



UNIVERSITY of HAWAII®
MAUI COLLEGE

CAMPUS ANNUAL SECURITY REPORT 2017



Prepared in compliance with the “Jeanne Clery Disclosure of
Campus Security Policy and Campus Crime Statistics Act”

<http://maui.hawaii.edu/campussecurity/2017-UHMC-ASR.pdf>

Based on 2016 Statistics, Published October 1, 2017

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2017 UNIVERSITY OF HAWAI‘I MAUI COLLEGE ANNUAL SECURITY REPORT

Prepared in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”

I. OVERVIEW OF SECURITY DEPARTMENT

Introduction

The University of Hawai‘i Maui College (UHMC) is firmly committed to providing a safe and secure campus environment. Policies and procedures are designed to provide precautionary measures to protect people and property. However, each member of the UHMC community should use good judgment and take appropriate precautions to reduce the possibility of becoming the victim of a crime on campus. The following report is provided in an effort to notify the community about certain crimes that have been committed on the Maui College Campus, as well as to promote awareness of current programs available for your safety and well-being.

The UHMC campus consists of 40 academic, administrative and recreational buildings situated throughout 78 acres. In addition, the Maui College campus directly supports Outreach Educational Centers at Molokai, Lana‘i, Lahaina and Hana. The campus population consists of approximately 4,400 day and night students, and approximately 255 faculty and staff.

The Campus Security Department consists of one Security Chief and eight security officers. The Campus Security Department is in the process of transitioning to a staff composed solely of State employees. The unit currently consists of six University Security Officers (USO) and two contract security officers. The Campus Security Department, under the administration of the Vice Chancellor for Administrative Services, is responsible for providing security services for the campus. The Campus Security Office is located on the lower level of the Laulima Building. Campus Security Officers are on duty 24 hours a day, 365 days per year.

Mission Statement:

The UHMC Campus Security Department is firmly committed to providing a safe and secure environment for our students, faculty, staff and guests. Our policies and procedures are designed to ensure that every possible precautionary measure is taken to protect persons and property.

Enforcement

UHMC Campus Security enforces federal, state, and local laws as well as university rules, regulations, and policies.

Working Relationships with State & Local Police

The Maui Police Department (MPD) is the primary law enforcement agency for the County of Maui. The County of Maui includes the islands of Maui, Molokai and Lana`i. UHMC Campus Security maintains an open and reciprocal relationship with MPD and other law enforcement agencies in the state, utilizing their resources and expertise to gather crime-related information, reports, and statistics.

Memorandum of Understanding (MOU) with Local Police

There is a written Memorandum of Understanding between UHMC and MPD concerning the investigation of criminal incidents on our campus. Officers from MPD and Campus Security cooperate regularly at incident scenes in and around the campus area. The prompt reporting of crimes will ensure the timely issuance of campus alerts and disclosure of crime statistics.

No Arrest Authority

Any campus incident requiring police action will be referred to the Maui Police Department. USOs are unsworn and are not authorized to carry firearms. As unsworn personnel, USOs possess neither the power nor authority to affect a formal arrest of a person or persons, nor to conduct criminal investigations. USOs have been trained in defense tactics and are authorized to carry batons and handcuffs, which may be used to detain individuals who have committed a crime in their presence, or who have been positively identified as having committed such an act by victims or witnesses. These individuals shall be detained until the arrival of sworn law enforcement personnel who shall make the final determination for an arrest.

II. REPORTING PROCEDURES

Reporting of Crimes and Emergencies at the Main Campus in Kahului, Maui

Crimes and other emergencies can be reported directly to Campus Security by dialing **(808) 984-3255** from any phone, or **Ext. 255** from any UHMC phone extension on campus, or by using a Code Blue emergency call box. You can also send text messages to Campus Security at **(808) 298-8013**. Another option is to report crimes directly to the Maui Police Department by dialing **(808) 244-6400**, or in an emergency dial **911**.

Emergency Contact Telephone Numbers

The UHMC Campus Security office is located at 310 W. Kaahumanu Avenue in the Laulima Building. Security officers are on duty seven days a week, 24 hours a day.

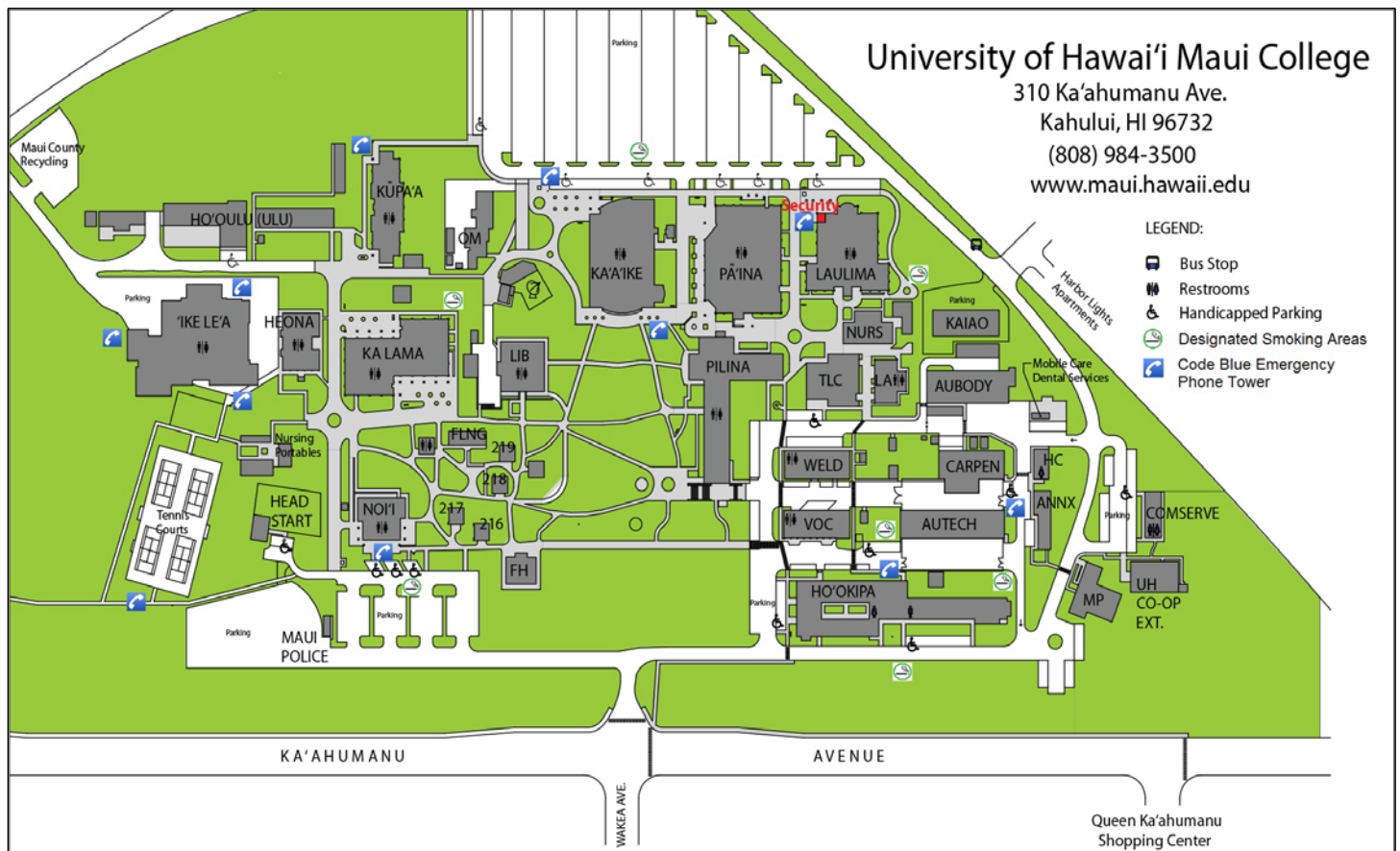
If you are on campus and need assistance, please call any of the following numbers:

UHMC Campus Security: (808) **984-3255**, or cell (808) **298-8013**

Maui Police Department: **911** (For non-emergencies, call 244-6400)

Emergency Call Box (ECB): press the **red** phone button

On campus, there are 11 Emergency Call Boxes (ECB) that connect the caller directly with the UHMC Campus Security Office 24 hours a day. These boxes can be easily identified by a blue light mounted on a white or blue tower. Pressing the phone button automatically connects the caller with a Campus Security Officer. ECB locations can be found by referring to the map below:



Reporting of Crimes and Emergencies at the Outreach Educational Centers

At the Molokai, Lana‘i, Hana and Lahaina outreach centers, crimes and other emergencies should be reported directly to the coordinator of each facility, who in turn will immediately contact the police. If there is imminent danger, or an incident of dire emergency, call the Maui Police Department by dialing **911**. The following are the phone numbers of the respective coordinators:

- Molokai Center Coordinator, Kelley Dudoit 553-4490
- Lana‘i Center Coordinator, Pam Alconcel 565-7266
- Hana Center Coordinator, Fawn Helekahi-Burns 248-7380
- Lahaina Center Coordinator, Marti Wukelic 662-3911

Crime Reporting Policy¹

In response to a call for service, Campus Security Officers may respond to the scene of the incident and take any summary action necessary, or may request the complainant to come to the Campus Security Office in the Laulima Building to file a complaint. In emergency situations, the Campus Security Officer will notify the Maui Police Department and request their response. If an incident involves a student, the report will be forwarded to the Vice Chancellor of Student Affairs for review. Off-campus behavior by any student that represents a danger to the health and safety of other members of the UHMC community, may be subject to University disciplinary procedures. The UHMC’s disciplinary procedures are described more fully in the Student Conduct Code, available at Student Services and accessible on the website:

<http://maui.hawaii.edu/student-conduct-code/>

Criminal offenses must be reported to the Campus Security Department for the purpose of making timely warnings & emergency notifications, for inclusion in the Campus’ Daily Crime Log, for annual crime statistics disclosure to the Department of Education, and the publication of the Annual Security Report.

UHMC encourages the accurate and timely reporting of all crimes to either the Campus Security Department or the Maui Police Department.

¹ For more specific information concerning the reporting of sexual related offenses under the purview of the Violence Against Women Act (VAWA), refer to the section titled “Violence Against Women Act Policy.”

