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Resource Phone Numbers

Police
University Police—Brigham Young University ................................................................. 801-422-2222
Orem .................................................................................................................................. 801-229-7070
Provo ................................................................................................................................ 801-852-6210

Fire
BYU Fire Marshal ................................................................................................................ 801-422-6880
Provo Fire Department ...................................................................................................... 801-422-2222

Alcohol and Drug Abuse Counseling
Alcoholics Anonymous ....................................................................................................... 801-375-8620
Alcoholism Treatment Center—House of Hope .................................................................. 801-373-9222
BYU Drug Abuse Prevention Office ................................................................................... 801-422-1942
Gathering Place .................................................................................................................. 801-226-2255

Counseling & Victim Assistance
American Fork Hospital ..................................................................................................... 801-855-3300
BYU Comprehensive Clinic .............................................................................................. 801-422-7759
BYU Counseling and Career Center ................................................................................ 801-422-3035
BYU Women’s Services and Resources Office ................................................................. 801-422-4877
Center for Women/Children in Crisis ............................................................................... 801-377-5500
Evening—Child Abuse Hotline ....................................................................................... 801-376-8261
LDS Family Services ......................................................................................................... 801-422-7620
Mountain View Hospital—Behavior Health ...................................................................... 801-465-7000
Protective Services (Department of Human Services) ..................................................... 801-538-4100
Provo Police Department Victim Advocate ..................................................................... 801-852-6375
Rape and Sexual Assault Crisis Intervention .................................................................. 801-356-2511
Utah State Hospital (Psychiatric Care) ............................................................................. 801-344-4400
Utah Valley Regional Medical Center
General Information ............................................................................................................ 801-357-7850
Emergency Room ............................................................................................................. 801-357-7001
Outpatient Psychology ..................................................................................................... 801-357-7525
Wasatch Mental Health—Adult Outpatient ...................................................................... 801-373-7393

Domestic Violence and Sexual Assault
Center for Women/Children in Crisis ............................................................................... 801-377-5500
Child Abuse Reporting ..................................................................................................... 801-374-7005
Domestic Violence Info-line ............................................................................................. 800-787-3224
After Hours ....................................................................................................................... 800-799-7233
Intermountain Abuse Treatment Center ........................................................................... 801-373-0210
Legal Center for Victims of Domestic Violence ............................................................... 801-375-1031
Protective Orders / Legal Services ................................................................................... 801-375-1031
Rape and Sexual Assault Crisis Intervention .................................................................. 801-356-2511
Health Care
American Fork Hospital ................................................................. 801-855-3300
BYU Student Health Center ....................................................... 801-422-2771
Columbia Timpanogos Regional Hospital ..................................... 801-714-6000
Mountain View Hospital—Payson .............................................. 801-465-7000
Orem Community Hospital ......................................................... 801-224-4080
Utah Valley Regional Medical Center ........................................ 801-357-7850

Health Information, Confidential Evaluation, and Counseling
BYU Comprehensive Clinic ......................................................... 801-422-7759
BYU Counseling and Career Center ........................................... 801-422-3035
BYU Student Health Services .................................................... 801-422-2771

Reporting Hazards
BYU Academic Campus ............................................................. 801-422-5501
BYU Housing .............................................................................. 801-422-2611
University Police (After Hours / Weekends) ................................. 801-422-2222
Introduction

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act—known as the Clery Act—is named for Jeanne Clery, a nineteen-year-old Lehigh University student who was raped and killed in her dorm room in 1986. The law was originally enacted in 1990 as the Crime Awareness and Campus Security Act (Title II of Public Law 101–542), which amended the Higher Education Act of 1965 (HEA). The Clery Act requires all postsecondary educational institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. Specifically, higher education institutions subject to the law must do the following:

- Collect, report, and disseminate crime data.
- Develop policy statements regarding campus safety.
- Prepare and distribute an annual security report.
- Issue timely warnings and emergency notifications to the campus community.
- Submit crime statistics to the Department of Education.

The Clery Act has been amended many times to include additional requirements. Amendments in 2013 require institutions to report incidents of domestic violence, dating violence, and stalking. The Act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so that they can make informed decisions about where to attend school.

