confiscate alcoholic beverages.
- Should alcohol-related problems arise in individual rooms, student residents will be confronted by University staff or HPU Security, and held accountable for their actions and the actions of those present in the room, even when not consuming alcoholic beverages personally.
- Large quantities of alcoholic beverages and common-source containers are prohibited in individual rooms, regardless of the resident’s age. This includes, but is not limited to such things as kegs, and multiple cases of beer.
- Residents are encouraged to refrain from having under-aged guests over while consuming alcoholic beverages to avoid the appearance that they may be distributing such beverages to under-aged people.
- Equipment or supplies used in drinking games or to promote excessive drinking (e.g., beer pong tables) are prohibited.
- Transporting alcoholic beverages on campus and to apartments must be sealed and contained in a concealed fashion.
- HPU will not receive packages in the mail containing alcoholic beverages to residents who live in University housing.
- Delivery of alcohol by retail or wholesale distributors to Waterfront Lofts is prohibited.

## Student Discipline

Students are considered to be personally responsible for the conforming of their behavior to federal and state statutes and city ordinances, and all University policies including Alcohol and Other Drug Policy. When violations of law or University policy come to the attention of University officials, sanctions will be imposed and students may be referred to appropriate conduct boards or for criminal prosecution. Due to the serious nature of alcohol and other drug abuse, any student involved in an alleged violation may be summoned to meet with a University official and/or a University Student Conduct Review Board. Disciplinary sanctions shall be imposed upon a student who violates HPU’s Alcohol and other Drugs Policy. The sanction imposed is at the sole discretion of the University, up to and including suspension or expulsion from HPU. Students should refer to the Code of Student Conduct, which is contained in the Hawai’i Pacific University Handbook.

## Alcohol and Drugs Policy Violation

Violators of the Alcohol and Other Drugs Policy may be subject to the following sanctions: All offenses, upon being found in possession of or using an illegal substance, including drug paraphernalia, the student may be placed on University probation. If the student is a resident in University housing, he or she may be referred to a Housing Conduct Review Board (HCRB) for possible eviction from housing without refund. The student may also be referred to a University counselor for a mandatory meeting. If the student is under the age of 21, parents will be notified of the violation. The student may also be referred to a drug treatment center for assessment and/or treatment at his/her own expense, and the incident may be referred to the police. At its discretion, the University may also levy a monetary fine, depending on the circumstances of the case. A student found in violation of the University’s illegal substance policy a second time may, at the discretion of University officials or appropriate campus hearing board, may be suspended or expelled from the University and the incident may also be referred to the police.

## Parental Notification

The University may notify the parents/guardians of any student under the age of 21 found to be in violation of its Alcohol and Other Drugs Policy (in accordance with the Family Education Rights and Privacy Act [FERPA] as amended by the Higher Education Act of 1998).



## Criminal Sanctions

There are federal and state statutes and city ordinances dealing with controlled substances. The information below is intended to highlight Hawai'i statutes relating to the distribution, possession and use of a controlled substance or alcohol. For federal drug trafficking penalties, refer to the Federal Trafficking Penalties section. For further information on legal sanctions, please visit the following website: [http://www.hpu.edu/student-life/files/student handbook.pdf](http://www.hpu.edu/student-life/files/student%20handbook.pdf) and click Student Handbook and go to page 54.

## Highlights of the Hawai'i Penal Code

### Drugs

**Harmful Drugs.** According to HRS §712-1240, means any substance or immediate precursor listed as a Schedule III or IV substance by Chapter 329, and includes marijuana concentrates, but not marijuana. Schedule III substances, which have a degree of danger or probable danger less than substances in Schedules I and II, include drugs which have a stimulant or depressant effect on the central nervous system. Schedule IV substances generally have a depressant effect on the central nervous system.

- Promoting a Harmful Drug 4<sup>th</sup>, Knowingly possesses any harmful drug in any amount. The offense is a Misdemeanor.
- Promoting a Harmful Drug 3<sup>rd</sup>, knowingly possesses twenty-five or more capsules or tablets or dosage units containing one or more of the harmful drugs or one of more of the marijuana concentrates or any combination thereof. The offense is a Class C Felony.
- Promoting a Harmful Drugs 2<sup>nd</sup>, (a) 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 (b) Knowingly possesses 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 concentrate, or any combination thereof; or (c) Knowingly distributes any harmful drug or any marijuana concentrate in any amount. The offense is a B Felony.
- Promoting a Harmful Drugs 1<sup>st</sup>, (a) 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; of a Harmful Drug; or (b) Knowingly possesses 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 (c) Knowingly distributes 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; or (d) Knowingly distributes 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 (e) Knowingly distributes a harmful drug or any marijuana concentrate in any amount to a minor. The offense is a Class A Felony.

**Detrimental Drugs.** According to HRS §712-1240, defined as Marijuana or any Schedule V substance listed in Chapter 329. Substance V substances, which are less dangerous than Schedule IV substances, include limited quantities of certain types of narcotic drugs combined with non-narcotic ingredients.

- Promotion of a Detrimental Drug 3<sup>rd</sup>, knowingly possesses any marijuana or any Schedule V substance in any amount. The offense is a Petty Misdemeanor.
- Promotion of a Detrimental Drug 2<sup>nd</sup>, (a) Knowingly possesses fifty capsules or more of substance V; or (b) Possesses one or more preparation, compounds, mixtures, or substances, of an aggregate weight of one-eighth ounce or more, containing one or more of the Schedule V substances; or (c) Knowingly possesses one or more preparations, compounds, mixtures, or substances, of an aggregate weight of one ounce or more, containing any marijuana; or (d) Knowingly distributes any marijuana or any Schedule V substance in any amount. The offense is a Misdemeanor.
- Promotion of a Detrimental Drug 1<sup>st</sup>, (a) Knowingly possesses 400 capsules or more of Schedule V; or (b) Knowingly possesses one ounce or more of Schedule V substances; or (c) Knowingly possesses fifty or more capsules or tablets containing one or more of the Schedule V substances; or (d) Knowingly distributes 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 (e) Knowingly possesses one or more

preparations, compounds, mixtures, or substances of an aggregate weight of one pound or more, containing any marijuana; or (f) Knowingly distributes one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more, containing any marijuana; or (g) Knowingly possesses, cultivates, or has under the person's control twenty-five or more marijuana plants; or (h) Knowingly sells or barter any marijuana or any Schedule V substance in any amount. The offense is a Class C Felony.

Dangerous Drugs. According to HRS §712-1240 deals with cocaine, heroin, morphine or any of their respective salts, isomers, and salts of isomers.

- Promoting a Dangerous Drug 3<sup>rd</sup>, knowingly possess any drug in any amount. The offense is a Class C Felony.
- Promoting a Dangerous Drug 2<sup>nd</sup>, (a) Knowingly possesses twenty-five or more capsules, tablets, ampules, dosage units, or syrettes, containing one or more dangerous drugs; or (b) Knowingly possesses 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 dangerous drug; or (c) Knowingly distributes any dangerous drug in any amount, except for methamphetamine. The offense is a Class B Felony.
- Promoting a Dangerous Drug 1<sup>st</sup>, (a) Knowingly possesses one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more, containing heroin, morphine, or cocaine or any of their respective salts, isomers, and salts of isomers; or one and one-half ounce or more, containing one or more of any of the other dangerous drugs except methamphetamine; (b) Knowingly distributes, except for methamphetamine, 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 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; (c) Knowingly distributes any dangerous drug in any amount to a minor except for methamphetamine. The offense is a Class A Felony.
- Methamphetamine Trafficking 2<sup>nd</sup>, knowingly distributes in any amount methamphetamine. The offense is a Class B Felony.
- Methamphetamine Trafficking 1<sup>st</sup>, (a) Knowingly possesses one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing methamphetamine or any of its salts, isomers, and salts of isomers; (b) Knowingly distributes one or more preparations, compounds, mixtures, or substances of an aggregate weight of one-eighth ounce or more, containing methamphetamine or any of its salts, isomers, and salts of isomers; (c) Knowingly distributes methamphetamine in any amount to a minor; (d) Manufacturers methamphetamine in any amount. The offense is a Class A Felony.
- Note: Drug Possession and Distribution, state of mind is knowingly.