Confidential Reporting Procedures

If you are the victim of a crime but do not want to pursue legal action within the criminal justice system, you may still want to file an anonymous complaint. With your permission, a UHMC Campus Security Officer can file a report as to the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others on campus. With such information, UHMC can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or suspect; and alert the campus community to potential dangers. Reports for crimes filed in this manner, which may be reportable under the Clery Act, are counted and disclosed in the annual crime statistics for the University, when applicable.

UHMC requests all pastoral and professional counselors to encourage their clients, when appropriate, to report criminal offenses on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

III. TIMELY WARNING PROCEDURES

Upon confirmation of a significant emergency or dangerous situation posing an imminent threat to the health or safety of students or employees occurring on campus, the designee will immediately initiate an alert via the appropriate system(s), unless doing so will, in the professional judgment of competent authority, compromise an ongoing investigation or efforts to alleviate the emergency.

Timely Warnings Policy

In an effort to keep the community informed of security issues, “timely warning” notices are sometimes issued. A warning may be issued when the occurrence of certain crimes listed in the Clery Act precipitate a serious ongoing threat to students and employees. This warning may be distributed to the campus community using some or all of the following methods of communication: UH Alert, broadcast voice mail, campus hotline, campus-wide PA system, UHMC Cable Channel, website, social media and media release (It should be noted that timely warning notices are not required with regard to crimes reported to clergy or professional counselors.) If a Timely Warning Notice is found to be appropriate, staff members in the Campus Security Department and the Vice Chancellor of Administrative Affairs or designee are authorized

and trained to write a warning notice for distribution to appropriate recipients within the University system.

The UH Alert system will be tested twice annually during the fall and spring Semesters. For additional information or to sign up for the UH Alert emergency notification system, go to:

<https://www.hawaii.edu/alert>

IV. EMERGENCY EVACUATION PROCEDURES AND POLICIES

Emergency Evacuation Procedures and Policies

UHMC's Emergency Operation Plan includes information about the Campus Crisis Management Team (CCMT); UHMC's operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. The UHMC conducts announced and unannounced emergency response exercises at least once a year. These exercises include table top exercises and functional exercises in the field and usually involve the participation of first response agencies, e.g., police and fire departments, EMS, etc. UHMC also conducts tests of the emergency notification systems twice a year. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. UHMC staff and security officers have received training in Incident Command and Responding to Critical Incidents on campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the Campus Security Department and the Maui Police Department. If the services of the Maui Fire Department and Emergency Medical Services are needed, they will also be requested to respond. Depending on the nature of the incident, other local or federal agencies may also be involved.

Emergency Notifications Policy

In accordance with the Higher Education Opportunity Act (HEOA) (Public Law 110-315), UHMC will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation on campus. UHMC has implemented a number of different ways that the campus community can be notified in the event of an actual emergency. These notification methods include: UH Alert², phone

² UH Alert emergency notifications include text messages and emails. Email notifications are automatically sent to everyone who are affiliated with UHMC. However, you must "opt-in" in order to receive UH Alert text messages. To sign up for UH Alert text messages, go to: <https://www.hawaii.edu/alert/>

voicemail alert, campus hotline, broadcast voicemail, university website notices, campus-wide PA system, UHMC Cable Channel notices, local radio & television notices, media release, and social media, Twitter & Facebook notices. Staff members in the Campus Security Department and the Vice Chancellor for Administrative Services or designee are trained and authorized to compose alerts for distribution to appropriate recipients within the University system. These alerts can be used to notify the campus community of emergencies or dangerous situations that have occurred, and may necessitate caution, evacuation or other action on the part of the recipient.

The CCMT leader on-duty will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. UHMC's Emergency Operation Plan contains procedures that are used to confirm the emergency, and to immediately notify the campus community upon such confirmation. Notifications will be disseminated to the faculty, staff, or student segments of the campus community, as deemed appropriate. The CCMT will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

V. LOCAL POLICE DEPARTMENT

Cooperation from Local Police Department

UHMC has communicated with the Maui Police Department requesting their cooperation in informing the institution about situations reported to them that may warrant an emergency response. They will notify UHMC of any criminal activity involving our students at off-campus locations that they become aware of.

VI. ACCESS TO UHMC CAMPUS FACILITIES

Most UHMC facilities are open to faculty, students, staff, and the public during the day and evening hours when classes are in session. During times when the University is officially closed, buildings are locked and access is limited to faculty, staff and authorized students only. The general public is welcome to attend cultural and recreational events on campus, but their access is limited only to the facilities wherein the

events are occurring. Security Officers regularly patrol campus grounds, including the interior areas of UHMC facilities.

VII. MAINTENANCE OF CAMPUS FACILITIES

The University of Hawai'i Maui College is well lighted and further improvements in campus lighting are being made in parking lots, areas with heavy landscaping, and along sidewalks and pathways frequently traveled by students. On-duty Campus Security officers regularly file reports if they observe the overgrowth of shrubbery, any obstruction of lighting or pathways and any kind of hazards along or on the sidewalks. These reports are submitted to the Operations and Maintenance Department for review and rectification.

Security officials attend design and preconstruction meetings to ensure that the latest security technology is incorporated into all new construction and renovation projects.

VIII. EDUCATION PROGRAMS

Crime Prevention and Security Awareness Programs

Precautions are taken throughout the school year to provide a safe campus environment for students and employees. Campus Security offers security awareness programs such as an escort service, emergency call boxes, special services, daily crime log, and provides information on obtaining a temporary restraining order (TRO). Provide “timely warnings” in the event of a crime occurring on campus that poses a serious ongoing threat to the community.

Crime prevention tips and campus security procedures as well as a listing of incidents that took place on campus are sent out to the UHMC campus community via our eNews Bulletin that is published approximately once a month.

Daily Crime Log

UHMC records in a Daily Crime Log all alleged criminal incidents, including non-Clery Act crimes, that have been reported to the security department within the last 60 days. Crimes are recorded by the date they are reported and include the following information: nature of the crime, date, time and general location of occurrence, and disposition of complaint, if known. This log is prepared and maintained by the Security Chief or his designee, and is kept at the Campus Security Office, located in the Laulima building. The public can request to view the Daily Crime Log in person at the Campus Security Office, or online at:

<http://maui.hawaii.edu/campussecurity/dailycrimelog.pdf>

Crime in Progress

1. Do not attempt to apprehend or interfere with a suspected criminal except in cases of self-defense.
2. If not in immediate danger and opportunity affords, obtain a good description of the perpetrator. Take note of the height, weight, sex, approximate age, skin color, hair, facial hair, eyes and clothing. Also identify any distinguishing characteristics or marks, modus operandi and direction of flight. If there is a vehicle involved, note the license plate number, make and model, color, and any distinguishing characteristics of the vehicle.
3. Use the closest Emergency Call Box to get help or call **984-3255** for Campus Security. Advise them of your situation and provide your name and location.
4. If you are the victim of a robbery and the perpetrator demands your money or other valuables, you should:
 - Do not resist, comply with the request of the perpetrator.
 - Surrender your property immediately.
 - Wait until the perpetrator has departed before sounding the alarm.
 - Attempt to get a good description of the perpetrator and the direction of flight. Write down whatever you can remember.
 - If you are inside a building, shut down your operation and secure the crime scene.
 - Ask any witnesses to remain pending the arrival of Campus Security and MPD.
5. In the event of a civil disturbance, continue with your normal routine as much as feasible. If the disturbance is outside, stay away from windows and doors and remain thereat until instructed otherwise by a security officer.

Campus Security Services

- During Campus operating hours (M - F, 7:30 AM to 10:00 PM), or at other times when a class or an official campus event may be scheduled, Campus Security will either provide transportation or foot escort for anyone walking at night that are in fear of their own safety. This service is only available in the confines of the campus grounds. Please call 984-3255, or dial Ext. 255 on a campus phone so that an escort can be dispatched to your location.
- Radio motor patrol (electric cart), foot patrol and bike patrol to deter potential crime.
- Response to medical emergencies. Officers are trained in emergency first-aid, Cardio Pulmonary Resuscitation (CPR), and in the use of an Automated External Defibrillator (AED).
- Conduct safety and security hazard inspections of the campus. Initiates work requests to Operations & Maintenance for needed repairs. Prepares deficiency reports to be forwarded to heads of appropriate departments.
- Provides transportation to the UHMC Health Center for students who have minor injuries, or illnesses.

Temporary Restraining Orders (TRO)

For more information on obtaining a TRO/Protective Order, please refer to the Maui County's [Domestic Violence Unit](#), [Women Helping Women](#) or the [Family Peace Center](#) for assistance.

A successful campus safety program needs the cooperation, involvement, and support of students and faculty. Exercise these simple, common sense precautions:

- Familiarize yourself with the Emergency Call Boxes (ECB) located around campus identified by a blue light mounted above the box. (A Map containing the locations of the ECB's is on the Campus Security website: <http://www.maui.hawaii.edu/security/>)
- Travel/Park in lighted areas. Travel in pairs if possible and be aware of your surroundings. Use the escort service for assistance after dark, if you feel the need for an escort.
- Be careful when using elevators. Exit the elevator if a suspicious person enters.
- Store an "in case of emergency" number in your cell phone.
- Keep your hands free, not burdened with a lot of items.
- If you are being followed: cross the street, scream, run to an occupied building or store, or flag down a passing motorist.

- Be sure to lock/secure windows and doors in your room or office. Lock cars and bikes and take your keys with you. Lock valuables in desk drawers, file cabinets, lockers, or the trunk of your car.
- Never loan keys to anyone (they may be easily lost, stolen, or duplicated).
- Mark or engrave your belongings; don't leave belongings/valuables unattended.

Let the Campus Security Department know if you are working odd hours or on Sundays when the campus is normally closed, or will be in the building after normal business hours.

IX. ALCOHOL AND DRUG POLICIES

Alcohol and Drug Policies

In conformance with Hawai'i state and federal laws, University faculty, staff and students are not permitted to manufacture, sell, distribute, possess, use, dispense, or be under the influence of illegal drugs and alcohol at University sponsored or approved events, or on University property or in buildings used by the University for education, research, or recreational programs. Consistent with its mission, the University will cooperate with law enforcement agencies responsible for enforcing laws related to illegal use of drugs, tobacco and alcohol. Campus Security enforces these laws and the University Policies regarding the violation of these laws.

Students found in violation may be subject to the provisions of the student conduct code and/or arrest. Faculty and staff found in violation of this policy are subject to disciplinary action as provided in collective bargaining agreements, University policy, and other applicable state laws and rules, and may also be subject to arrest.