Preparing the Annual Security Report

This document is designed to provide students and employees with information concerning personal safety and university policies, and to comply with federal law. The report is prepared on an annual basis by University Police. The university’s Office of Compliance and Audit provides statutory and regulatory compliance oversight of the report’s contents. For additional information or to submit changes and corrections, please contact the following:

Terry Fox, University Police, 801-422-7337 or terry_fox@byu.edu.
Crime Statistics

Collecting Crime Reports and Statistics Procedures
The Clery Act requires universities to disclose statistics for reported crimes based on (1) where the crimes occurred, (2) to whom the crimes were reported, (3) the types of crimes that were reported, (4) the year in which the crimes were reported, and (5) the geographic location where the reported crimes occurred. Geographic locations include campus, public property within or immediately adjacent to campus, and certain noncampus buildings or property that are owned or controlled by the reporting university.

Statistics are collected from the following sources:
- University Police,
- Campus Security Authorities,
- EthicsPoint compliance hotline, and
- Provo Police Department.

Statistics Table

<table>
<thead>
<tr>
<th>CRIMINAL OFFENSES</th>
<th>Campus &amp; Residence Hall (RH) Totals</th>
<th>Noncampus Property</th>
<th>Public Property</th>
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<tr>
<td>Total</td>
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<td>RH</td>
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<td>Motor Vehicle Theft</td>
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<tr>
<td>Arson</td>
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<td>HATE CRIMES</td>
<td>Campus &amp; Residence Hall (RH) Totals</td>
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<td>Motor Vehicle Theft</td>
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<td>CATEGORIES OF PREJUDICE</td>
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<td>Religion</td>
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</tr>
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<td>Disability</td>
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</tbody>
</table>
Crime Definitions

The Crime Statistics table reflects specific crimes and arrests reported to the sources identified in the Collecting Crime Reports and Statistics Procedures Section. Per the Clery Act, these crimes are classified based on the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions are from the FBI’s National Incident-Based Reporting System (NIBRS) edition of the UCR. Hate crimes are defined according to the FBI’s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. Although the law states that institutions must use the UCR for defining and classifying crimes, it does not require Clery Act crime reporting to meet all UCR standards. This Crime Statistics Report may or may not reflect the actual number of crimes committed on campus; however, it does accurately represent the number of the following defined crimes reported to the aforementioned entities.

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

**Negligent Manslaughter:** The killing of another person through gross negligence.
Sex Offenses 2014 forward:

2014 brought forward a new requirement in the reporting of Sex Offenses. The four categories are now tracked as Rape, Statutory Rape, Incest, and Fondling. The previous tracked offenses of Forcible and non forcible will be phased out of the reporting table over the next two years.

- **Rape**: 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.

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

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

- **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her temporary or permanent incapacity.

**Sex Offenses, Forcible 2012 & 2013**: Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

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

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

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

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

**Sex Offenses, Non-forcible 2012 & 2013**: Unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:

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

- **Statutory Rape**: Non-forcible sexual intercourse with a person who is under the statutory age of consent.
**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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. For reporting purposes, this definition includes all cases where automobiles are taken by persons not having lawful access—even if the vehicles are later abandoned (including 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, the personal property of another, etc.

**Hate Crimes:** A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Any primary crime (see above)**

**Larceny-theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Simple assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/damage/vandalism of property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Illegal Weapons Possession:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification are the following: the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.
Arrests and Referrals for disciplinary actions

Drug Law Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. This includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance, as well as any arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Included in this classification are the following: all drugs, without exception, that are illegal under local or state law; and all illegally obtained prescription drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages—not including driving under the influence and drunkenness. The following are included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; and drinking on a public conveyance.

Attempted Crimes: This report does not differentiate between attempted and completed crimes. For example, an incident involving an attempted forcible rape is counted as a forcible sex offense. The only exception to this rule applies to attempts or assaults to murder when the victim does not die. These incidents are classified as aggravated assaults rather than murders.

Other Definitions

Domestic Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined 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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

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. The existence of such a relationship shall be determined 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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking: Engaging in a course of conduct [two or more acts such as following, monitoring, observing, surveilling, threatening, communicating or interfering] 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.
Reporting Crimes and Emergencies

Brigham Young University encourages accurate and prompt reporting of all crimes and emergency situations.

People to Receive Reports

Any of the following are prepared to receive reports.