## Alcohol

HRS §281.101,5, Prohibitions involving minors.

- Any adult who provides or purchases liquor for consumption or use by a person under twenty-one years of age shall be guilty of the offense under HRS §712-1250.5
- No minor shall purchase liquor and no minor shall consume or have liquor in the minor's possession or custody in any public place, public gathering, or public amusement, at any public beach or public park, or in any motor vehicle on a public highway; provided that notwithstanding any other law to the contrary. The offense is a Misdemeanor.

HRS §712-1250.5, Promoting intoxicating liquor to a person under the age of twenty-one.

A person including a licensee commits the offense of promoting intoxicating liquor to a person under the age of twenty-one if the person knowingly:

- Sells or offers for sale, influences the sale, serves, delivers, or gives to a person intoxicating liquor, and the person receiving the intoxicating liquor is a person under the age of twenty-one; or
- Permits the person to possess intoxicating liquor while on property under his control, and the person possessing the intoxicating liquor is a person under the age of twenty-one. The offense is a Misdemeanor.

## **Alcohol Offenses While in Operation of a Motor Vehicle, HRS §291.**

- HRS §291e-61, operating a vehicle under the influence of an intoxicant. Sample is .08 BAC and above. The offense is a Petty Misdemeanor.
- HRS §291e-61.5, habitually operating a vehicle under the influence of an intoxicant. Three (3) prior driving under the Influence convictions. The offense is a Class C Felony.
- HRS §291e-64, Operating a vehicle after consuming a measurable amount of alcohol; persons under the age of twenty-one, sample is .02 BAC and above. The offense is a Violation.
- HRS §291-3.1, Consuming or possessing intoxicating liquor while operating motor vehicle or moped. No person shall consume or possess an unsealed container of alcohol on any public street, road, and highway. The offense is a Petty Misdemeanor.
- HRS §291-3.2, Consuming or possessing intoxicating liquor while a passenger in a motor vehicle. No person shall consume or possess unsealed container of alcohol while a passenger in a motor vehicle or moped on public street, road, and highway. The offense is a Petty Misdemeanor.

The Hawai'i Revised Statutes defines operating a vehicle under the influence of an intoxicant. An intoxicant means any drug or alcohol. Hawai'i Revised Statutes defines operating a motor vehicle, motorcycle, moped or other motor vehicle on roadway. A law enforcement officer in the State of Hawai'i can enforce operating a vehicle under the influence of an intoxicant on private property. Procedures for taking a breath or blood sample would be different for the judicial proceeding.

All members of the University community, to include students, faculty, staff, alumni, and their guests, are expected to comply with federal and state laws regarding the use of alcohol and University organizations. Students and employees are expected to take personal responsibilities for their own conduct when making decisions regarding the use of alcohol.

## **Federal Trafficking Penalties**

Law enforcement in the State of Hawai'i follows the Hawai'i Revised Statutes in enforcing drug violations. Enforcement through a federal agency would be on request by a state agency or a federal investigation. For federal trafficking penalties please refer to the following website:

[https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf#page=30](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30)

### **Additional Resources: Laws Relating to Drugs and Alcohol**

For the latest information regarding federal and state laws pertaining to drug and alcohol, refer to:

- <http://www.dea.gov/controlled-substances-act> - This website links directly to the Controlled Substance Act as put forth by the Drug Enforcement Agency. This document also provides definitions of government terms used in drug enforcement
- <http://www.dea.gov/druginfo/factsheets.shtml> - This website links directly to current information about various drugs.
- <http://www.justice.gov/archive/ndic/> - The National Drug Intelligence Center is a division of the Department of Justice and posts their yearly reports regarding drugs trends, research, and legislation.
- <http://www.unodc.org/> - The United Nations Office for Drug Control and Crime provides this website for the viewer to obtain a world perspective on drug misuse, abuse, trafficking and trends.
- <http://www.drugsense.org/cms/> - This website contains weekly updated newsletters, focal points of interest, and media news. Informs reader of decisions concerning chemical abuse.
- <https://www.whitehouse.gov/ondcp/> - The Office of National Drug Control Policy updates this website weekly with current news, trends, links to the "Pulse Check" drug newsletter, legislation, testimonies.
- [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov) - This website contains information regarding Hawai'i laws found in the Hawai'i Revised Statutes.

## Weapons

The possession or the carrying of any weapon by any person, except a law enforcement officer, is strictly prohibited on University property in academic buildings, administrative office buildings, and student residence buildings. Entry on aforementioned University property in violation of this prohibition is expressly forbidden.

The Hawai'i Revised Statutes definition of a deadly weapon is any dirk, dagger, blackjack, slug shot, Billy, metal knuckles, pistol, or any other deadly or dangerous weapon. HRS §134-51, Deadly Weapons: Prohibitions. The offense is a Misdemeanor unless used in a commission of a crime, will be classified as a Class C Felony.

### Hawai'i Revised Statutes, §134

- HRS §134-16. Restriction on possession, sale, gift, or delivery of electric guns. It shall be unlawful for any person, including a licensed manufacturer, licensed importer, or license dealer, to possess, offer for sale, hold for sale, sell, give, lend, or deliver any electric gun.
- HRS §134-25, Place to keep pistol or revolver. Firearms shall be confined to the possessor's place of business, residence, or sojourn and can be transported between these locations unloaded and in an enclosed container. Other places firearm can be carried is to a place of repair, target range, licensed dealer's place of business, organized firearms show, police station, sanctioned hunting or firearm use training or instruction. The offense is a Class B Felony.
- HRS §134-24, Place to keep unloaded firearms other than pistols and revolvers. The offense is a Class C Felony.
- HRS §134-26, Carrying or possessing a loaded firearm on a public highway. The offense is a Class B Felony.
- HRS §134-27, Place to keep ammunition. The offense is a Misdemeanor.

Hawai'i Pacific University Security, in conjunction with the Honolulu Police Department, are lawfully in charge for the purposes of forbidding entry on or remaining on University property while possessing or carrying weapons in violation of Hawai'i Revised Statutes.

## Campus Resources

- Counseling and Behavioral Health Services' (CBHS) primary responsibility is to the student population on campus. The CBHS department also provides consultation and referral services to public and private community providers. Finally, CBHS provides programs and activities related to drugs and alcohol. During normal business hours, contact the CBHS department at the following numbers: Downtown Campus: 808-544-1198; Hawai'i Loa Campus: 808-236-3578.
- Residence Life conducts various educational programs pertaining to drugs and alcohol education and prevention. Residence Life brings in guest speakers to address the University student body, especially the residents, regarding the effects, trends and consequences of drugs and alcohol (speakers in the past included the Honolulu Police Department, Mothers against Drunk Driving and the Coalition for a Drug Free Hawai'i).
- The University Chaplain is an important resource for students looking for support and guidance in numerous areas. The Chaplain can address and advise on topics ranging from relationships, dependence, loss, spirituality and academics. The University Chaplain can be reached by telephone at any time at 808-544-9394.
- The Center for Student Life and First Year Programs serves as an information center for the HPU student body. Publications regarding various health issues, including drug and alcohol information are available to students. In addition, the Center continually refers students to various University and community resources, and offers programs and activities throughout the year which promote healthy living without drugs and alcohol.
- Boosting Alcohol Consciousness Concerning the Health of University Students (BACCHUS) Peer Education network is an international collegiate alcohol awareness and health education initiative. BACCHUS is represented on more than 800 campuses in the United States, Canada, Mexico, Australia and Hong Kong. Students are trained to help their peers talk honestly about and develop responsible habits, attitudes and lifestyles regarding alcohol and healthy decision making. The BACCHUS student group develops and promotes programs throughout the community and within the University that raise awareness and get

students actively involved in healthy and positive choices. For additional information regarding BACCHUS, please visit their website at <http://www.campushealthandsafety.org>.