The law states that no one under the age of twenty-one may buy, possess, or drink alcoholic beverages. Any type of alcohol is forbidden in all public and common areas of the campus. The serving of alcoholic beverages at special events requires permission from the Vice Chancellor for Student Affairs (984-3515).

Please read the OFFICIAL NOTICE TO FACULTY, STAFF AND STUDENTS REGARDING DRUG-FREE WORKPLACE POLICIES:

<https://www.hawaii.edu/ohr/documents/1861/>

The document contains the University's policies on illegal drugs, alcohol and substance abuse, related information about the UH student conduct code, legal sanctions, health risks associated with substance abuse, and drug and alcohol counseling treatment and rehabilitation programs. Information regarding the

University substance abuse awareness program may be obtained from the University Health Services Mānoa - Alcohol and Other Drug Education Program:

http://www.hawaii.edu/shs/health_promotion/adep.php.

The Higher Education Act

Section 120 of The Higher Education Act, Drug and Alcohol Abuse Prevention, requires that certification of on-campus prevention efforts be made available to the students and the public. UHMC has a personal support counselor available to provide substance abuse education, counseling, and intervention services.

For more information contact: Aris Banaag, Personal Support Counselor, 984-3278

Drug and Alcohol Programs

- **Employees**

- Annual email sent by the UH Office of Human Resources to all employees: *OFFICIAL NOTICE TO EMPLOYEES AND STUDENTS REGARDING DRUG-FREE WORKPLACE POLICIES*. Copies of this notice is also available on a display stand outside the UHMC Human Resource Office.
- Distribution of: *Employee's Handbook – Drug and Alcohol Testing Program* to all newly hired employees.
- WorkLife Hawai'i is a service made available through the Employee Assistance Program employees at the University of Hawaii. Information regarding this program is available at:
<http://www.worklifelifehawaii.org/>
- Resource for Employee Assistance & Counseling Help (REACH) sponsored by the Department of Human Resources Development:
<http://dhrd.hawaii.gov/state-employees/employee-benefits/resource-for-employee-assistance-counseling-help-reach/>
- AA meetings on campus twice per week coordinated by the UHMC Personal Support Counselor.
- Alcohol and Substance abuse needs may be covered by an employee's medical benefits through either Kaiser Permanente or HMSA.

- **Students**

The following programs are available to currently enrolled students at UHMC:

- Annual email sent by the UH Office of Student Affairs to all students: *OFFICIAL NOTICE TO EMPLOYEES AND STUDENTS REGARDING DRUG-FREE WORKPLACE POLICIES*
- Individual counseling by UHMC counselors for students who need assistance with substance

and alcohol abuse issues.

- Brochures on underage drinking, drunk driving and drug abuse available to students at the Student Life Office.
- UHMC ULifeLine (<http://www.ulifeline.org/maui/>)
- AA meetings on campus twice per week coordinated by the UHMC Personal Support Counselor.

- Substance Abuse Treatment Programs in Maui County

- Aloha House, Inc.
Paia (808) 579-8414
Services: Residential, Intensive Outpatient, Outpatient Treatment, Residential Detoxification Treatment, Clean and Sober Housing and Dual Diagnosis
- Ohana Makamae, Inc.
Hana (808) 248-8538
Services: Dual Diagnosis, Intensive Outpatient Treatment, Cultural Activity and Clean and Sober Housing and Dual Diagnosis
- Malama Na Makua A Keiki
Makawao (808) 877-7117
Services: Therapeutic Living Services for Women and Women with Children; Intensive Outpatient and Outpatient treatment
Lanai (808) 565-9566
Services: Outpatient Treatment
- Ka Hale Pomaikai Inc.
Kaunakakai (808) 558-8480
Services: Outpatient, Intensive Outpatient, Clean and Sober Housing, Case Management, Motivational Enhancement, Continuing Care and Cultural Activity
- Aloha House
Project Venture Program
Island of Maui (Wailuku/Kahului) (808) 579-8414

- Substance Abuse Prevention Programs in Maui County

- Aloha House
Project Venture Program
Island of Maui (Wailuku/Kahului) (808) 579-8414

- Alu Like, Inc.
Positive Action Program
Hana (808) 248-7286
Molokai (808) 553-5393
- Kumpang Lanai
D/b/a Coalition for a Drug Free Lanai
Strategic Prevention Framework (SPF) and environmental prevention strategies to address underage drinking and LifeSkills Program on the Island of Lanai
(808) 565-6043
- Maui Family Support Service, Inc.
LifeSkills Program
Maui (808) 242-0900
- Maui Youth and Family Services, Inc.
Strategic Prevention Framework (SPF) and environmental prevention strategies to address underage drinking in the Island of Maui (Baldwin/Kekaulike/Maui Complex) and Project Venture Program (Wailuku/Kahului)
(808) 579-8414
- County of Maui
Department of Housing and Human Concerns
Build capacity of substance abuse prevention system to support implementation of efforts to address underage drinking in the County of Maui
(808) 270-7805

Disciplinary Sanctions

Employees

The introductory language of Section III of the University of Hawai‘i’s system policy entitled Illegal Drugs, Alcohol, and Substance Abuse (EP 11.201) states: “The University can best achieve its mission by creating a supportive working environment in which individuals encourage one another to pursue excellence in their professional and personal lives. Students, faculty and staff share a responsibility to help one another by learning to recognize the signs and behaviors associated with substance abuse and addiction, and by encouraging those with such problems to seek appropriate help and rehabilitation. Once an individual has undergone treatment for substance abuse or addiction, the University should extend support and encouragement during the recovery phase.”

Section III(F)(4) of EP 11.201 states:

“Within thirty days after receiving notice from an employee of a conviction under [this policy], the University shall (a) take appropriate personnel action against such employee, up to and including termination; or (b) require such employee to satisfactorily participate in a drug abuse or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.”

Furthermore, as a condition of continued employment, any employee who is convicted for a violation occurring in the workplace of any state or federal criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance shall notify the UHMC Human Resources Office of the conviction no later than five (5) working days after such conviction. Failure to timely report such conviction shall subject an employee to disciplinary action, up to and including discharge. Any employee who is convicted as described above shall be subject to (1) participation in a drug abuse assistance or rehabilitation program as a condition of continued employment; and/or (2) disciplinary action, up to and including discharge.”

Currently Enrolled Students

Violations of the Systemwide Student Conduct Code are taken very seriously. When a currently enrolled student violates the Code, the following language in Section IV of the Code applies. It states:

“Authority to hear and decide on alleged violations of the student conduct code as well as on subsequent disciplinary sanctions is delegated to senior student affairs officers, student conduct administrators, student conduct board, or appellate boards as described in this policy.”

Given this broad delegation of authority, UHMC has developed the following sanctions that may be imposed upon finding of a violation of the Code:

- a) Written Warning – A notice in writing to the student that the student is violating or has violated institutional regulations and a copy of the warning letter is placed in the student’s disciplinary file.
- b) Probation – Probation is for a designated period of time (which may include the remainder of their enrollment at UHMC) and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period. This sanction may require the student to meet with the Vice Chancellor of Student Affairs (or designee)

upon request.

- c) Loss of Privileges – Denial of specified privileges for a designated period of time.
- d) Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- e) Discretionary Sanctions – Work assignments, essays, service to UHMC, Community Service or other related discretionary or educational related assignments.
- f) No contact orders – Between the Responding Party and the Reporting Party, and others (such as witnesses) when appropriate.
- g) Suspension – Separation of the student from UHMC for a definite period of time (usually 1 year or less) after which the student is eligible to return. Conditions for readmission may be specified. Suspensions may be effective immediately or deferred.
- h) Dismissal – Separation of the student from UHMC for more than 1 year. The student may be eligible for return. Conditions for readmission may be specified. Dismissals will be effective immediately.
- i) Expulsion – Separation of the student from UHMC permanently. Expulsions will be effective immediately.
- j) Revocation of Admission and/or Degree – Admission to or a degree awarded from UHMC may be revoked for fraud, misrepresentation, or other violation of UHMC standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

Sanctions are administered on a case by case basis, taking into consideration the unique facts and/or mitigating or aggravating circumstances presented. One or more of the listed sanctions may be imposed for any violation of the Code. The ultimate goal of the sanctions is to reinforce UHMC's commitment to a positive and safe learning environment consistent with acceptable social standards, and in accordance with federal, state and local laws. To achieve this goal, one or more of the sanctions listed above may be implemented.

Furthermore, when applicable, the Director of Compliance, Student Affairs Division will work closely with Campus Security when a student has also violated the law. Campus Security will seek assistance from local law enforcement regarding drug and alcohol related offenses that occur on the UHMC campus and involves currently enrolled students, when warranted.

Annual Notification of the Drug and Alcohol Prevention Program (DAAPP) and Biennial Report

Notification

Notification of the information contained in the DAAPP will be distributed to all currently enrolled students and current employees of UHMC via email on or before September 25th of each year by the UH System Office of Human Resources.

Oversight Responsibility

The Vice Chancellor for Student Affairs shall have oversight responsibility of the DAAPP including, but not limited to: updates, coordination of information required in the DAAPP, and coordination of the annual notification to employees and students.

Biennial Report

Every two years, UHMC reviews its drug and alcohol prevention programs to determine the effectiveness of the programs and implement necessary changes; to determine the number of drug and alcohol related fatalities reported to UHMC officials that occur on campus or at UHMC activities; to determine the number and types of sanctions imposed by UHMC as a result of drug and alcohol related violations and fatalities on campus or at any UHMC activity; to ensure that sanctions imposed by UHMC for drug and alcohol violations are consistently enforced. The next biennial review will be conducted in 2019.

Weapons Policy

The possession of illegal and dangerous weapons on University premises is strictly prohibited. Illegal and dangerous weapons include, but are not limited to, firearms, ammunition, spear guns, explosives, and dangerous substances. Any person found in violation may be subject to all applicable state and federal laws, University policy, and the Student Conduct Code.

Should you suspect or discover someone on campus in possession of a weapon, contact UHMC Campus Security immediately. Since 2003, public displays of any type of “replica” firearms are illegal; this includes pellet, air, water, and toy guns.

Gambling Policies

In accordance with the laws of the State of Hawai‘i, gambling is **not permitted** on any UHMC campus or outreach educational center.

X. CRIME STATISTICS

Federal Law

The United States Code 1092(f), Higher Education Act of 1965 (as amended), is also known as the Crime Awareness and Campus Security Act of 1990, or the Jean Clery Act.

"All public and private institutions of post-secondary education receiving federal financial aid must provide timely warnings of campus crime and publish an annual campus crime report."

