



University of Hawai'i

Office of the President

OFFICIAL NOTICE TO FACULTY, STAFF AND STUDENTS REGARDING SUBSTANCE ABUSE IN UNIVERSITY CAMPUS COMMUNITIES AND WORKSITES

October 1, 2006

This official notice is issued pursuant to the requirements of the Federal Drug-Free Schools and Communities Act of 1989 and the Drug-Free Workplace Act of 1988.

A. UNIVERSITY POLICIES ON ILLEGAL DRUGS AND ALCOHOL

In conformance with the existing law, University faculty, staff and students are not permitted to manufacture, distribute, possess, use, dispense or be under the influence of illegal drugs and/or alcohol as prohibited by state and federal law 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 the use of illegal drugs and alcohol. Students found in violation of this part shall be subject to the provisions of the student conduct code. Faculty and staff found in violation of this part are subject to disciplinary action as provided in collective bargaining agreements, University policy, and other applicable state laws and rules.

Additional Requirements for Employees Engaged on Federal Contracts and Grants

The Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) requires that University employees directly engaged in the performance of work on a federal contract or grant shall abide by this policy as a condition of employment and shall notify the University within five days if they are convicted of any criminal drug statute violation occurring in the workplace or while on University business. The University is required to notify the federal contracting or granting agency within ten days of receiving notice of such conviction and to take appropriate corrective action or to require the employee to participate satisfactorily in an approved drug abuse assistance or rehabilitation program.

B. UNIVERSITY POLICY ON SUBSTANCE ABUSE

The institution recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and/or treatment. Students, faculty and staff members with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services. The University will not excuse misconduct by employees and students whose judgment is impaired due to substance abuse.

C. THE UH STUDENT CONDUCT CODE includes the following prohibitions:

"The purchase, possession or consumption of alcoholic beverages is regulated by state law. Students are expected to know and abide by state law and by University rules and regulations governing the use and consumption of alcoholic beverages on campus. Students are referred to Board of Regents policy, executive policies and campus guidelines regulating the use and consumption of alcoholic beverages on campus.

Students are not permitted to be under the influence of, possess, manufacture, distribute, or sell illicit drugs, as prohibited by state law, at University-sponsored or approved events, on University property or in buildings used by the University for its educational or recreation programs. Reasonable suspicion of possession or use of illegal drugs and substances on campus may subject the student involved to investigation."

Sanctions which may be imposed on violators of the alcohol and drug-related sections of the **Student Conduct Code**

include disciplinary warning, probation, suspension, expulsion or rescission of grades or degree. Copies of the full text of the **Code** are available in the office of the campus Dean of Students.

D. LEGAL SANCTIONS

There are numerous federal, state, and local statutes and ordinances relating to the manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol. These statutes impose legal sanctions for both felony and misdemeanor convictions related to violations of applicable laws and ordinances. For federal trafficking penalties relating to marijuana and other drugs, refer to Appendix A.

HIGHLIGHTS OF HAWAI'I LAWS

Under the Hawai'i Penal Code, crimes are of three grades according to their seriousness: felonies, misdemeanors and petty misdemeanors.

Class A felony: fine not exceeding \$50,000 and/or an indeterminate term of imprisonment of 20 years without possibility of suspension of sentence or probation.

Class B felony: fine not exceeding \$25,000 and/or imprisonment of not more than 10 years.

Class C felony: fine not exceeding \$10,000 and/or imprisonment of not more than 5 years.

Misdemeanor: fine not exceeding \$2,000 and/or imprisonment of not more than 1 year.

Petty misdemeanor: fine not exceeding \$1,000 and/or imprisonment of not more than 30 days.

§§706-640,659,660,663, H.R.S.

- * Promoting (possessing, distributing and manufacturing) drugs (including marijuana) and intoxicating compounds can result in a Class A, B or C felony, misdemeanor or petty misdemeanor.
§§712-1241-1250, H.R.S.
- * Consuming or possessing intoxicating liquor while operating a motor vehicle or moped is a misdemeanor.
§291-3.1, H.R.S.
- * Consuming or possessing intoxicating liquor while a passenger in a motor vehicle is a petty misdemeanor.
§291-3.2, H.R.S.
- * Driving under the influence of intoxicating liquor can result in community service work, rehabilitation and treatment programs, suspension of license, fines, and/or imprisonment.
§291-4, H.R.S.
- * A person commits the offense of promoting intoxicating liquor to a minor if the person knowingly sells, offers, delivers or gives intoxicating liquor to a minor or permits a minor to possess intoxicating liquor while on property under the person's control. This offense is a misdemeanor.
§712-1250, H.R.S.