## Community Resources

- Addiction Treatment Services, Salvation Army: 595-6371
- Adult Children of Alcoholics: 521-4477
- Al-Anon: 546-5647
- Alcoholics Anonymous: 946-1438
- DASH (Drug Addiction Services of Hawai'i): 538-0704
- Hina Mauka (alcohol/drug treatment programs): 236-2600
- Narcotics Anonymous: 734-4357
- The Salvation Army (Addiction Treatment Services): 595-6371
- Suicide and Crisis Center (24 hours): 832-3100
- Women's Way (residential treatment): 732-2802
- Shelter for Abused Spouses and Children: 841-0822

## Missing Person Policy

### Statement of Policy

**THE HIGHER EDUCATION ACT OF 2008 (HEOA) REQUIRES THAT ALL INSTITUTIONS THAT PROVIDE ON-CAMPUS STUDENT HOUSING MUST ESTABLISH A STUDENT NOTIFICATION POLICY AND PROCEDURES.**

Each resident at the Hawaii Loa and Aloha Tower Marketplace campuses has to identify and register confidential contact information for an individual to be contacted by the university no later than 24 hours after the time that the student in question is determined missing. This is done via the Missing Person Emergency Contact Form. Students who live in university resident housing will be given the form at housing check-in. Students who live in non-university housing can input emergency information on their Pipeline account throughout the year. Students may also contact the Registrar's Office (808-544-0239) to designate an emergency contact person. This information will remain in effect until changed or revoked by the student.

In the event a student is under 18 years of age, and has not been legally emancipated, the student's parents will also be listed on contact information.

If a member of the University community has reason to believe that a resident is missing for 24 hours, he/she should immediately notify Joseph Tillotson, the Director of Security and Safety, via phone at (808) 236-3597 (office) or email [jtillotson@hpu.edu](mailto:jtillotson@hpu.edu). He will generate a missing person report and initiate an investigation with the assistance of Residence Life staff.

Should the Director of Security and Safety determine that the student is missing and has been missing for more than 24 hours, he will notify the Honolulu Police Department, and the Director of Residence Life & Commuter Services will contact the resident's emergency contact or the resident's parents if the resident is under the age of 18 and not legally emancipated, no later than 24 hours after the student is determined to be missing.

For students who live off-campus in non-University housing, the Director of Security and Safety will investigate any report of a missing student and take appropriate action. Non-residential students are highly encouraged to identify and register contact information for an individual to be contacted in the event a student is determined missing. This can be done via HPU Pipeline's Quick Links.

### Missing Person Procedures

Missing person procedures are in place in the event a report is made regarding a missing student. They apply to resident students and students residing in non-university housing.

For the purposes of this policy, a student may be considered to be a missing student if the student's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include a reasonable/reliable report or suspicion that the missing student may be endangered.

Examples may include the missing person is the victim of foul play, is in a life-threatening situation, or has been with persons who may endanger the student's welfare. Procedures are as follows:

- Any and all reports of missing students shall be directed to Joseph Tillotson, the Director of Security and Safety, via phone at 236-3597 (office) or email [jtillotson@hpu.edu](mailto:jtillotson@hpu.edu).
- The Director of Security and Safety will generate a missing person report and initiate an investigation with the assistance of University personnel as appropriate. The investigation includes:
  - Gather essential information about the student.
  - Making contact with the student via his/her cell phone and email address.
  - Interviewing the person(s) who filed the report.
  - Interviewing the student's roommates, friends, and professors.
  - Getting the student's course schedule.
  - Following up on leads given by those who are interviewed.
- If the Director of Security and Safety makes contact with the reported missing student, the Director will pass on the information to contact those that have expressed concern.
- If the report is determined valid and credible, and the student has been missing for more than 24 hours, the Director will notify the Honolulu Police Department (HPD) and submit a missing person report.
- Once the HPD report has been filed, the Director will notify the Dean of Students. The Dean of Students will contact other senior University administration as appropriate.
- If the reported missing student is under 18 years of age and has not been emancipated, the Dean of Students or his/her designee, will notify the custodial parent or legal guardian that the student is believed to be missing no more than 24 hours after the time that the student is determined to be missing in accordance with the policy.
- If the reported missing student is 18 years of age or older, the Dean of Students or his/her designee will contact the Emergency Contact listed on the student's HPU account no more than 24 hours after the time that the student is determined to be missing in accordance with the policy.
- Once a reported missing student is found and needs assistance with the transition back to HPU, the student will work with the Dean of Student Life or his/her designee.
- Campus Communication about missing students: All communications regarding missing students will be handled by Honolulu Police Department, who are equipped to provide information and to work with the media.

Students and employees who want to make a report or aid in the search of a student should contact the Director of Security and Safety, who will work closely with HPD officers.

Prior to making a notification to the University community, HPU's media relations staff will work with HPD, the Director of Security and Safety and the Dean of Students to ensure the investigation is not hindered and that communications comply with university policies and FERPA guidelines.

## **Sexual Assault Policy and Sexual Misconduct Policies**

Applicable policies relating to sexual assault and sexual misconduct can be viewed at the following locations:

- For Students: <https://www.hpu.edu/Student-life/files/student-handbook.pdf>
- For Faculty: <http://nexus.hpuedu/dept/HR/Human Resource Manuals/Faculty Handbook 2016 Revised May 2016>
- For Staff: <http://nexus.hpu.edu/dept/HR/Human Resource Manuals/HPU Employee Handbook 2016.pdf>

Sexual assaults are serious violations of the University's policies and are crimes under the Hawai'i Revised Statutes §707-730.

HRS §707-730, Sexual Assault in the first degree, (a) Knowingly subjects another person to an act of sexual penetration by strong compulsion; (b) Knowingly engages in sexual penetration with another person who is less than fourteen years old; (c) Knowingly engages in sexual penetration with a person who is at least fourteen years old but less than sixteen years old, provided that the person is not less than five years older than the minor; and the person is not legally married to the minor; (d) Knowingly subjects another person to sexual penetration another person who is mentally defective; or (e) Knowingly subjects to sexual penetration another person who is mentally incapacitated or physically helpless as a result of the influence of a substance that the actor knowingly caused to be administered to the other person without the other person's consent. The offense is a Class A Felony.

HRS §708-731, Sexual Assault in the second degree, (a) Knowingly subjects another person to an act of sexual penetration by compulsion; (b) Knowingly subjects to sexual penetration another person who is mentally incapacitated or physically helpless. The offense is a Class B Felony.

HRS §707-732, Sexual Assault in the third degree, (a) Recklessly subjects another person to an act of sexual penetration by compulsion; (b) Knowingly subjects a person under fourteen years old or causes that person to have sexual contact with that person; (c) Knowingly engages in sexual contact with a person who is at least fourteen years old but less than sixteen years old or causes the person to have sexual contact with the person provided that:

1. The person is not less than five years older than the minor; and
2. The person is not legally married to the minor.

The offense is a Class C Felony.