Incidents reported to UHMC Campus Security that fall into one of the required reporting classifications will be disclosed as a statistic in this annual report published by UHMC.

What is the Clery Act and how did it come about?

Jeanne Clery was sexually assaulted and murdered in her dorm room at Lehigh University in 1986. The law enacted in her memory is intended to ensure that students and other interested parties are well informed about serious campus crimes before making an educated decision. The Clery Act mandates that universities report crime statistics to current and prospective students and employees.

Campus Security Authorities (CSA)

The Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that Clery considers to be "campus security authorities (CSAs)." The following individuals or groups are considered CSAs:

- Campus Security Personnel
- Vice Chancellor for Student Affairs
- Faculty Advisors to Student Groups
- Any UHMC official who has significant responsibility for student and campus activities.

There are two types of individuals who, although they have significant responsibility for student and campus activities, are not campus security authorities under Clery:

- Pastoral counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor on campus.
- Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

The Clery Act is very specific about which campus offices or persons are responsible to report crimes. These campus offices or persons are considered Campus Security Authorities (CSA) under the Clery Act.

CSA is defined by function, not title. You may be a CSA if you or your office:

- Have significant responsibility for student and campus activities.
- Have routine contact with students.

The Campus Security Chief will gather information from CSAs on a regular basis to ensure that all pertinent statistics are compiled and reported to the Department of Education and included in the Campus' Annual Security Report.

Annual Security Report³

The Jeanne Clery Act requires that an annual security report containing crime figures of specific crimes be forwarded to the U.S. Department of Education and be made available to the community. The crimes that are required to be reported under the Clery Act include:

Murder/ Non-Negligent Manslaughter, Negligent Manslaughter, Forcible Sex Offenses, Non-Forcible Sex Offenses, Robbery, Burglary, Aggravated Assault, Motor Vehicle Theft, Arson, Domestic Violence, Dating Violence and Stalking.⁴ ***Additionally, the University must report statistics of arrests or disciplinary referrals for liquor, drug, and weapons offenses, and for hate crimes.***

³ The UHMC Annual Security Report is published primarily on the UHMC Campus Security webpage: <http://www.maui.hawaii.edu/security/> You may print a copy of this report yourself or request that a printed copy be provided to you by contacting the UHMC Campus Security Office at 310 W. Ka'ahumanu Avenue, Kahului, Hawai'i 96732, or by calling (808) 984-3576.

⁴ For definitions of domestic violence, dating violence, sexual assault and stalking, refer to the Violence Against Women Act (VAWA) section of this report.

Definitions of UCR Part I Crimes Reportable Under the Clery Act

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another; including deaths caused by injuries received in a fight, argument, quarrel, assault or commission of a crime.

Negligent Manslaughter: The killing of another person through gross negligence.

Forcible Sex Offenses: Any of the following sexual acts directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- Forcible Rape
- Forcible Sodomy
- Sexual Assault with an Object
- Forcible Fondling

Non-Forcible Sex Offenses: Any unlawful, non-forcible sexual intercourse.

- Incest
- Statutory Rape

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle, including vehicles taken without the owner's permission for the purpose of "joyriding."

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Defining Hate Crimes

For Clery purposes, hate crimes include any offense in the following two groups that is motivated by bias. Bias is a preformed negative opinion or attitude toward a group of persons based on the actual or perception of their *race, gender, religion, sexual orientation, ethnicity, disability, national origin or gender identity*.

- **Against a Person:** Any UCR Part I crime above (with the exception of Negligent Manslaughter and Weapons Violations, i.e. carrying, possessing, Drug Abuse Violations, and Liquor Law Violations), and any other crime causing bodily injury or intimidation where there is evidence of bias or hate motivation and that the victim was selected because of an actual or perceived race, gender, religion, national origin, disability, or sexual orientation.
- **Against Property:** Any larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, in which the underlying motivation for the offense is bias.

Crimes under the purview of the Clery Act must be reported by location of occurrence in one of the following four categories: on-campus property, on-campus student housing facilities, non-campus property and public property (streets, sidewalks, municipal parking lots and areas immediately adjacent to the campus).

Preparing the Annual Disclosure of Crime Statistics

The crime statistics disclosed in this annual report were obtained from the following sources: the UHMC Campus Security Department, the Maui Police Department and Campus Security Authorities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year that the crime was reported. The statistics are gathered, compiled, and reported to the University community via the Annual Security Report published by this institution. The annual crime statistics are also submitted to the Department of Education and made available to the public via their website.

The University will send an email to every enrolled student and current employee on or prior to October 1st of each year to announce the availability of the report. The notice includes a brief summary of the contents of the Annual Campus Security Report. The notice also includes the web address to the Annual Campus Report and information on how to request a hard copy of the report.

Specific Information about Classifying Crime Statistics

UCR Reportable Crimes: The Uniform Crime Reporting (UCR) Program was conceived in 1929 by the International Association of Chiefs of Police to meet a need for reliable, uniform crime statistics for the nation. In 1930, the FBI was tasked with collecting, publishing, and archiving those statistics. Today, several annual statistical publications, such as the comprehensive [Crime in the United States](#), are produced from data provided by nearly 17,000 law enforcement agencies across the United States.

Source: [FBI Uniform Crime Reports](#)

The statistics listed in this report were published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law (the Clery Act).

The number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle theft, each vehicle stolen is counted as a statistic.

Unfounded Crimes:

A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

There were not any crimes reported in 2016 that were deemed to be unfounded.

Crime Statistics Disclosure:

UH Maui College – Kahului Main Campus					
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY *	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
NEGLIGENT MANSLAUGHTER	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
SEX OFFENSES, FORCIBLE	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
SEX OFFENSES, NON-FORCIBLE	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	2	N/A	0	0
AGGRAVATED ASSAULT	2014	1	N/A	0	0
	2015	1	N/A	1	0
	2016	0	N/A	0	0
BURGLARY	2014	1	N/A	0	0
	2015	8	N/A	2	0
	2016	1	N/A	0	0
MOTOR VEHICLE THEFT	2014	2	N/A	0	0
	2015	0	N/A	0	0
	2016	2	N/A	1	0
ARSON	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2014	1	N/A	0	0
	2015	2	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2014	1	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2014	1	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
DOMESTIC VIOLENCE OFFENSES	2014	0	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE OFFENSES	2014	1	N/A	0	0
	2015	0	N/A	0	0
	2016	0	N/A	0	0
STALKING OFFENSES	2014	3	N/A	0	0
	2015	0	N/A	0	0
	2016	1	N/A	0	0

* In 2016, the Upward Bound Program housed students at the Waterfront Apartments (50 Vevau Street, Kahului) from June 6 to July 15.

Molokai Education Center/Molokai Farm

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, NON-FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ROBBERY	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
AGGRAVATED ASSAULT	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
BURGLARY	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
MOTOR VEHICLE THEFT	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARSON	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DOMESTIC VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DATING VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
STALKING OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0

Lahaina Education Center (all incidents at 60 Kenui Street occurred at the Front Street Apartments)

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, NON-FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ROBBERY	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
AGGRAVATED ASSAULT	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
BURGLARY	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
MOTOR VEHICLE THEFT	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARSON	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DOMESTIC VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DATING VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
STALKING OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0

Lanai Education Center

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, NON-FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ROBBERY	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
AGGRAVATED ASSAULT	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
BURGLARY	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
MOTOR VEHICLE THEFT	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARSON	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DOMESTIC VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DATING VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
STALKING OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0

Hana Education Center

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
NEGLIGENT MANSLAUGHTER	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
SEX OFFENSES, NON-FORCIBLE	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ROBBERY	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
AGGRAVATED ASSAULT	2014	1	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
BURGLARY	2014	1	N/A	N/A	0
	2015	1	N/A	N/A	0
	2016	0	N/A	N/A	0
MOTOR VEHICLE THEFT	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARSON	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: WEAPONS - CARRYING, POSSESSING, ETC.	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
ARRESTS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DOMESTIC VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
DATING VIOLENCE OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
STALKING OFFENSES	2014	0	N/A	N/A	0
	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0

Hate Crimes:

There were no reported hate crimes for the years 2014, 2015 or 2016 in any of Maui College's campuses.

XI. SEXUAL ASSAULT

A. Sexual Assault Policy

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator. The Title IX Coordinator of Maui College is Debra Nakama, Vice Chancellor for Student Affairs. Her office is in the Ho'okipa Admissions Office and she can be reached at 808-984-3515 or via email at debran@hawaii.edu. The victim also has the option to report the incident to the Campus Security Department.⁵ Maui College will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will take appropriate disciplinary action against those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic violence, dating violence and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

B. Education and Prevention Programs

UHMC has instituted comprehensive education and prevention programs to deter sexual assaults on Campus. For more information, please refer to the Violence Against Women Act section of this report, under caption "Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault & Stalking."

C. Date Rape Drug

These drugs can be placed in any drink, not just alcohol. The drug may act as an aphrodisiac or intoxicant. The effects may include a feeling of well-being and short-term memory loss. Some other common side effects

⁵ The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information less the victims identifying information will be provided to campus public safety or whoever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally.

of these drugs include a drunken appearance, drowsiness, light-headedness, staggering, confusion, muscle relaxation, and amnesia, that can last as long as 24 hours. Serious adverse effects can occur, such as seizures, insomnia, anxiety, nausea, dizziness, hallucinations, coma and even death.

If you or someone you know has been drugged and/or assaulted, go to a safe place and contact Campus Security or the Maui Police Department. Request to be taken to the University's Health Center or the Maui Memorial Medical Center emergency room for immediate treatment of any injuries. Urine, blood, pregnancy, and sexually transmitted diseases (STD) testing may also be done.

D. Procedures for Reporting a Complaint

Maui College strongly encourages all members of the campus community to report sexual assault crimes to law enforcement. The victim, however, still must make the final decision whether or not to file a formal police complaint. The Campus Security Department will assist the victim with notifying the Maui Police Department, if they so desire. The Maui Police Department may also be reached at:

Maui Police Department
55 Mahalani Street
Wailuku, HI 96793
Emergency: 911
Non-Emergency: 808-244-6400

Maui College has procedures in place that are sensitive to victims of sexual assault, domestic violence, dating violence, and stalking. These procedures include:

- Informing the victims of their right to file criminal charges
- Availability of medical, counseling and support services
- Remedies to prevent contact between a complainant and the accused (such as academic, transportation and working accommodations, if reasonably available.)