E. HEALTH RISKS ASSOCIATED WITH SUBSTANCE ABUSE

The University encourages faculty, staff and students to be aware of the health risks associated with substance abuse. In general, the health risks related to the abuse of alcohol and other drugs are both direct and indirect. The direct pharmacological effects of substances on the body influence every organ, particularly the brain, liver and cardiovascular system. Death and injury from drug-related accidents, suicide and homicide are some of the indirect health effects. It is estimated by the National Institute of Alcohol Abuse and Alcoholism that annually 100,000 people in the U.S. die from alcohol-related problems alone. Physical effects may be immediate and acute, as in drug overdose, or long-term and chronic, as in alcohol-related liver disease or neurological impairment. For health risks associated with controlled substances, refer to Appendix B.

F. DRUG AND ALCOHOL COUNSELING, TREATMENT AND REHABILITATION PROGRAMS

The University of Hawai'i encourages faculty, staff and students to seek assistance in overcoming drug or alcohol abuse. Early recognition and treatment are important for successful rehabilitation. Students may contact their campus Dean of Students for assistance regarding counseling and treatment referral services. Faculty and staff may contact their supervisors for assistance and referral services. The State Department of Health has contracts with numerous private agencies to provide a range of counseling and treatment services. For a sample listing of assistance and treatment services, refer to Appendix C.

APPENDIX A

Federal Trafficking Penalties								As of May 2006	
CSA	Penalty		Quantity	DRUG	Quantity	Penalty		1st Offense	2nd Offense
	2nd Offense	1st Offense				1st Offense	2nd Offense		
I and II	Not less than 10 years. Not more than life.	Not less than 5 years. Not more than 40 years.	5-49 gms pure or 50-499 gms mixture	METHAMPHETAMINE	50 gms or more pure or 500 gms or more mixture	If death or serious injury, not less than 20 years or more than life.	Not less than 10 years. Not more than life.	If death or serious injury, not less than 20 years or more than life.	Not less than 20 years. Not more than life.
			100-999 gms mixture	HEROIN	1 kg or more mixture				
			500-4,999 gms mixture	COCAINE	5 kgs or more mixture				
	If death or serious injury, not less than life.	If death or serious injury, not less than 20 years or more than life.	5-49 gms mixture	COCAINE BASE	50 gms or more mixture				
			10-99 gms pure or 100-999 gms mixture	PCP	100 gms or more pure or 1 kg or more mixture				
			1-9 gms mixture	LSD	10 gms or more mixture				
	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$2 million individual, \$5 million other than individual.	40-399 gms mixture	FENTANYL	400 gms or more mixture				
10-99 gms mixture			FENTANYL ANALOGUE	100 gms or more mixture					
	Drug	Quantity	1st Offense		2nd Offense				
	Others ¹	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.		Not more than 30 years. If death or serious injury, life. Fine of \$2 million individual, \$10 million not individual.				
III	Others ²	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.				
IV	Others ³	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.				
V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.		Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.				

¹ Law does not include marijuana, hashish, or hash oil (see separate chart). Includes 1 gram or more of flunitrazepam and gamma hydroxybutyric acid. ²Includes 30-999 milligrams of flunitrazepam.
³ Includes less than 30 milligrams of flunitrazepam. Although flunitrazepam is a Schedule IV controlled substance, 30 or more milligrams of flunitrazepam are subject to greater Statutory maximum penalties than the above-referenced penalties for Schedule IV controlled substances (21 U.S.C. §841(b)(1)(C) and (D)).

Federal Trafficking Penalties - Marijuana				As of May 2006	
Description	Quantity	1st Offense	2nd Offense		
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> • Not less than 10 years, not more than life. • If death or serious injury, not less than 20 years, not more than life. • Fine not more than \$4 million individual, \$10 million other than individual. 	<ul style="list-style-type: none"> • Not less than 20 years, not more than life. • If death or serious injury, mandatory life. • Fine not more than \$8 million individual, \$20 million other than individual. 		
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> • Not less than 5 years, not more than 40 years. • If death or serious injury, not less than 20 years, not more than life. • Fine not more than \$2 million individual, \$5 million other than individual. 	<ul style="list-style-type: none"> • Not less than 10 years, not more than life. • If death or serious injury, mandatory life. • Fine not more than \$4 million individual, \$10 million other than individual. 		
Marijuana	More than 10 kg hashish; 50 to 99 kg mixture More than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> • Not more than 20 years. • If death or serious injury, not less than 20 years, not more than life. • Fine \$1 million individual, \$5 million other than individual. 	<ul style="list-style-type: none"> • Not more than 30 years. • If death or serious injury, mandatory life. • Fine \$2 million individual, \$10 million other than individual. 		
Marijuana	1-49 plants; Less than 50 kg mixture	<ul style="list-style-type: none"> • Not more than 5 years. • Fine not more than \$250,000, \$1 million other than individual. 	<ul style="list-style-type: none"> • Not more than 10 years. • Fine \$500,000 individual, \$2 million other than individual. 		
Hashish	10 kg or less				
Hashish Oil	1 kg or less				