University Police

University Police has jurisdiction over all law enforcement related issues occurring on Brigham Young University properties. Crimes in progress, suspicious circumstances, medical emergencies, and other campus emergencies should be immediately reported to University Police. When dialing 911, campus phones connect directly with University Police; cell phones connect with Provo Police, who forward the call to University Police.

Provo City Police Department

Students may report crimes to the Provo City Police Department, whose jurisdiction includes all off-campus housing. The Provo Police Department is available at the following location:

Provo City Police Department
48 South 300 West
Provo, UT 84601
801-852-6210
police_records@provo.utah.gov

EthicsPoint Compliance Hotline

The university provides an anonymous compliance hotline—EthicsPoint—for reporting non-emergency incidents on a voluntary and confidential basis, either by phone or online. Reporters should explain the issue in detail, and they should return to the report, either by internet or phone, to answer questions posed by a BYU representative. Reporters can also return to the report to receive updates.

Telephone

Submit anonymous reports through a third party administrator:
- Call EthicsPoint’s toll-free hotline, available twenty-four hours a day: 1-888-238-1062.

Online

Submit anonymous reports through a third party administrator:
- Visit BYU’s Office of Compliance website and click on the hotline button: http://compliance.byu.edu, or

Emergency Telephones

Emergency telephones marked by blue lights and bold lettering are strategically located throughout the campus. Push the button to talk and stay in place; an officer will be immediately sent to the scene. For a map of emergency telephones located on campus see “Emergency Telephone Map” in the Appendix.

Campus Security Authorities (CSAs)

University police is the preferred contact for reporting campus crimes. However, individuals may also report criminal incidents to Campus Security Authorities, who include individuals responsible for campus security
and others who have been designated due to their significant responsibility for student and campus activities. Specifically, the following persons and organizations may receive reports of criminal offenses:

- Academic Vice President,
- Advancement Vice President,
- International Vice President,
- Student Life Vice President,
- Aspen Grove Family Camp,
- Athletic Director and assistant athletic directors,
- Athletic team coaches,
- Center for Conflict Resolution,
- CES Youth & Family Programs,
- College deans and assistant deans,
- Compliance Office,
- Comprehensive Clinic Director,
- Counseling and Career Center Director,
- Dean of Student Life,
- Dean of Students Office,
- Employee Relations Office,
- Equal Opportunity Office,
- General Counsel Office,
- Honor Code Office,
- International Services Director,
- Intramural Activities Director,
- Multicultural Student Services Office Director,
- Residence Halls managers,
- Residence Life Director and assistant directors,
- Residence Life hall advisors,
- Risk Management & Safety Office,
- ROTC,
- Student Leadership Director and Assistant Director,
- Undergraduate Studies Office,
- University Chaplain,
- Wilkinson Student Center, and
- Women’s Services & Resources.

Local Law Enforcement Authorities
BYU encourages the campus community to report crimes to local law enforcement authorities.

Pastoral and Professional Counselors
University professional counselors and ecclesiastical counselors are encouraged to make individuals aware of the EthicsPoint Compliance Hotline as an alternative means of confidentially and anonymously reporting crime.

A pastoral counselor is 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. A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the campus 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 university but are under contract to provide counseling to the campus community.

The pastoral or professional counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may have learned about. This is similar to the privilege provided under certain circumstances to doctors and attorneys when they may learn of crimes from patients or clients. This exemption is intended to protect the counselor-client role. However, even these legally recognized privileges acknowledge some exemptions, such as certain situations in which counselors are in fact under a legal obligation to report a crime.

To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. An individual who is not yet licensed or certified as a counselor, but is acting in that role under the supervision of an individual who meets the definition of a pastoral or professional counselor, is considered to be one for the purposes of the Clery Act. An example is a BYU Ph.D. counselor-trainee acting under the supervision of a professional counselor. However, a dean of students who has a professional counselor’s license, but who is employed by the university only as a dean and not as a counselor, is not exempt from reporting. If that same dean is employed by BYU as both a professional counselor and an academic counselor, and he or she learns of a criminal incident while he or she is engaged in academic counseling, he or she is not exempt from reporting that incident. If an individual has dual roles, one as a professional or pastoral counselor and the other as an official who qualifies as a campus security authority, and the roles cannot be separated, that individual is considered a campus security authority and is obligated to report Clery crimes of which they are aware.