Students and employees requiring any of the above accommodations should contact Debra Nakama, Vice Chancellor for Student Affairs at (808) 984-3515.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at the Maui Memorial Medical Center. In Hawaii, evidence may be collected even if the victim chose not to make a report to law enforcement”⁶ In order to preserve physical evidence, it is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area within 72 hours of the assault. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult.

If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Security or other law enforcement to preserve evidence in the event that the victim changes his or her mind at a later date. Even if victims of sexual assault cases do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases. Victims of sexual assault, domestic violence, stalking, and dating violence are also encouraged to preserve as evidence any voice messages, text messages, instant messages, social networking pages, other communications or logs, photos, or any other documents which may be useful to Maui College hearing boards/investigators or the police.

Victims of sexual assaults are strongly encouraged to make every attempt to preserve physical evidence. This includes not showering or disposing of any damaged clothing or other items that were present during or after the assault. If a sexual offense should occur, the victim should take the following actions:

- Get to a safe place.
- CONTACT UHMC Campus Security at 984-3255 or use an Emergency Call Box phone. A victim has the option of notifying the Maui Police Department (MPD) by dialing 911 or Campus Security personnel can assist the person in notifying MPD, if requested.
- CONTACT someone you know and trust to be with you or ask the Campus Security Officer to do so for you.
- DO NOT shower, bathe, douche, change or destroy clothing.
- DO NOT eat, drink liquids, smoke, or brush your teeth if oral contact took place.
- DO NOT clean or straighten up the area.
- WRITE down as many details of the offense that you remember as soon as possible.

⁶ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

UHMC Campus Security will call for an ambulance or assist the victim in making other arrangements for prompt medical attention as appropriate. Remember, UHMC Campus Security can accept your report of criminal violence in confidence. This particularly applies to sexual violence and allows the victim to report through a third party and/or remain anonymous.

Complaint Handling Procedure & Evidentiary Standards

When a report of domestic violence, dating violence, sexual assault or stalking is reported to Maui College, the below are the procedures that the institution will follow, as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard:
<p>Sexual Assault</p>	<ol style="list-style-type: none"> 1. Institution will provide complainant with access to medical care, if needed. 2. Institution will assess immediate safety needs of complainant. 3. Institution will assist complainant with contacting local police if complainant requests AND the complainant will be provided with contact information for local police. 4. Institution will provide complainant with referrals to on and off campus mental health providers. 5. Institution will assess need to implement interim or long-term protective measures, such as change in class schedule, “No Contact” directive between both parties. 6. Institution will provide a “No Trespass” directive to accused party, if deemed appropriate. 7. Institution will provide written instructions on how to apply for protective order. 8. Institution will provide a copy of the sexual misconduct policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution. 9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is. 	<p>Incidents involving sexual assault are referred to the Title IX Coordinator. The Title IX Coordinator is responsible to ensure that all sexual assault cases are investigated thoroughly and adjudicated promptly using the preponderance of the evidence standard.</p>

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard:
	<ol style="list-style-type: none"> 10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties who retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation. 	
Stalking	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant. 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police. 3. Institution will provide written instructions on how to apply for protective order. 4. Institution will provide written information to complainant on how to preserve evidence. 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. 6. Institution will provide a “No trespass” directive to accused party, if deemed appropriate. 	<p>Stalking cases are referred to the Title IX Coordinator. The Title IX Coordinator is responsible to ensure that all stalking cases are investigated thoroughly and adjudicated promptly using the clear and convincing evidentiary standard. If the stalking is sexually based, it may fall under the institution’s sexual misconduct policy and if so, would be adjudicated using the preponderance of the evidence standard.</p>
Dating Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant. 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department. 3. Institution will provide written instructions on how to apply for protective order. 4. Institution will provide written information to complainant on how to preserve evidence. 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. 6. Institution will provide a “No trespass” directive to accused party, if deemed appropriate. 	<p>Dating Violence cases are referred to the Title IX Coordinator. The Title IX Coordinator is responsible to ensure that all stalking cases are investigated thoroughly and adjudicated promptly using the clear and convincing evidentiary standard. If the dating violence is sexually based, it may fall under the institution’s sexual misconduct policy and if so, would be adjudicated using the preponderance of the evidence standard.</p>
Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant. 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact 	<p>Domestic Violence Cases are referred to the Title IX Coordinator. The Title IX Coordinator is responsible to ensure that all domestic</p>

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard:
	<p>information for local police department.</p> <ol style="list-style-type: none"> 3. Institution will provide written instructions on how to apply for protective order. 4. Institution will provide written information to complainant on how to preserve evidence. 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. 6. Institution will provide a “No trespass” directive to accused party, if deemed appropriate. 	<p>violence cases are investigated thoroughly and adjudicated promptly using the clear and convincing evidentiary standard. If the domestic violence is sexually based, it may fall under the institution’s sexual misconduct policy and if so, would be adjudicated using the preponderance of the evidence standard.</p>

E. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights. In Hawaii, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

§801D-4, Hawai`i Revised Statutes – Basic Bill of Rights for Victims and Witnesses

a) Upon written request, victims and surviving immediate family members of crime shall have the following rights:

1. To be informed by the police and the prosecuting attorney of the final disposition of the case. If the crime charged is a felony, the victim or a surviving immediate family member shall be notified of major developments in the case and whenever the defendant or perpetrator is released from custody. The victim or a surviving immediate family member shall also be consulted and advised about plea bargaining by the prosecuting attorney;
2. To be notified by the prosecuting attorney if a court proceeding to which they have been subpoenaed will not proceed as scheduled;
3. To receive protection from threats or harm;

4. To be informed by the police, victim/witness counselor, or other criminal justice personnel, of financial assistance and other social services available as a result of being a witness to or a victim of crime, including information on how to apply for the assistance and services;
5. To be provided by the court, whenever possible, with a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families and friends of defendants;
6. To have any stolen or other personal property expeditiously returned by law enforcement agencies when the property is no longer needed as evidence. If feasible, all the property, except weapons, currency, contraband, property subject to evidentiary analysis, and property, the ownership of which is disputed, shall be returned to the person within ten days of being taken; and
7. To be informed by the Department of Public Safety of changes planned by the department in the custodial status of the offender that allows or results in the release of the offender into the community, including escape, furlough, work release, placement on supervised release, release on parole, release on bail bond, release on appeal bond, and final discharge at the end of the prison term.

b) Upon written request, the victim or the parent or guardian of a minor or incapacitated victim of [Sexual Assault in the First or Second Degree] and [Sexual Assault in the Third Degree that involves sexual penetration by compulsion], shall have the right to be informed of the human immunodeficiency virus (HIV) status of the person who has been convicted or a juvenile who has been adjudicated under that section and to receive counseling regarding HIV. The testing shall be performed according to the protocols set forth in section 325-17 [Quality assurance standards for HIV antibody testing]. Upon request of the victim, or the parent or guardian of a minor or incapacitated victim, the Department of Health shall provide counseling.

c) Notwithstanding any law to the contrary, the department of public safety, the Hawaii paroling authority, the judiciary probation divisions and branches, and the department of the attorney general shall make good faith efforts to notify the victim of a crime, or surviving immediate family members of a victim, of income received by a person imprisoned for that crime when the imprisoned person has received a civil judgment that exceeds \$10,000, a civil settlement that exceeds \$10,000, or any income that exceeds \$10,000 in one fiscal year, whenever the income is known to the agency, and, in addition, the department of public safety shall make good faith efforts to notify the victim of a crime or surviving immediate family members of a victim, whenever it is known to the agency that a person imprisoned for that crime has a financial account, of which the department of public safety is aware, of a value exceeding \$10,000.

d) Notwithstanding any law to the contrary, payment of restitution and judgments to victims, or surviving immediate family members of a victim, shall be a precondition for release on parole for any imprisoned person whom the Hawaii paroling authority determines has the financial ability to make complete or partial restitution payments or complete or partial judgment payments to the victim of the person's crime, or to the surviving immediate family members of a victim.

e) Notwithstanding any law to the contrary, the State of Hawaii, any political subdivision of the State of Hawaii, any department or agency of the State, any officer of the State, and any employee of the State shall be immune from damages in any lawsuit based on noncompliance with subsection (c) or (d). Nothing in this subsection shall be construed to prevent disciplinary action against any employee of the State who intentionally fails to comply with subsection (c) or (d) after being warned that compliance is required.

F. Temporary Restraining Orders

There are two different types of restraining orders. The Family Court Order is for families and people that have lived in the same household. The District Court Restraining Order is for neighbors or strangers.

Victims of spousal/partner abuse are advised to obtain a Family Court restraining order. A restraining order places restrictions on the abuser's behavior, e.g. to have no contact with the victim. Having a restraining order assists the police to better respond to violations committed by the offender. Persons who have lived with an abuser and have recently been the victim of abuse and/or threat of abuse by the abuser are eligible for a restraining order.

The Maui College Campus Security Department complies with Hawaii law in recognizing Temporary Restraining Orders (TRO). In order for Campus Security to provide assistance in regards to a TRO, you will need to present a clear copy of the document to the security office. This will allow them to develop a better understanding of the situation and provide appropriate assistance, if needed. In addition to a copy of the TRO, please provide a current picture of the respondent, along with a description of any vehicle the subject may own or operate. For further information regarding TRO, contact the Campus Security Office at 984-3255.

The following can also be contacted for information on obtaining a TRO:

- Office of the Vice Chancellor for Student Affairs
- UHMC Counseling Office
- Family Court

Campus Security will then meet with the complainant to develop a Safety Action Plan to ensure the complainant is safe while on, or when going to and from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.

To the extent of the victim's cooperation and consent, Maui College will work to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic or working situations, counseling, health services and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with the need to know, i.e. those investigating/adjudicating the complaint or delivering resources or support services to the complainant. Maui College does not publish the names of crime victims, or any information able to be used to infer a victim's identity in the college's Daily Crime Log. Victims may request that student/employee directory information on file be removed from public access by submitting a written request to the Chief of Security. The Chief of Security can be contacted at (808) 984-3576 or via email at wctsang@hawaii.edu.