HRS §707-733, Sexual Assault in the fourth degree, (a) Knowingly subjects another person to sexual contact by compulsion or causes victim to have sexual contact by compulsion; (b) Knowingly exposes genitals to another person causing alarm or fear of bodily injury to another; (c) Knowingly trespasses on property for purposes of subjecting another person to surreptitious surveillance for the sexual gratification of that person. The offense is a Misdemeanor.

## **Rape Prevention Education**

Incoming students to Hawai'i Pacific University are required to complete an online sexual violence prevention program called **Student Success Every Choice**. In addition, first year students are required to take an alcohol education program called **Alcohol eCheck To Go**. These seminars/workshops are coordinated by various departments including the Center for Student Life and First-Year Programs and Residence Life.

Sponsored by the Honolulu Police Department and the Women's Center, the Rape Prevention Education Program (RPEP) provides education and information about sexual assault, dating and domestic violence, and stalking. The Program explains laws and definitions, suggests strategies to increase safety, and dispels the common myths about sexual violence. The RPEP also provides assistance for survivors of sexual violence and their family and friends. Assistance includes crisis counseling, information about reporting to law enforcement and the campus judicial system, help with legal and medical questions, and help with academic and housing problems and referrals to other campus and community resources.

## **Procedures to Follow when a Sexual Offense Occurs:**

### **THE VICTIM SHOULD GO TO A SAFE PLACE. CALL A FRIEND OR SOMEONE ELSE TO BE WITH THEM.**

1. Calling the police is extremely important. Call 9-1-1, (#-9-1-1 on campus phone line) and say, "I want to report an assault." Names and other pertinent information is needed to provide important assistance to the victim.
2. If the person assaulted is not sure what to do, they should call the Honolulu Rape Crisis Center's 24-hour hotline (808-524-7273). Names are not required. The advocate will provide information regarding options, rights, and choices.
3. The Sex Abuse Treatment Center may also be called. It is open Monday thru Friday from 8:00 a.m. until 4:30 p.m. (808-524-7273). A staff member will help with decisions about what to do.
4. If reporting the incident is still being considered, but the assaulted person may want to report later, then a police report should be filed in order to obtain an evidence exam. The evidence exam can only be done if

an official police report is made. The victim has the right to change their mind later about being involved in a legal case. Evidence exams are initiated by the handling detective and is done at Kapi'olani Medical Center.

5. For the exam to be accurate the victim should not eat, drink, wash, shower, or go to the bathroom. The reason is that valuable evidence may be lost in a sexual assault. However, it is still ok to make a report if these actions were made. The police should be informed accordingly.
6. If the person assaulted definitely does not want to initiate a report with police, they should still consider having a medical exam to determine if internal injuries were sustained and to check for sexually transmitted diseases and pregnancy.

## Information about Counseling

Counseling and Behavioral Health Services (CBHS) are available to provide students with individual therapy, crisis intervention, and referrals to private and public resources. The Director of the CBHS Department also serves as liaison to University faculty and staff to support students who are experiencing academic difficulties due to life stressors. In addition, the Department serves students reporting incidents to the proper law enforcement authorities. Counseling services are FREE and CONFIDENTIAL to all current registered HPU students.

Pastoral counseling is also available. Contact the University Chaplain at 808-544-9394.

### Other Counseling Resources on Campus

- Counseling and Career Services for students.
- Academic and Staff Assistance Program for staff and faculty.

### Notification about Changes in Academic/Living Situations

Victims of sexual assault may:

- Request academic assistance for missed classes or exams, or help with rearranging coursework.
- Be moved if both the victim and the accused live in residential housing. A request may also be made by the victim that the accused be moved pending a campus conduct hearing.

## Sex Offender Registry

Hawai'i Pacific University operates in an advisory capacity by informing the campus community where information provided by the state concerning sex offenders may be obtained. Hawai'i Pacific University is not required to collect sex offender information.

The federal Campus Sex Crimes Prevention Act of 2000 was enacted on October 28, 2000, and became effective on October 28, 2002. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state on registered sex offenders may be obtained. In Hawai'i, the information is available at the following website:

<http://sexoffenders.ehawaii.gov/sexoffender/welcome.html>.

### Date Rape Drug

Date rape drugs can be placed in any drink, not just alcohol. The drug may act as an aphrodisiac or intoxicant. Effects may include a feeling of well-being and short term memory loss. Some other common side effects includes a drunken appearance, drowsiness, light-headedness, staggering, confusion, muscle relaxation, and amnesia that can last up to 24 hours. Serious adverse effects can occur such as seizures, insomnia, anxiety, nausea, dizziness, hallucinations, coma, and even death.



Persons who believe that they have been drugged, or that they know someone who has, should go to a safe place, and then contact HPU Campus Security or the Honolulu Police Department. Then they should go to a local hospital's emergency room for immediate treatment of any injuries.

## State of Hawai'i Laws on Domestic Violence, Dating Violence, and Stalking

### Domestic Violence

Domestic Violence is covered under HRS §709-906 titled **Abuse of Family or Household Members**. (1) It shall be unlawful for any person, singly or in concert, to physically abuse a family or household member or to refuse compliance with the lawful order of a police officer under subsection (4). The police, in investigating any complaint of abuse of a family or household member, upon request, may transport the abused person to a hospital or safe shelter.

### Dating Violence

Dating relationship situations exist under this statute as well. Under State Law dating relationships are defined as, "Dating relationship" means a romantic, courtship, or engagement relationship, often but not necessarily characterized by actions of an intimate or sexual nature, but does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context.

### Stalking

Stalking is considered a crime in the State of Hawai'i.

HRS §711-1106.5, Harassment by stalking. A person commits the offense of harassment by stalking if, with intent to harass, annoy, or alarm another person, or in reckless disregard of the risk thereof, that person engages in a course of conduct involving pursuit, surveillance, or other non-consensual contact upon the other person on more than one occasion without legitimate purpose. Harassment by stalking is a misdemeanor.

HRS §711-1106.4. Aggravated harassment by stalking, a person commits the offense of aggravated harassment by stalking if that person commits the offense of harassment by stalking as provided in section HRS §711-1106.5 and has been convicted under section HRS §711-1106.5 within five years of the instant offense. Aggravated harassment by stalking is a Class C Felony.

Common elements of stalking include: annoying or threatening phone calls and emails; unwanted letters or gifts; showing up uninvited at the victim's home, place of work, or class; taking photos or spying on the victim; threats; and intimidation of the victim. Persons who feel that they are being stalked or need further information, should contact Campus Security or the Honolulu Police Department.

## Procedures to Follow for Victims of Sexual Assault, Domestic Violence, Dating Violence, or Stalking

1. Calling the police is extremely important. Call 9-1-1, (#-9-1-1 on campus phone line) and say, "I want to report an assault (or I am being stalked)." Names and other pertinent information are needed to provide important assistance to the victim.
2. If the person assaulted is not sure what to do, they should call the Honolulu Rape Crisis Center's 24-hour hotline (808-524-7273). Names are not required. The advocate will provide information regarding options, rights, and choices.
3. The Sex Abuse Treatment Center may also be called. It is open Monday thru Friday from 8:00 a.m. until 4:30 p.m. (808-524-7273). A staff member will help with decisions about what to do.
4. Victims should be aware that it is extremely important to preserve any evidence that may assist in proving that the alleged criminal offense occurred. This information is of great assistance in obtaining protection orders. The above listed numbers all can provide assistance in pursuing a decision on behalf of the victim.
5. For persons who are being stalked immediate notification to HPD or Campus security is an option where assistance with the previously mentioned procedures can be given. HPU will provide assistance wherever possible to ensure that the victim is able to notify the authorities in this matter.