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	Drug	Quantity	1st Offense		2nd Offense				
	Others ¹	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.		Not more than 30 years. If death or serious injury, life. Fine of \$2 million individual, \$10 million not individual.				
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Marijuana	1-49 plants; Less than 50 kg mixture	<ul style="list-style-type: none"> • Not more than 5 years. • Fine not more than \$250,000, \$1 million other than individual. 	<ul style="list-style-type: none"> • Not more than 10 years. • Fine \$500,000 individual, \$2 million other than individual. 		
Hashish	10 kg or less				
Hashish Oil	1 kg or less				

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University of Hawaii
Office of the President
c/o 2440 Campus Road
Honolulu, HI 96822

**Waianae Coast
Comprehensive Health Center
Substance Abuse Program**
86-260 Farrington Hwy
Wai'anae, HI 96792-3199
Ph: 696-7081
<http://www.wcchc.com>

HAWAI'I

AI-Anon
Ph: 935-0971

Alcoholics Anonymous
485 Kinoole St
Hilo, HI 96720
Ph: 961-6133

75-5725 Alii Dr, Suite B303
Kailua-Kona, HI 96745
Ph: 329-1212

Big Island Substance Abuse Council
234 Wainuenue Ave, Suite 104
Hilo, HI 96720
Ph: 935-4927

Outpatient Treatment Centers
Kona Office
Ph: 322-3100

Waimea Office
Ph: 887-2175

**Drug Addiction Services of Hawai'i, Inc.
(DASH)**
900 Leilani St
Hilo, HI 96720
Ph: 961-6822
<http://www.dashhawaii.org>

**Hawai'i County Community
Mental Health Centers**
North Hawai'i Counseling
Honoka'a/Kohala – Ph: 775-8835
Waimea – Ph: 885-1220

West Hawai'i Counseling
Kona – Ph: 322-4818
Na'alehu – Ph: 929-7331

East Hawai'i Counseling
Hilo – Ph: 974-4300
<http://www.amhd.org>

**REACH (State of Hawai'i Employees)
Employee Assistance Program**
460 Kilauea Ave, Suite 101
Hilo, HI 96720
Ph: 935-2188

81-6587 Mamalahoa Hwy
Kealahou, HI 96750
Ph: 323-2664

MAUI

AI-Anon
PO Box 1322
Wailuku, HI 96793
Ph: 242-0296

Alcoholics Anonymous
70 Central Ave, Suite 1
Wailuku, HI 96793
Ph: 244-9673
<http://www.aamaui.org>

Hina Mauka Treatment Services
1276 A-1 Lower Main St
Wailuku, HI 96793
Ph: 242-9733
<http://www.hinamauka.org>

Maui Community Mental Health Center
121 Mahalani St
Wailuku, HI 96793
Ph: 984-2150

Maui Kōkua Services
Hotline Ph: 244-7405
<http://www.mentalhealthkokua.org>

**REACH (State of Hawai'i Employees)
Employee Assistance Program**
333 Dairy Rd, Suite 201
Kahului, HI 96732
Ph: 877-6888

LĀNA'I

Lānai Family Resources Center
Ph: 565-9110

**REACH (State of Hawai'i Employees)
Employee Assistance Program**
Ph: 1-800-994-3571

MOLOKA'I

Moloka'i Mental Health Center
65 Makaena St
Kaunakakai, HI 96748
Ph: 553-3691

**REACH (State of Hawai'i Employees)
Employee Assistance Program**
Ph: 1-800-994-3571

KAUA'I

AI-Anon
PO Box 1548
Hanalei, HI 96714
Ph: 246-1116

Alcoholics Anonymous
PO Box 3606
Lihu'e, HI 96766
Ph: 245-6677

Hina Mauka Treatment Services
2970 Haleko Road
Lihu'e, HI 96766
Ph: 245-8883

**REACH (State of Hawai'i Employees)
Employee Assistance Program**
2970 Kele Street, Suite 203
Lihu'e, HI 96766
Ph: 245-5914