Crime Victim Assistance:

Crime Victim Compensation commission
State of Hawai'i, Department of Public Safety
1136 Union Mall, Suite 600
Honolulu, HI 96813
Phone: (808) 587-1143
Fax: (808) 581-1156

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On-Campus Resources:

Campus Resource/Contact Person Name & Title	Location on Campus	Telephone
Title IX Coordinator Debra Nakama, Vice Chancellor for Student Affairs	Ho'okipa Building, Admissions Office	(808) 984-3515
Deputy Title IX Coordinator (for students) David Grooms, Interim Assistant Dean of Instruction	Pilina, Room 201	(808) 984-3376
Deputy Title IX Coordinator (for employees) David Tamanaha, Vice Chancellor for Administrative Services	Ho'okipa Building, Administrative Office	(808) 984-3253
Campus Security Department Chuck Tsang, Chief of Security	Laulima, Room 135	(808) 984-3576
UHMC Personal Support Counselor Aris Banaag	Ka Lama Room 232	(808) 984-3278
Student Support Services – Pai Ka Mana Luana Kawaa, Director	Laulima, Room 210	(808) 984-3574
UHMC Health Center Denise Cohen, Nurse Practitioner	Health Center Building	(808) 984-3493

Outside Resources:

Agency/Resource	Address/Website	Telephone
Maui Police Department	55 Mahalani Street Wailuku, HI 96793	911 or (808) 244-6400
Maui County Family Court	150 S. High Street Wailuku, HI 96793	(808) 270-7690
Maui County Victim Witness Assistance Division	2103 Wells Street, 2nd Floor Wailuku, HI 96793	(808) 270-7695
Maui Memorial Medical Center	221 Mahalani Street Wailuku, Hawaii 96793	(808) 244-9056
Youth Crisis & Sexual Assault Hotline (24 Hour – crisis counseling, emergency medical care and legal advocacy services)	305 E. Wakea Avenue Kahului, HI 96732	(808) 873-8624
Domestic Violence Crisis Hotline (24 Hour)	305 E. Wakea Avenue Kahului, HI 96732	(808) 877-9888
Adult Mental Health Division Suicide Prevention & Intervention (24 Hour)	121 Mahalani Street Wailuku, HI 96793	(808) 753-6879
Alcoholics Anonymous (Maui Central Office)	70 Central Ave., Suite One Wailuku, Maui HI 96793	(808) 244-9673
Narcotics Anonymous	P O Box 836 Pu'unene, HI 96784	(808) 242-6404
National Suicide Prevention Lifeline (24 Hour)		(800) 273-8255
Women Helping Women (DV Abuse Shelter)	1935 Main St #202 Wailuku, HI 96793	(808) 242-0775
Aloha United Way 2-1-1	200 N. Vineyard Blvd, Suite 700 Honolulu, HI 96817	(808) 275-2000
Mental Health Kokua (housing, case management, psychosocial rehabilitation, psychiatry, and counseling)	105 N. Market Street, Suite 103 Wailuku, HI 96793	(808) 244-7405

G. Adjudication of Violations & Appeal Process

Whether or not criminal charges are being filed, Maui College⁷ or the complainant can still choose to file a complaint under the provisions of University of Hawaii Executive Policy EP 1.204 “[Interim Policy and Procedure on Sex Discrimination and Gender-Based Violence](#),” to allege that a student or employee violated the University’s policy on “creating a community free from intimidation, harassment and violence.” Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Security will automatically be referred to the Title IX Coordinator for investigation regardless of whether the complainant chooses to pursue criminal charges.

⁷ Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution’s sexual misconduct policy was violated, then the institution may assume the role of the complainant.

The Maui College disciplinary process will include a prompt, fair, and impartial investigation and resolution process. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking. They are trained to conduct investigations and hearings in a manner that protects the safety of the victim and promotes accountability. UH Executive Policy EP 1.204 ([Interim Policy and Procedure on Sex Discrimination and Gender-Based Violence](#)) provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing in front of a properly trained hearing board.
2. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult with his or her advisee, but not speak for the advisee at any meeting or hearing.
3. A student conduct decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred.” In other words, “Is it more likely than not that the accused student violated the institution’s Student Conduct Code?”
4. The accuser and the accused will be notified in writing of the outcome of any disciplinary proceeding, as well as any changes to the results, or disciplinary actions, prior to the time that they become final.⁸
5. Both parties have equal rights to an impartial appeal under the Reporting and Investigation Procedures. During the appeal process, all imposed restrictions and interim measures and disciplinary sanctions will remain in place pending the outcome of the appeal. The appropriate method for filing an appeal will be contained in the Outcome Report. If either party files an appeal, the University will notify the other party in writing. If an appeal is properly filed, the appropriate Appeal Officer will examine the information presented. The Appeal Officer may then decide within 7 calendar days to⁹:
 - i. Uphold the original decision;
 - ii. Grant the appeal if the clear weight of the evidence shows the determination was erroneous;
 - iii. Remand the case because of substantial relevant information that was not presented, and reasonably could not have been presented during the investigation; or
 - iv. Remand the case because of procedural unfairness.

⁸ Institution will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution 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.

⁹ The decision upon appeal rendered under this section of the policy shall be final and binding within the college/University.

6. The University will seek to complete the investigation and any resulting disciplinary process within sixty (60) calendar days from the date of receipt of the complaint.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the procedures set forth under the University of Hawaii Executive Policy EP 1.204 ([Interim Policy and Procedure on Sex Discrimination and Gender-Based Violence](#)) in order to remedy any hostile environment.¹⁰ When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the university's ability to respond to the complaint may be limited.

Confidentiality

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking, to the fullest extent of the law.

Sanctions and Protective Measures

In all cases, investigations that result in a finding of more likely than not that a violation of the institution's policies had occurred will lead to the initiation of disciplinary sanctions against the accused individual.

Possible Sanctions for Employees

Sanctions or appropriate administrative actions may be imposed in accordance with the applicable collective bargaining agreements. Possible sanctions may include disciplinary action up to and including termination.

Possible Sanctions for Students

If the Decision Maker determines, based on the Preponderance of the Evidence Standard, that a student violated this Policy, then Sanctions shall be imposed based on the severity of the prohibited behavior, as well as the Responding Party's past record.

¹⁰ "Hostile Environment" is the term used by Title VII in employment law as it relates to action taken against a person in retaliation of a complaint of sexual harassment or for cooperating with a sexual harassment investigation. Under Title IX, the term used is "retaliation." Institutions may choose to provide both terms for clarification although it is not required.

For violations of UH Executive Policy EP 1.204, students are subject to several kinds of sanctions, as listed:

1. **Warning** - A Warning is a formal written admonition. Relevant information remains on a student's permanent record at the University and may be disclosed in response to requests for which the student has given permission or as otherwise legally required.
2. **Disciplinary Probation** - Disciplinary Probation is a more serious admonition assigned for a definite amount of time. It implies that any future violation, of whatever kind, during that time, may be grounds for suspension, suspension with conditions, or in especially serious cases, expulsion from the University. Disciplinary probation will be taken into account in judging the seriousness of any subsequent infraction even if the probationary period has expired. Relevant information remains on a student's permanent record at the University and may be disclosed in response to requests for which the student has given permission or as otherwise legally required.
3. **Suspension** - Suspension is removal from membership in, or employment by, the University for a specified period of time. Relevant information remains on a student's permanent record at the University and may be disclosed in response to requests for which the student has given permission or as otherwise legally required.
4. **Suspension with Conditions** - Suspension with Conditions is removal from membership in, or employment by, the University for at least the period of time specified by the suspension, with the suspension to continue until certain conditions, stipulated by the appropriate body applying this sanction, have been fulfilled. These conditions may include, but are not limited to, restitution of damages, formal apology, or counseling. Relevant information remains on a student's permanent record at the University and may be disclosed in response to requests for which the student has given permission or as otherwise legally required.
5. **Withholding of Degree** - In cases involving seniors or graduate students, the University may withhold a student's degree for a specified period of time. This penalty is imposed instead of suspension at the end of senior year where all other degree requirements have been met. Relevant information remains on a student's permanent record at the University and may be disclosed in response to requests for which the student has given permission or as otherwise legally required.
6. **Expulsion/Discharge** - Expulsion/Discharge is permanent removal from membership in, or employment by, the University. Relevant information remains on a student's permanent record at the University and may be disclosed in response to requests for which the student has given permission or as otherwise legally required.

Protective Measures

The Title IX Coordinator will determine whether interim interventions and protective measures should be implemented pending the outcome of the investigation. If so, take steps to implement such measures as soon as possible. Examples of interim protective measures include, but are not limited to:

- Order of no contact
- Changes in academic schedule
- Leave of absence
- Reassignment to a different supervisor or position
- Permit victim to withdraw from classes without penalty
- Interim suspension of the accused
- Refer victim to proper advocacy and/or health services
- Provision of resources for medical and/or psychological support
- Golf cart or foot escort by campus security personnel

The above measures may be applied to one, both, or multiple parties involved.¹¹ Non-compliance of the Title IX Coordinator's directives and/or protective measures is a violation that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Maui College.

XII. SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement informing the campus community of where registered sex offender information may be obtained. It also requires registered sex offenders to provide notice, as required under State law, to each institution of higher education within the state at which they are employed, carry a vocation, volunteer services, or is a student.

¹¹ Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

In Hawaii, convicted sex offenders must register with the Hawaii Criminal Justice Data Center, which is an agency of the Department of Attorney General. The agency is responsible for the statewide criminal history record information system (CJIS-Hawaii), the statewide Automated Fingerprint Identification System (AFIS), the statewide [Sex Offender and Other Covered Offender Registry](#), and the [Adult Criminal Conviction Information Web Site \(eCrim\)](#).

XIII. VIOLENCE AGAINST WOMEN ACT (VAWA)

VIOLENCE AGAINST WOMEN ACT POLICY

On March 7, 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act (VAWA). Included in the bill were amendments to the Clery Act that afforded additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking. VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking, and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports (ASRs). The statute requires institutions to include this new information in the ASR beginning with the ASR that must be provided to students, employees, and prospective students and employees by October 1, 2014.

The University of Hawaii Maui College (UHMC) prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the campus community. Toward that end, UHMC issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking, as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a campus official.¹²

¹² A "University or College Official" is defined as either a "Campus Security Authority" under the auspices of the Clery Act or a "Responsible Employee" under Title IX and further identified by your institution's sexual misconduct policy. Because different federal laws (Title IX, Title VII, and the Clery Act), as well as numerous states' laws have different reporting requirements, it is recommended that all employees be required to notify Campus Security or Campus Police within 24 hours whenever a crime has been reported to them (These reports will be assessed to determine if a Timely Warning notification is required. Those reports that meet the definition of a reportable crime, as defined by the Clery Act, will be included in the crime statistics of the Annual Security Report.) For sexual harassment and sexual violence, "responsible employees" as defined by the institution under the auspices of Title IX, will have to

UHMC has established a response team comprised of members from Student Affairs, Human Resources, Campus Security, Judicial Affairs, the Title IX Coordinator, and select faculty & staff.¹³ The team meets monthly and is responsible for developing, reviewing, and revising protocols, policies and procedures for addressing violence against women on campus.