## **How to make a Report**

Injured parties have the right to take separate actions:

1. Report an incident to local police and/or Campus Security. Campus Security 24 hour number is (808) 544-1400.
2. File a complaint through the university student disciplinary process [contact the Title IX or Deputy Title IX Coordinator at (808) 687-7014] or Human Resources process as appropriate to the involved parties (including the option of filing via the university's compliance hotline 1-877-270-5054 or [www.tnvinc.com/hpu](http://www.tnvinc.com/hpu), which is available 24 hours a day, 7 days a week from any location)
3. Choose to prosecute criminally.
4. Choose to file a civil case.

Additionally, injured parties may take advantage of remedial assistance without filing a complaint. Information pertaining to these options and resources available on campus and in the local community may be provided by the Title IX or Deputy Title IX Coordinator.

Security measures, counseling, and other forms of assistance (e.g., filing a temporary restraining order) can be made available. More information on these resources are found below in this policy. In any and all cases of Sexual Assault, Domestic Violence, Dating Violence or Stalking reports, the complainant should immediately contact any Hawai'i Pacific University employee who will assist with notifying Campus Security, or a Title IX Coordinator.

## **Confidentiality**

All reports or complaints of sexual assault, domestic and dating violence, and stalking will be kept confidential, except that individuals with a legitimate need to know will be informed of the complaint in order for the university to take appropriate action and conduct a meaningful review of each complaint and ensure the safety of the HPU community.

If a complainant requests confidentiality, the university will take all reasonable steps to investigate and respond to the complaint consistent with this request, including exclusion of personally-identifiable information in recordkeeping on victims; however, confidentiality is not guaranteed.

## **Immediate Action and Interim Measures**

Students who identify themselves as victims of sex assault, domestic violence, dating violence or stalking have the option to, or not to, notify and seek assistance from local police and campus authorities. Students who notify the university may request various provisions in support of their recovery and during the disciplinary process.

Such assistance includes:

- Not identifying the alleged perpetrator, unless the information is necessary to respond to a request for a specific form of assistance.
- Request university information about the reporting procedure prior to filing a report.
- Request assistance from HPU security or an HPU member in filing a report with a university department or with local police including restraining and protective orders.
- Request a "no contact" order with the alleged perpetrator through the Dean of Students office.
- Request relocation in university housing.
- Request a change in a class schedule to avoid contact with the alleged perpetrator.
- Request student academic support services such as counseling, tutoring and consideration for re-taking a course or withdrawing from a class without penalty.
- Be informed of the resolution of the disciplinary case.

- Through the Code of Student Conduct, receive the following procedural protections: receive information about the disciplinary proceedings; name witnesses and attain their statements regarding the case; have an advisor present during the student conduct proceedings; get access to redacted disciplinary case information that will be used at the hearing; freedom from having irrelevant sexual history discussed during the disciplinary hearing; appeal the outcome of the hearing; and challenge the persons conducting the hearing with regard to personal bias. For more details, refer to the Code of Student Conduct.

## Resolution Procedures and Standards of Evidence

As previously mentioned, all reports or complaints of sexual discrimination, sexual assault, domestic violence, dating violence, or stalking as well as other forms of sexual discrimination will be kept confidential, except that individuals with a legitimate need to know will be informed of the complaint in order for the university to conduct a meaningful review of each complaint and for the purpose of determining whether the complaint is isolated, frequent, part of a pattern of practice or pervasive.

All records are confidential with access only to individuals with a legitimate need to know. If a complainant requests confidentiality, the university will take all reasonable steps to investigate and respond to the complaint consistent with this request, including exclusion of personally-identifiable information in recordkeeping on victims; however, confidentiality is not guaranteed.

In cases when a Reporting Party (complainant, victim or witness) does not want to file a formal complaint, the Title IX Coordinator will consider the reasons for the request, including concerns about continued safety and well-being of the person reportedly harmed and members of the campus community. The Title IX Coordinator will initiate confidential consultation with appropriate individuals to analyze the situation and assist in determining appropriate measures to take. Consultation may occur with the Director of Counseling and Behavioral Services, Director of Safety and Security, Director of Human Resources, and General Counsel. The Title IX Coordinator will make the final decision about whether to conduct a formal investigation or respond to the report in another manner, including taking informal actions, such as those described in this policy. Accordingly, all allegations involving sexual misconduct will be addressed through the formal resolution procedures as noted in this policy and the Code of Student Conduct.

There are two avenues for resolution of an alleged policy violation: formal and informal resolution. The Complainant has the option to proceed informally, when permissible. In cases involving allegations of sexual assault, dating violence, domestic violence, or stalking, informal resolution is not appropriate, even if both the Reporting Party and Respondent (alleged perpetrator) indicate a preference for informal resolution. Accordingly, for any allegation involving sexual related matters as previously stated, the formal resolution procedures will be followed.

**1. Informal Resolution Procedures** (alleged student misconduct): The person who believes he/she has been harassed will discuss the matter with the Title IX Coordinator, who may determine that an investigation is in order. Informal resolution procedures will only be used when the university determines that it is appropriate. The university retains the right to require formal resolution procedures at its discretion.

The Assistant Dean of Students will make a record of the details of the complaint and initiate mediation between the involved parties to arrive at possible resolutions. Typically, an informal investigation will be completed within thirty (30) days of receipt of the complaint. If it becomes necessary to extend the process, both parties will be notified of a revised expected resolution timeframe. The matter may also be terminated with discussion and counseling by the Assistant Dean of Students, who may also draw on support and counseling services to assist Reporting Parties. The Reporting Party has the right to end the informal process at any time and begin the formal resolution procedures. Informal procedures and mediation between the Reporting Party and Respondent are never applied in cases involving sexual assault complaints.

**2. Formal Resolution Procedures** (alleged student misconduct): If deemed appropriate, the Assistant Dean of Students will conduct an investigation and facilitate a formal hearing board with the Student Conduct Hearing Board. Typically, an investigation will be completed within sixty (60) days of receipt of the complaint. If it becomes necessary to extend the process, both parties will be notified of a revised expected resolution timeframe. The Assistant Dean of Students or Student Conduct Hearing Board may interview the Reporting Party, Respondent, and witnesses. The facts will be evaluated and the Student Conduct Hearing Board will make a determination. The Reporting Party and Respondent are entitled to the same opportunities to have an advisor present during a disciplinary proceeding, freedom from retaliation, freedom from having irrelevant sexual history discussed during the disciplinary hearing, an

explanation of the discipline process, and attend the disciplinary hearing except for the deliberation process and when other individuals are being questioned. For the Respondent, procedural protections are noted in the Code of Student Conduct, section 2.

Throughout the process, the Assistant Dean of Students will provide periodic status updates on where the process is with the Reporting Party and Respondent. Also, if the Respondent was previously found responsible for other code of student conduct violations, the Student Conduct Hearing Board may receive such information if: (a) The previous incident was substantially similar to the present allegations; and (b) The information indicates a pattern of behavior and substantial conformity with the pattern by the Respondent.

The Assistant Dean of Students, Title IX Coordinator and/or Provost may advise the university President of all proceedings. *The standard of determining responsibility is based on a "preponderance of evidence" standard (refer to the Code of Student Conduct).* This means there is a measure of proof that a reasonable person would accept as "more likely than not" that a fact is true or an incident occurred. Credibility of statements or patterns of fabrication may be used in determining the preponderance of evidence.

3. Violations of the Sexual Discrimination and Sexual Misconduct policy may lead to disciplinary action up to and including suspension or expulsion from the university. Specific sanctions are listed under the Code of Student Conduct in the Student Handbook pages 60-61 paragraph 12. Mitigating factors to expulsion or suspension are contained in paragraph 13.