An individual who is counseling students and/or employees, but who does not meet the Clery definition of a pastoral or professional counselor, is not exempt from being a campus security authority if they otherwise have significant responsibility for student and campus activities. This includes positions such as the director of the Student Health Center, the director of the Counseling Center, or the director of Women’s Services and Resources, etc.

**Timely Warning Policy**

The following methods may be used to disseminate information to the campus community about crimes that have already occurred but represent a serious or continuing threat to the campus community:

- Police Beat—weekly news feature in *The Universe*,
- Y Alert—campus emergency notification system,
- Operation Eyes—bulletins sent electronically enlisting help locating suspects and disseminating information,
- Seminars and presentations—instructions on crime prevention,
- University Police web page ([police.byu.edu](http://police.byu.edu))—additional crime awareness information, and
- Housing newsletters—distribution of crime information to campus residents.

**Timely Warning Notification Committee**

The University Police Chief, the Director of University Communications and the University General Counsel, or their designees, comprise the Timely Warning Notice Committee. This Committee meets at the direction of the Chief of Police when a serious incident occurs that may present an imminent and/or continuing threat to students and employees. The committee discusses and prepares appropriate notifications to release to the university community. A record is kept of all committee meetings.
Security of Campus Facilities

The Physical Facilities and Auxiliary Maintenance departments maintain university buildings, grounds, and housing facilities with a focus on safety and security. They regularly inspect these facilities and promptly make appropriate repairs. They also respond twenty-four hours a day to reports from the public or police of potential safety and security hazards. Representatives from University Police and Physical Facilities periodically inspect the entire campus to review lighting and environmental safety concerns.

Brigham Young University is an “open campus with restrictions.” Most university facilities are open to the public during the day and evening hours when classes are in session. When buildings have been secured for the night, for holidays, etc., only employees and authorized students with proper identification are admitted. The majority of campus buildings are equipped with an electronic card-access security system.

On-Campus Student Housing:

The residence halls for single students are grouped into four areas: Helaman Halls, Heritage Halls, Wyview Park, and the Foreign Language Student Residence. Helaman Halls is a room-and-board facility consisting of nine three-story buildings housing 2,089 students. Heritage Halls currently consists of twelve apartment style buildings housing 1,924 students. Wyview Park consists of thirty apartment style buildings housing 600 students. The Foreign Language Student Residence consists of four apartment style buildings housing 147 students.

In addition, the university provides on-campus family housing facilities at Wymount Terrace and Wyview Park, which houses more than 910 students and their families. As in the single student residence halls areas, a Community Service Assistant is on duty during late evening and early morning hours.

Security

The Office of Residence Life supports a safe environment for student residents. University Police regularly patrol these areas and work closely with the Housing staff and residents to promote safety and security. University Police also offers crime awareness and prevention orientations to Residence Life staff and residents.

After hours, residence halls are restricted to persons who live and work there. All building entrances are locked for security; crash bars provide for emergency exits. Hall security is monitored in each area by full-time Hall Advisors and student Resident Assistants.

The Office of Residence Life and University Police develop procedures and programs to help promote high standards of safety and security for tenants. In response to Residence Life goals to provide a safe and secure atmosphere in which to live, a Housing Community Service Assistant (CSA) program has been established. CSA staff typically work late evenings through early morning hours. They wear identifying attire and carry two-way radios or cellular telephones for contact with University Police.

Reporting a Hazard

Individuals are encouraged to report hazardous conditions or safety concerns to the following departments:

- Physical Facilities: 801-422-5500 (8:00 a.m. to 4:30 p.m.)
- Auxiliary Maintenance: 801-422-4411 (8:00 a.m. to 4:30 p.m.)
- University Police: 801-422-2222
Residence Life and University Police provide opportunities for residents to learn about personal safety and what residents can do to help secure residence halls. Residents are counseled to do the following:

- Lock doors to apartments to protect personal property and to provide additional security,
- Promptly challenge and report strangers,
- Never prop open secured entrances,
- Report any damaged or malfunctioning locking mechanisms on doors and windows
- Accompany visitors even when halls are open and unlocked, and
- Be accountable for their guests' actions.

**Off-Campus Student Housing**

Many students live in privately owned off-campus rental units. The university contracts with owners who have agreed to exercise reasonable efforts to maintain rental facilities in good repair including properly functioning locks on doors and windows. Some of the large apartment complexes provide their own night security watch.