LEGAL DEFINITIONS¹⁴

Consent: Permission to engage in sexual contact given by a person age sixteen or older, who is not otherwise disqualified to give consent due to one of the following conditions:

- Mentally defective
- Mentally incapacitated
- Physically helpless

Hawaii has a close in age exception that allows those who are 14 years or older to have sex with someone who is less than 5 years older.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
 - i. Felony or misdemeanor crime of violence committed
 - a. By a current or former spouse or intimate partner of the victim;
 - b. By a person with whom the victim shares a child in common;

disclose identifying information about the victim to the Title IX Coordinator. There are exemptions to reporting for campus professional and pastoral counselors and medical doctors and nurses acting in those capacities from disclosing crime statistics or identifying information about the victim of sexual assault, unless the victim is a minor. Seek guidance from your general counsel about how your institution identifies responsible employees (Title IX) and Campus Security Authorities (Clery Act).

¹³ The Department of Justice, Office of Violence Against Women FY 2013 Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence and Stalking on Campus Program requires grantees to establish a “coordinated community response to violence against women on campus.” This includes the establishment of a community response team, whose role is to ensure that the campus develops and implements effective policies and practices to prevent and respond to VAW on campus. The team is directed to meet on a regular basis to develop, review, and revise protocols, policies and procedures for addressing VAW.

¹⁴ For definitions of sexual assault, domestic violence, dating violence, and stalking, institutions must use definitions provided by the Violence Against Women Act (VAWA) in addition to the language contained in their respective state statutes.

- c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - e. By 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 in which the crime of violence occurred.
 - ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **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.
 - i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - ii. For the purposes of this definition
 - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.
 - iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
 - **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."
 - i. Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - ii. Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is

incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- iii. Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- iv. Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

- **Stalking:**

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - a. Fear for the person’s safety or the safety of others; or
 - b. Suffer substantial emotional distress.
- ii. For the purposes of this definition
 - a. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device or means; follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

- **Domestic Violence:** Hawaii laws do not have a specific definition for domestic violence, the closest reference is found in H.R.S. §709-906, “Abuse of family or household members.”
 - i. It shall be unlawful for any person, singly or in concert, to physically abuse a family or household member.
 - ii. Family or household member includes spouses or reciprocal beneficiaries, former spouses or reciprocal beneficiaries, persons in a dating relationship as defined under section 586-1,

persons who have a child in common, parents, children, persons related by consanguinity, and persons jointly residing or formerly residing in the same dwelling unit.

- **Dating Violence:** Hawaii laws do not have a specific definition for dating violence. Violence against persons engaged in a dating relationship is covered under H.R.S. §709-906, “Abuse of family or household members.”
- **Sexual Assault:** As per Hawaii Revised Statutes §378-71: Definitions, "Sexual Assault" means any conduct proscribed by Chapter 707, Part V:
 - Section 707-730 Sexual assault in the first degree.
 - Section 707-731 Sexual assault in the second degree.
 - Section 707-732 Sexual assault in the third degree.
 - Section 707-733 Sexual assault in the fourth degree.
 - Section 707-733.6 Continuous sexual assault of a minor under the age of fourteen years.
 - Section 707-734 Indecent exposure.
 - Section 707-741 Incest.

§707-730 Sexual assault in the first degree

1. A person commits the offense of sexual assault in the first degree if:
 - a. The person knowingly subjects another person to an act of sexual penetration by strong compulsion;
 - b. The person knowingly engages in sexual penetration with another person who is less than fourteen years old;
 - c. The person knowingly engages in sexual penetration with a person who is at least fourteen years old but less than sixteen years old; provided that:
 - i. The person is not less than five years older than the minor; and
 - ii. The person is not legally married to the minor;
 - d. The person knowingly subjects to sexual penetration another person who is mentally defective; or
 - e. The person 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.

Paragraphs (b) and (c) shall not be construed to prohibit practitioners licensed under chapter 453 or 455 from

performing any act within their respective practices.

2. Sexual assault in the first degree is a class A felony.

§707-731 Sexual assault in the second degree

1. A person commits the offense of sexual assault in the second degree if:

- a. The person knowingly subjects another person to an act of sexual penetration by strong compulsion;
- b. The person knowingly subjects to sexual penetration another person who is mentally defective, mentally incapacitated, or physically helpless; or

c. The person, while employed:

- i. In a state correctional facility;
- ii. By a private company providing services at a correctional facility;
- iii. By a private company providing community-based residential services to persons committed to the director of public safety and having received notice of this statute;
- iv. By a private correctional facility operating in the State of Hawai`i; or
- v. As a law enforcement officer as defined in section 710-1000(13), knowingly subjects to sexual penetration an imprisoned person, a person confined to a detention facility, a person committed to the director of public safety, a person residing in a private correctional facility operating in the State of Hawai`i, or a person in custody; provided that paragraph (b) and this paragraph shall not be construed to prohibit practitioners licensed under chapter 453, 455, or 460, from performing any act within their respective practices; and further provided that this paragraph shall not be construed to prohibit a law enforcement officer from performing a lawful search pursuant to a warrant or exception to the warrant clause.

2. Sexual assault in the second degree is a class B felony.

§707-732 Sexual assault in the third degree

1. A person commits the offense of sexual assault in the third degree if:

- a. The person recklessly subjects another person to an act of sexual penetration by compulsion;
- b. The person knowingly subjects to sexual contact another person who is less than fourteen years old or causes such a person to have sexual contact with the person;
- c. The person knowingly engages in sexual contact with a person who is at least fourteen years old but less than sixteen years old or causes the minor to have sexual contact with the person; provided that:
 - i. The person is not less than five years older than the minor; and

- ii. The person is not legally married to the minor;
- d. The person knowingly subjects to sexual contact another person who is mentally defective, mentally incapacitated, or physically helpless, or causes such a person to have sexual contact with the actor;
- e. The person, while employed:
 - i. In a state correctional facility;
 - ii. By a private company providing services at a correctional facility;
 - iii. By a private company providing community based residential services to persons committed to the director of public safety and having received notice of this statute;
 - iv. By a private correctional facility operating in the State of Hawaii; or
 - v. As a law enforcement officer as defined in section 710-1000(13), knowingly subjects to sexual contact an imprisoned person, a person confined to a detention facility, a person committed to the director of public safety, a person residing in a private correctional facility operating in the State of Hawaii, or a person in custody, or causes the person to have sexual contact with the actor;

or
- f. The person knowingly, by strong compulsion, has sexual contact with another person or causes another person to have sexual contact with the actor

Paragraphs (b), (c), (d), and (e) shall not be construed to prohibit practitioners licensed under chapter 453 or 455 from performing any act within their respective practices; provided further that paragraph (e)(v) shall not be construed to prohibit a law enforcement officer from performing a lawful search pursuant to a warrant or an exception to the warrant clause.

2. Sexual assault in the third degree is a class C felony.

§707-733 Sexual assault in the fourth degree

1. A person commits the offense of sexual assault in the fourth degree if:
 - a. The person knowingly subjects another person to sexual contact by compulsion or causes another person to have sexual contact with the actor by compulsion;
 - b. The person knowingly exposes the person's genitals to another person under circumstances in which the actor's conduct is likely to alarm the other person or put the other person in fear of bodily injury;

or

 - c. The person knowingly trespasses on property for the purpose of subjecting another person to surreptitious surveillance for the sexual gratification of the actor.
2. Sexual assault in the fourth degree is a misdemeanor.

3. Whenever a court sentences a defendant for an offense under this section, the court may order the defendant to submit to a pre-sentence mental and medical examination pursuant to section 706-603.

§707-733.6 Continuous sexual assault of a minor under the age of fourteen years

1. A person commits the offense of continuous sexual assault of a minor under the age of fourteen years if the person:
 - a. Either resides in the same home with a minor under the age of fourteen years or has recurring access to the minor; and
 - b. Engages in three or more acts of sexual penetration or sexual contact with the minor over a period of time, while the minor is under the age of fourteen years.
2. To convict under this section, the trier of fact, if a jury, need unanimously agree only that the requisite number of acts have occurred; the jury need not agree on which acts constitute the requisite number.
3. No other felony sex offense involving the same victim may be charged in the same proceeding with a charge under this section, unless the other charged offense occurred outside the time frame of the offense charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved, in which case a separate count may be charged for each victim.
4. Continuous sexual assault of a minor under the age of fourteen years is a class A felony.

§707-734 Indecent Exposure

1. A person commits the offense of indecent exposure if, the person intentionally exposes the person's genitals to a person to whom the person is not married under circumstances in which the actor's conduct is likely to cause affront.
2. Indecent exposure is a petty misdemeanor.

§707-741 Incest

1. A person commits the offense of incest if the person commits an act of sexual penetration with another who is within the degrees of consanguinity or affinity within which marriage is prohibited.
2. Incest is a class C felony.

- **Stalking:**

§378-71 Hawaii Revised Statutes: Definitions

"Stalking" means engaging in a course of conduct directed at a specifically targeted person that would cause a reasonable person to suffer substantial emotional distress or to fear bodily injury, sexual assault, or death to the person or to the person's spouse, parent, child, or any other person who regularly resides in the person's household, and where the conduct does cause the targeted person to have such distress or fear.

§711-1106.4 Hawaii Revised Statutes: Aggravated Harassment by Stalking

1. A person commits the offense of aggravated harassment by stalking if that person commits the offense of harassment by stalking as provided in section 711-1106.5 and has been convicted previously of harassment by stalking under section 711-1106.5 within five years of the instant offense.
2. Aggravated harassment by stalking is a class C felony.