4. Other protections include:

- A. Protection Against Retaliation: Retaliation of any kind against individuals who, in good faith, report instances of sexual harassment or who participate in or are witnesses in any procedure to redress a complaint of sexual harassment, is prohibited. Individuals who are found to have violated this provision will be subject to disciplinary action (which may include suspension or expulsion). Retaliation is any action by any person that is perceived as intimidating, hostile, harassing, retribution or violent that occurred in connection to the making and follow-up of the sex discrimination report.
- B. False Complaints: It is a violation of this policy for anyone to make intentionally false accusations or false complaint of retaliation. Any employee or student who is found to have made an intentionally false accusation or false complaint of retaliation will be subject to disciplinary action. Upon the conclusion of a claim of sexual discrimination, the Assistant Dean of Students or Student Conduct Hearing Board may file a complaint against an individual where the Assistant Dean of Students or Student Conduct Hearing Board finds direct evidence of malice and fraud by the complainant.
- C. Resolution of complaints against faculty/staff: Please refer to the "Employee Handbook," the "Academic Affairs Policies and Procedures Manual" and/or the Sexual Harassment Policy in the "Faculty Handbook" for detailed information on the investigation process with regard to a faculty or staff member who is accused of sexual discrimination or sexual assault.

5. Notification of Resolution: The Reporting Party and Respondent will receive written notice simultaneously of the disciplinary case outcome and appeal procedures; any change to the result before it becomes final; and when the result becomes final.

6. Appealing Sanctions: Students who disagree with sanctions imposed by the Student Conduct Hearing Board are entitled to one written appeal. The appeal should be received by the Provost or his designee within five business days of the date the sanctions were imposed. Upon receipt, the Provost or his designee will consider and decide the appeal. Refer to the Code of Student Conduct regarding sanctions and the appeal considerations. Appeal questions as they pertain to a Human Resources investigation should be directed to the Employee Relations and EEO/AA Compliance Manager and Title IX Coordinator.

7. The university actively takes prompt and equitable action to eliminate sex discrimination, and takes reasonable steps to prevent recurrence of any sexual harassment or sexual assault and to correct its effects as appropriate. Student conduct proceedings are conducted in a manner designed to protect the safety of victims and university community, and promotes accountability.

## Sexual Assault, Domestic Violence, Dating Violence, or Stalking Educational and Awareness Campaigns

Sexual assault prevention and education programs are offered at Hawai'i Pacific University throughout the year.

What follows is a list of resources available to students, faculty and staff:

1. Resources are available in various offices including the Dean of Students Office, Counseling and Behavioral Health Services, and Residence Life. Topics include healthy relationships, staying safe on campus, and more.
2. Educational programs are offered at least once a year on topics such as personal safety issues. These seminars/workshops are coordinated by various departments including the Dean of Students Office, Student Life, First-Year Experience, and Residence Life.
3. Counseling and Behavioral Health Services (CBHS) provides free and confidential counseling to students and consultation and referral services to public and private community providers. During normal business hours, students can contact the CBHS department at (808) 687-7076 or [counseling@hpu.edu](mailto:counseling@hpu.edu).
4. A counseling referral card is made available to students, faculty and staff. This list, which is updated annually by Counseling and Behavioral Health Services, includes phone numbers to agencies that provide assistance to those who need sexual assault counseling and assistance, anger management and/or domestic violence intervention. Hardcopies may be available at various offices, including Academic Advising, Counseling and Behavioral Health Services, Student Life, First-Year Experience, and Residence Life.
5. The Athletics department holds annual meetings with student-athletes to discuss the institutional and departmental policy concerning sexual discrimination and sexual assault. Student-athletes also receive copies of the "Student-Athlete Handbook," which details expectations, policies, procedures and resources.

### Resources to Victims and Survivors

Hawai'i Pacific University reaffirms the principle that its students, faculty and staff shall be free from sexual discrimination. Sexual offenses such as rape, sexual abuse or discrimination in the form of sexual harassment or sexual misconduct will not be tolerated.

As mentioned previously, evidence collected from a sexual assault can be a powerful tool in a criminal prosecution, if the victim chooses to file a police report. While evidence can be collected and preserved via medical examinations, victims can take steps to preserve evidence as well. To preserve evidence, try not to do any of the following immediately after a sexual assault:

- Shower, bathe, use the restroom, douche, comb your hair or brush your teeth.
- Change clothes – if you do, put the clothes into paper bags.
- Clean up the crime scene or move anything the offender may have touched.

If a victim suspects that they have been drugged, they should ask a medical provider about a toxicology kit which tests blood and urine. Medical professionals may also provide emergency contraceptive and STD's testing. The Sex Abuse Treatment Center can be contacted for more information about medical assistance.

On-Campus Resources:

1. Counseling and Behavioral Health Services (CBHS) primary responsibility is to the student population on campus. CBHS also provides consultation and referral services to public and private community providers. During normal business hours, The CBHS department can be reached at (808) 687-7076 (main line) or [counseling@hpu.edu](mailto:counseling@hpu.edu).

2. Campus Security's general phone numbers: Aloha Tower Marketplace: (808) 544-1400 and Hawaii Loa campus: (808) 236-3515.

#### Off-Campus Resources:

1. Sex Abuse Treatment Center: Provides assistance for assault victims, care and assistance, medical exams, emergency intervention and legal help (office: (808) 535-7600, 8 a.m. - 4:30 p.m.). The 24-hour Hotline (phone: (808) 524-7273) provides confidential counseling, medical and legal advocacy services for victims of rape and sexual assault.
2. Hawaii State Coalition Against Domestic Violence: Is a statewide partnership of domestic violence shelters and programs. Call at 808-841-9316 or view their list of resources online at <http://hscadv.org/resources/>
3. Spouse Abuse Shelter: 24-hour Hotline for women: (808) 841-0822. Hotel vouchers possible for abused men.

#### Self-Protection Tips:

1. Self-protection means knowing how to avoid being the victim of an attack and what to do if you are.
2. Be alert for the unexpected and don't take unnecessary chances. Be extra alert when you are walking by yourself.
3. Practice self-awareness. Look for situations that would present a danger. Trust instincts and utilize Campus SafeWalk program. The Security and Safety Department will provide an escort upon request between any two points on campus.
4. Walk with someone if you can.
5. If you are attacked, you may consider using your natural defenses. Make a scene, scream, yell, kick and try to get away. Run toward lights, people or buildings.
6. Do not panic; use your head. It is hard, but try to stay calm. Get a good description of your assailant, if possible.
7. Be alert for suspicious persons or dangerous situations.

#### **Temporary Restraining Order (TRO)/ Restraining Order (RO)**

A TRO is a court document that can be obtained to provide legal assistance which prevents an individual from contacting another individual if they have a history of harassing, threatening, or abusing that individual. There are times when students, faculty, and staff find themselves in a situation where they need to file for a TRO. A TRO is temporary in nature with a pending court date and hearing. At this hearing, if the respective judge finds cause that a danger exists, the TRO will be dissolved and a permanent restraining order is issued. Permanent restraining orders go into effect for three years.

For assistance from Campus Security regarding a TRO/RO, the person being granted the TRO will need to provide the TRO/RO information to the Campus Security. Campus Security needs a copy of the TRO/RO, which will allow them to better develop an appropriate response and provide accurate support and assistance if called on to do so. In addition to a copy of the TRO/RO, a current picture of the person who the TRO/RO restrains, along with a description of any vehicle the subject may own or operate should be provided. Campus Security can be contacted for further information.

#### **Filing for a Temporary Restraining Order**

A request for a District Court Temporary Restraining Order (TRO) can be submitted if the person harassing or abusing:

- Is not someone who the victim is or was married to.
- Is not a relative of the victim.
- Has never lived with the victim.
- Is not someone with whom the victim had a child.
- Is not a dating partner of the victim.

Otherwise, a Family Court Protective Order can be obtained.

District Court - O'ahu - Honolulu District Court, Regular Claims Division, 1111 Alakea Street, third floor, 808-538-5151 for District Court Temporary Restraining Orders.

Family Court - O'ahu - Honolulu Family Court, 777 Punchbowl Street, 808-538-5959 for Family court Protective Orders.

### **Crime Victim and Witness Rights**

As a victim or a witness of a crime, individuals have certain rights under the Victim/Witness Assistance Program which is with the Department of the Prosecuting Attorney. Questions about this program can be directed to 808-541-2850.

### **Crime Victim Assistance**

further information can be directed to:

Crime Victim Compensation Commission  
State of Hawai'i, Department of Public Safety  
1136 Union Mall, Suite 600  
Honolulu, HI 96813  
Phone: 808-587-1143

## **Security Daily Log Information**

The University keeps a daily log of all security incidents that are reported on campus. It is called a Crime Log. Its purpose is to record all criminal incidents and alleged criminal incidents that are reported to the Security and Safety Department. It is used to assist in security risk management and disposition of security related resources. It is also used to assist in the collection and reporting of statistics as required by the Clery Act. The most recent 60-day period of the crime log is available upon request to anyone desiring to obtain one. Any portion of the log older than the 60-day period will be available within two business days of a request. Contact HPU Security at 808-544-1400 for further details.

There are no officially recognized student organizations with non-campus locations subject to monitoring by local authorities.

## **Security Services**

### **Operation Identification**

Campus Security can help students engrave unique identifiers on personal items kept on campus, such as bicycles, computers and radios. Engraving on personal property helps in the recovery and identification of stolen items. Campus Security also suggests keeping a record of serial numbers and unique identifiers, and taking photos of valuable items kept on campus to aid in identification and recovery.

### **Campus SafeWalk Service**

Campus Security, upon request, will accompany individual students and members of the faculty and staff between academic or residence buildings and parking lots. The Downtown service will include from academic and office buildings to the shuttle or city bus stop and to University downtown parking lots during the hours of darkness. To request SafeWalk contact 808-544-1400 (ATM), or 808-236-3515 (Hawai'i Loa).

## **Buildings and Residences**

Security and fire safety considerations go into planning and design of all campus buildings. On request, the Campus Security will evaluate the security strength of University offices and residences and recommend corrective action.

Campus Security also works closely with Facilities Management to ensure prompt repair of maintenance issues that pose a safety or security concern to the community.

All University buildings can be secured by a key or card-lock system. Students are issued keys to their residences, and authorized faculty and staff are issued keys to their workplaces. After-hours access to locked academic buildings is restricted to authorized persons holding keys or electronic access cards for the facilities.

## **Security Lighting and Emergency Phones**

Parking lots, sidewalks and all major walkways are lit at night at all HPU campuses. Emergency phones are located on the first floor of all residence halls on the Hawai'i Loa campus.

## **We Care Fair**

Every year HPU will invite members of the safety community to the campus to provide information and guidance to students, faculty, and staff regarding safety matters.

This year the event was held on Tuesday, September 12<sup>th</sup> from 4:30-6:30pm at Aloha Tower Marketplace, Atrium. Community organizations attending were as follows:

Department of Health Medical Reserve Corps

Kids4CPR - Hawaii Heart Foundation

NOAA/National Weather Service

City and County of Honolulu, Dept. of Transportation Services, Bicycle Program

Honolulu Fire Department

Honolulu Police Department

Domestic Violence Action Center

Hawaii State Coalition Against Domestic Violence

Hawaii Says NO MORE

The Sexual Abuse Treatment Center

Ho'ola Na Pua

HPU Student Services

Internet Technology Services

Dean of Students/Title IX

Student Government Association

## **Crime Prevention Tips**

Hawai'i Pacific University's safety and security measures are designed to address most areas of campus life, but a safe environment also depends on the awareness and cooperation of individual community members. Here are some common-sense steps that can be taken for personal safety and loss prevention:

\* When walking the campus at night, stay within well-lit walkways. Avoid taking shortcuts through unknown areas.



- \* If walking alone at night cannot be avoided, call Security's SafeWalk service at (808) 544-1400.
- \* Never prop doors open, even for a short period of time.
- \* Wallets, purses, book bags, and backpacks should never be left unattended.
- \* Keep doors and windows to your residence locked, even if being gone for a short time.
- \* Keep car doors and windows locked. Check front and back seats and the cargo area before entering.
- \* Use Operation Identification to engrave portable valuables, and do not keep them unattended.
- \* Laptops, phones, and Ipods should not be left unattended.
- \* Do not put personal identification on social networking sites.
- \* Do not put an ID tag with our name, address or license number on your key chain; if lost, the key chain could lead to theft.
- \* Keep bicycle locked in a rack when not in use.
- \* Immediately call university security at (808) 544-1400 to report any criminal incidents or suspicious persons or emergency.
- \* Carry only the cash and credit cards that are needed.
- \* Carry a whistle or other means of making a loud noise.
- \* Avoid working or studying alone in a building at night.
- \* Do not accept drinks from strangers or leave it unattended because it could be drugged.
- \* If suspicion of someone being drugged or having alcohol poisoning is believed, call 911 (#911 if using a university phone) immediately.

## **Fire Policy**

### **Responsible University Officials and Departments**

The Director of Security and Safety is responsible for the development, implementation and maintenance of this policy as it relates to fire and life safety. The Director is also responsible of this policy as it relates to fire system testing. The Security and Safety Department is the responsible office for fire and life safety. The Security and Safety Department, along with the Facilities Department, is responsible for the maintenance of the fire systems. Assisting in this function are the Vice President of Facilities, Security and Safety and the Facilities Coordinator, HLC.

### **Who is governed by this Policy**

All faculty members, staff, affiliates, students and visitors of and to the Hawai'i Pacific environs are governed by this policy.

### **Who should know this Policy**

All faculty members, staff, and students at HPU should be aware of and understand the fire safety policy and procedures. No member of the HPU community is excluded from this policy.

## Policy

It is the University's policy to attempt to protect all persons on its premises from the hazards of fire. Specifically, the University endeavors to ensure:

- That adequate means of egress in case of fire exist for all persons on University premises.
- That all means of egress are correctly maintained, kept free from obstruction and available for safe and effective use at all times.
- That all fire detection and annunciation equipment that is required to give warning in the event of fire is properly installed and maintained.
- That fire suppression equipment for containing or fighting fire is present and maintained in proper working order.
- That emergency response, management, notification and investigative management procedures are followed in responding to and in aftermath of a fire.
- That appropriate fire safety training is developed and implemented to provide faculty, staff, and students with a working knowledge of fire and life safety practices and evacuation policy and procedures.
- That all premises owned and occupied by the University receive a fire and life safety inspection at reasonable intervals.
- That adequate measures have been taken to mitigate potential risks in buildings, installations, and equipment from fire that are commensurate with the risks and are appropriate to the values of teaching, research or commercial importance of these aspects.

### Responsibilities

The Security and Safety Department is responsible for all aspects of fire and life safety within the Hawai'i Pacific University community. Duties and responsibilities include but are not limited to:

- Development and implementation of all fire-related training material for faculty, staff and students.
- Development and dissemination of emergency response protocols and procedures.
- Development and dissemination of fire and related emergency evacuation protocols.
- Conducting required fire drills in all academic residence halls and buildings.
- Inspection and reporting of all fire and life safety deficiencies in University buildings.
- Inspection of all buildings for code compliance.
- Acting as a liaison with the Honolulu Fire Department and all other agencies involved with fire and life safety issues.
- Maintaining a repository for all fire and life safety data and statistics.