§711-1106.5 Hawaii Revised Statutes: Harassment by Stalking

1. 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 nonconsensual contact upon the other person on more than one occasion without legitimate purpose.
2. A person convicted under this section may be required to undergo a counseling program as ordered by the court.
3. For purposes of this section, "nonconsensual contact" means any contact that occurs without that individual's consent or in disregard of that person's express desire that the contact be avoided or discontinued. Nonconsensual contact includes direct personal visual or oral contact and contact via telephone, facsimile, or electronic mail transmission.
4. Harassment by stalking is a misdemeanor.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault & Stalking

Maui College has a comprehensive educational campaign¹⁵ to prevent domestic violence, dating violence, sexual assault and stalking. The goal of the campaign is to offer prevention and awareness programs to both new and existing students and employees. To this end, UHMC participates in and distributes educational information and materials to students and employees during new student/employee orientations; participates in the spring and fall Faculty Convocation Program; and offers web-based training programs to address the role of faculty in assisting students who disclose abuse or assault. The objectives of these educational programs are:

- a. To Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. To define what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. To define what behavior and actions constitute consent to sexual activity in the State of Hawaii;
- d. To provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- e. To provide information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- f. To provide an overview of information contained in the Annual Security Report in compliance with the Clery Act.

In preparing these training programs, UHMC makes a conscientious effort to ensure that the contents of the material:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

¹⁵ Under the 2013 Reauthorization of the Violence Against Women Act, institutions must implement “primary prevention and awareness programs for **all incoming students and new employees**” **AND** “ongoing prevention and awareness campaigns for **students and faculty**” that include a-f above. While “campaign” is yet to be defined, examples of “primary prevention programs” as they relate to incoming students may be found here: <http://www.ovw.usdoj.gov/docs/campus-minimum-standards-orientation.pdf>

Some examples of Title IX resources and training materials which are available online are:

- [Haven Online Title IX Training Program](#) – Mandatory online Title IX training to be completed by all students and employees. This training is intended to help students address critical life skills such as sexual harassment and assault prevention.
- [Intersections: Anti-Harassment Training](#) - Online, anti-harassment training for all UH employees, covering Title VII, Title IX and VAWA Section 304
- [UH Title IX Brochure](#) – Sexual Misconduct: What you need to know about Title IX - A Resource Guide for Students on Sexual Misconduct: Campus Policies, Procedures and Victim Services
- [Know Your IX online video](#) – Online video with the emphasis on “9 things to know about Title IX in 89 seconds.”
- [Tea Consent Video](#) – Online video using the proposition, “Would you like a cup of tea?” as a metaphor for, “Do you want to have sex?”
- Policies and procedures relating to Title IX:
 - [Sexual Harassment and Sexual Assault Policy \(EP 1.204\)](#)
 - [Discrimination Complaint Procedures for Students, Employees, and Applicants \(A9.920\)](#)
 - [Nondiscrimination Policy \(RP1.205\)](#)
 - [Discrimination/Sexual Misconduct Complaint Form](#)

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Below is a list of ways how someone can be an active bystander: ¹⁶

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who try to seclude, hit on, make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

¹⁶ Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse.

5. Refer people to on or off campus resources listed in this document for support with health, counseling, or with legal assistance.

If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at, or being physically abusive towards another, and it is not safe for you to intervene.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

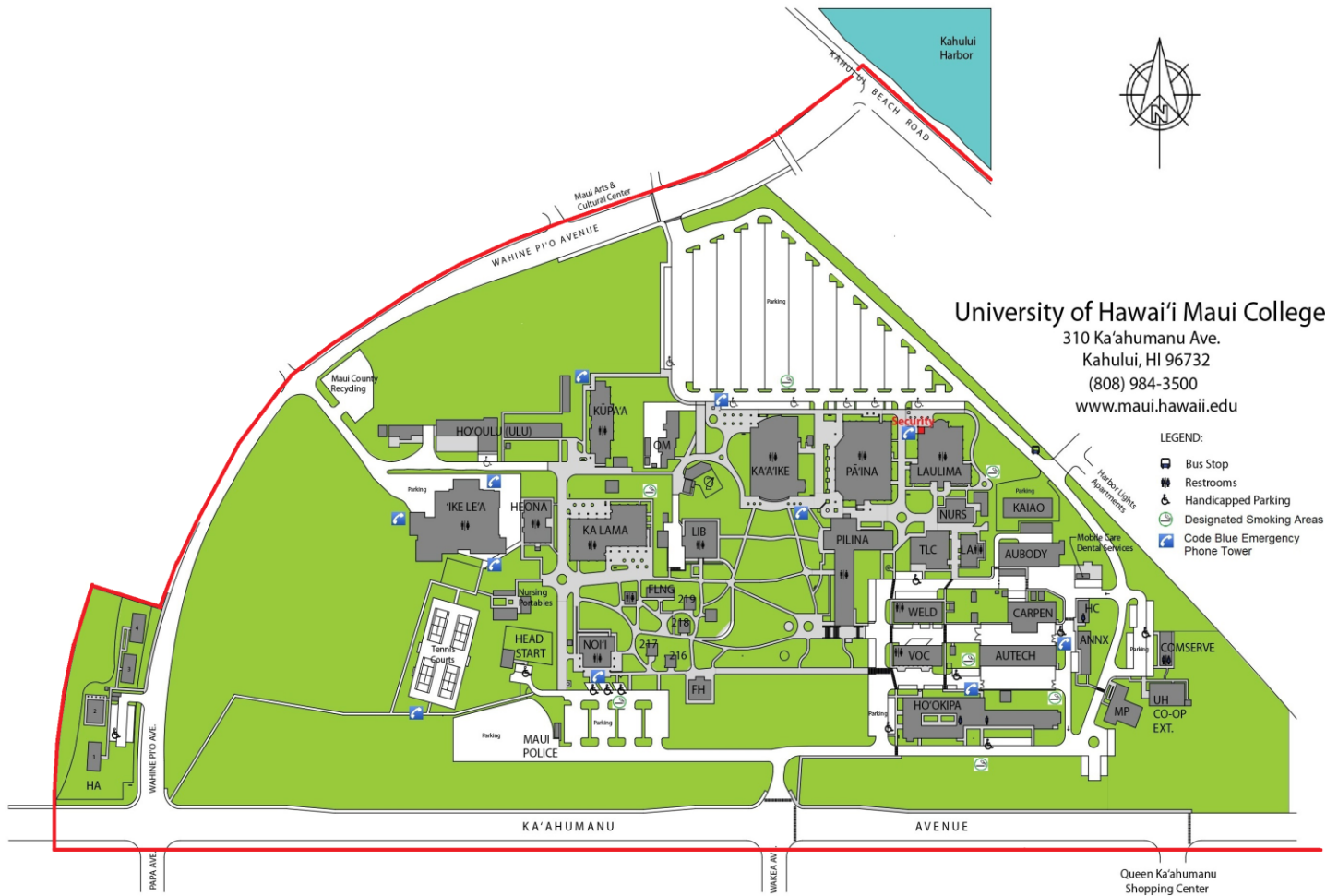
1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

MAPS OF MAUI COLLEGE CAMPUSES SHOWING CLERY GEOGRAPHY

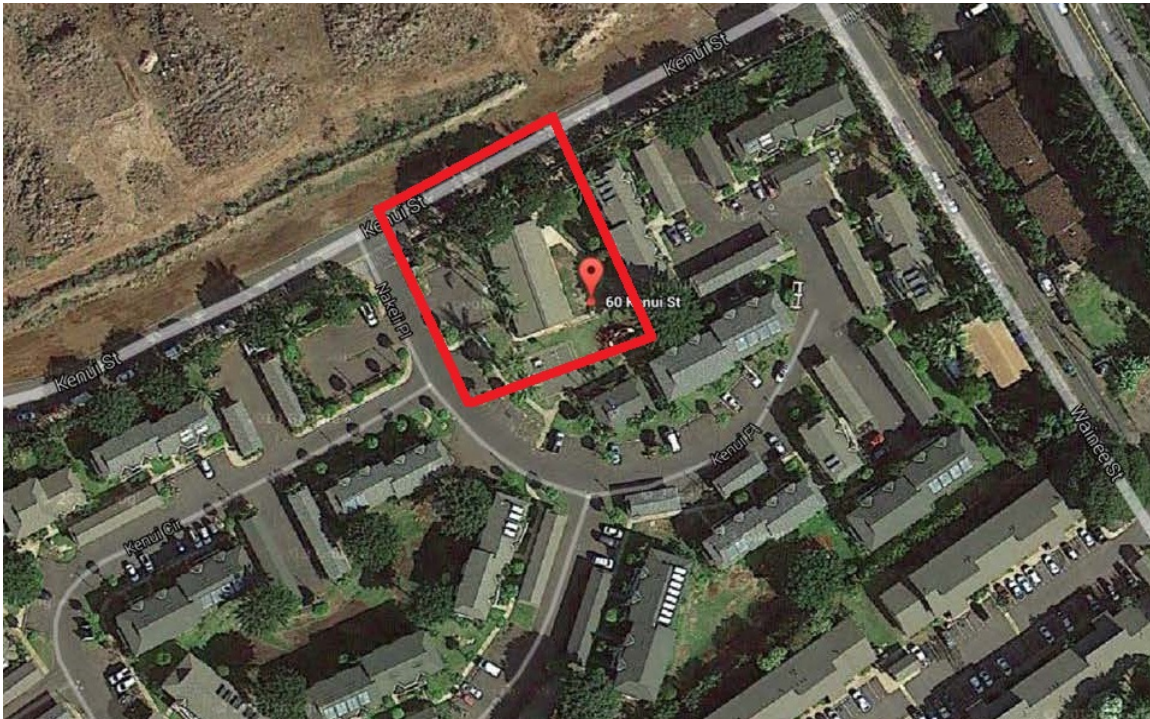
As defined by the Clery Act

Kahului Main Campus – 310 W. Ka’ahumanu Avenue, Kahului, HI 96732



- Triangle encompassed by W. Ka’ahumanu Ave, Wahinepi’o Ave and Kahului Beach Rd. Excluding property of Ceramic Tile Plus, 25 Kahului Beach Rd, and the Harbor Lights Condominiums. (Indicated by red boundary line in map above.)
- Street and both the north and south sidewalks of W. Ka’ahumanu Ave fronting the Maui College Campus.
- Street and both the east and west sidewalks of Wahinepi’o Ave between W. Ka’ahumanu Ave and Kahului Beach Rd.
- Street and the west sidewalk of Kahului Beach Rd between Wahinepi’o Ave and Kaihe’e Place.

Lahaina Education Center – 60 Kenui Street, Lahaina, HI 96761



Molokai Education Center – 375 Kamehameha V Hwy, Kaunakakai, HI 96748



Molokai Farm – 526 Huaai Street, Ho`olehua, HI 96740



Hana Education Center - 5101 Uakea Road, Hana, HI 96713



Lanai Education Center – 329 7th Street, Lana'i City, HI 96763



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