## Fire Safety Team

The Fire Safety Team of Hawai'i Pacific University is responsible for the proper operation of all fire systems including testing, inspecting, maintenance and repairs to ensure reliability in case of fire or emergency. Fire systems include fire extinguishers, emergency lights, fire alarm monitoring systems, sprinkler systems, fire pull stations, smoke detectors and megaphones. Fire Safety Team members are: Director of Security and Safety, Vice President, Facilities, Security and Safety, Management and Facilities Manager, Downtown Campus and Facilities Coordinator, HLC.

## Fire Drills

Fire Drills at residence halls on the Hawai'i Loa campus and Aloha Tower Marketplace are done once in the fall semester and once in the spring semester. Each Residence Life staff member and resident advisors receive fire and life safety training that includes, but is not limited to, the following topics:

- Fire Extinguishers;
- Emergency Evacuation;
- Health and Safety Inspections; and
- Campus Violence.

Training of Residence Life staff members and resident advisors is done annually during the month of August. Throughout the course of the year, a variety of fire and life safety education opportunities are presented to residential students. The two unannounced fire drills for all residence halls were done on October 3, 2017 and October 6, 2017. Facility Management, Campus Security and Residence Life planned the drills that were successful in moving residents to pre-determined evacuation areas. All residents receive information stressing the importance of fire drills and quick, safe, efficient evacuation during a real emergency.

## Residential Fire Safety Reporting

### Housing Areas

Hawai'i Loa Campus, 45-045 Kamehameha Highway, Kaneohe, HI 96744

	Melia	Lehua	Mokihana	Ilima	Kukui	Lokelani
Number of Fires	0	0	0	0	0	0
Number of Injuries Related to Fires	0	0	0	0	0	0
Number of Deaths Related to Fires	0	0	0	0	0	0
Value of property	0	0	0	0	0	0

Aloha Tower Marketplace Waterfront Lofts, 1 Aloha Tower Drive, Honolulu Hawaii 96813

	Building 1	Building 2	Building 3	Building 4
Number of Fires	0	0	0	0
Number of Injuries Related to Fires	0	0	0	0
Number of Deaths Related to Fires	0	0	0	0
Value of property	0	0	0	0

### On Campus Fire Safety System

The following system is in place at the Hawaii Loa Campus Student Resident buildings:

Facility	Fire Alarm Monitoring	Smoke Detector	Fire Extinguishers	Evacuation Plans	# of Fire Drills each year
Melia	x	x	x	x	2
Mokihana	x	x	x	x	2
Ilima	x	x	x	x	2
Kukui	x	x	x	x	2
Lokelani	x	x	x	x	2
Lehua	x	x	x	x	2

If an alarm is sounded there will be an audible alarm locally along with an automatic phone notification to security at the front gate. Security can then dispatch Post 3 officer to assess and phone HFD if required.

The following system is in place at the Aloha Tower Marketplace Waterfront Lofts:

Facility	Fire Alarm Monitoring	Sprinkler Systems	Smoke Detector	Fire Extinguishers	Evacuation Plans	# of Fire Drills each year
Building One	x	x	x	x	x	2
Building Two	x	x	x	x	x	2
Building Three	x	x	x	x	x	2
Building Four	x	x	x	x	x	2

Fire Alarm Monitoring services are provided for by a contracted agency. They will call the HFD if an alarm is sounded and notify the HPU Security Office accordingly. Security Officers in turn can respond and assess if required.

### **Residential Fire Policy**

Candles, incense, oil lamps, burning insecticides, flammable liquid, and halogen-bulb lamps (even as room decorations) are prohibited in all University housing as a fire-safety measure. Cooking in the residence halls is not encouraged. Due to the danger of fire, any type of open flame, exposed, and/or external heating elements, including charcoal grills, compact or electrical grills, hotplates, toaster ovens, toasters, and stoves are not permitted in the residence halls or outside near the campus buildings. Only one small refrigerator/freezer unit (no larger than 5.0 cu. ft. total) and microwave per room is permitted and should be plugged directly into a wall outlet.

### **Student Housing Evacuation Fire Policy**

Aloha Tower Marketplace: Upon notification of a fire by alarm, notice, or word of mouth student residents will move quickly and calmly to the nearest **EMERGENCY EXIT STAIRWELL**. **Elevators will not be used**. When descending the stairs there will be no pushing and students will descend stairs two abreast with arms linked with the person on the inside (away from wall), grasping the handrail. Communication will be at a minimum. Upon departure of buildings, Building One and Four residents will proceed to the Ewa side of Irwin Park. Building Two and Three residents will proceed to the Diamond Head side of Irwin Park. At both assembly areas roll calls will take place. Upon all clear, and if conditions permit, students will be allowed to return to their rooms.

#### Hawaii Loa Campus:

Upon notification of a fire by alarm, notice, or word of mouth student residents will move quickly and calmly to the nearest **EMERGENCY EXIT STAIRWELL**. **Students will depart their buildings and proceed to their assembly areas as follows:**

Dining Commons - Residents meet at grassy area in front of Nursing/Residence Life Annex Buildings.

Melia - Residents assemble on the grassy area at the bottom of Residence Hall Road.

Mokihana, Fitness and Student Centers - Residents assemble across Residence Hall on the grassy area at the top of the stairwell (to the right of stairwell) leading to the tennis courts.

Ilima - Residents assemble across Residence Hall Road on the grassy area leading to the tennis courts.

Kukui - Residents assemble across Residence Hall Road on the grassy area at the speed limit sign.

Lokelani - Residents assemble across Residence Hall Road on the grassy area directly above softball field.

Lehua - Residents assemble at the barbecue area near the walkway leading toward the Academic Center near Annex Building.

At all assembly areas roll calls will take place. Upon all clear, and if conditions permit, students will be allowed to return to their rooms.

### **Smoke Detectors**

Smoke detectors are located in every room along with the hallways of residence halls. Smoke detectors are serviced annually in the month of August. Campus Security and Maintenance will check smoke detectors regularly. If smoke detectors are defective, they are repaired or replaced in a timely manner. Smoke alarms are run on the fire alarm system which can immediately be responded to by Campus Security. Smoke detectors should always be in good working condition; tampering with or removing smoke detectors from the ceiling jeopardizes hall safety, and will be subject to disciplinary action. Do not hang anything from or attach anything to any smoke detector in the residence halls.

### **Fire Alarm/Fire Extinguishers**

Hawaii Loa Campus fire alarms are located on each floor of each residence hall, located toward the rear of the

building near the fire exit. Alarm panels are located on the second floor in the electrical room closet with audible local soundings as well as announcement capabilities forwarded to the security officer at post 1. ATM Waterfront Lofts fire and smoke alarms are located on each floor with a centralized control panel at the HPU Security Center with a backup panel at the teleconference closet, 3d floor. Fire extinguishers are located on each floor of each residence hall. The fire alarm/pull station and fire extinguisher is serviced annually during the month of August. The fire alarm and smoke detector system was installed and maintained by a licensed alarm contractor.

### **Appliances**

All electrical items must be plugged directly into wall outlets. Acceptable equipment for use with fused surge protectors includes: computers, printers, answering machines, fans, and desk lights. Due to electrical loading capacities for the residence halls, air conditioning units are not permitted in the halls. Extension cords and outlet multipliers are safety hazards in the residence halls and are prohibited from use. Live holiday and Christmas trees are not allowed in the residence halls.

## **CONTACTS**

### **Fire Safety and Systems:**

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