The university cannot and does not guarantee or represent that owners and managers always comply with health and safety standards established by BYU, the County, and the State. Students bear the responsibility to choose a safe and secure off-campus apartment. Crime prevention and crime awareness programs are provided upon request for students who reside off-campus. These programs and other crime prevention materials are free and available upon request by contacting local police agencies or University Police.

The University Police Department is responsible to police on-campus student residences, facilities, properties, and activities. BYU does not recognize off-campus student organizations. Local law enforcement agencies are responsible for policing off-campus student residences. The University Police Department maintains a strong working relationship with local law enforcement agencies.

**Facilities outside the Provo City Area Controlled by BYU**

- The West Mountain Observatory is located several miles southwest of Provo City,
- Spring Haven is located in Hobble Creek Canyon east of Springville, and
- Aspen Grove Family Camp and Timpanogos Lodge are located several miles up Provo Canyon.

University Police provides law enforcement and crime prevention services for these areas as needed; however, the Utah County Sheriff's Office provides routine patrol coverage. Investigations of crimes occurring at these locations are the responsibility of University Police.
Campus Law Enforcement

University Police Authority
Brigham Young University maintains a state-certified police department. The department’s police officers and dispatchers are certified by the Utah Department of Public Safety. University Police Officers have the same law enforcement powers as officers from other Utah police agencies, including the authority to make arrests. The University Police Department works closely with local municipal, county, state, and federal law enforcement agencies.

Training
All officers receive ongoing training under regulatory guidelines established by the Utah Department of Public Safety. This training includes such areas as crime prevention, domestic violence, active shooter, criminal investigation, first aid, firearms, defensive tactics, crowd control, traffic accident investigation, constitutional and statutory law, etc.

Patrol Division
Uniformed officers patrol the campus on foot, on bicycles, and in marked police cars. These officers are highly trained in the specialized areas of patrol and first responder tactics. The Patrol Division operates twenty-four hours a day, seven days a week.

Investigations Division
University Police investigators conduct follow-up criminal investigations, provide dignitary protection for select individuals, and assist with crime prevention and awareness programs. These officers are highly trained in specialized areas such as forensic science, managing and processing crime scenes, conducting interviews, criminal investigations management, and dignitary protection.

Dispatch and Communications Center
The University Police Department maintains a state-certified 911 center. Also reporting into the center is an integrated electronic card access, intrusion detection, and camera security system. This state-of-the-art system encompasses the majority of campus facilities and key outdoor areas. The system is comprised of 3,000 alarm points, 520 card-access equipped doors, and 800 cameras.

Mission Statement
The University Police Department facilitates an environment of peace and order for the BYU community through the following:

- Treating others with courtesy, dignity, and respect;
- Preventing crime and eliminating hazards;
- Teaching others how to protect themselves and their property;
- Detecting crime and apprehending violators; and
- Enhancing service through the personal and professional development of department employees.

Off-Campus Student Organizations
The University Police Department is responsible to police on-campus student residences, facilities, properties, and activities. BYU does not recognize off-campus student organizations. Local law enforcement agencies are responsible for policing off-campus student residences. The University Police Department maintains a strong working relationship with local law enforcement agencies.
Crime Prevention and Campus Security Programs

Brigham Young University is a remarkable place to live, work, and study. Historically, the campus has experienced lower crime rates than many other educational institutions of similar size. However, BYU is not immune to the criminal acts of others. BYU’s crime prevention programs and measures, though effective, are not substitutes for one’s responsibility to practice good safety habits. Preventing and reducing crime also requires a campus community effort.

Comply, Observe, Police, Safety (COPS)—Robbery Prevention
This program is provided on an as-needed basis. University Police Officers present information at new campus locations where cash is handled.

Crime Prevention & Personal Safety Seminars
Upon request, University Police provide lectures and literature to students, employees, and church groups to promote crime awareness and prevention. Each fall and winter semester, all single students are invited to a personal safety presentation. Presentations are held separately for males and females in each of the on-campus housing areas’ central buildings.

Family Health and Safety Fair
At the beginning of each fall semester, On-Campus Student Housing hosts a fair and a University Police crime prevention officer presents information regarding safety.

International Study Abroad Programs
Safety and security training is provided to all students traveling abroad through the study program in which they are enrolled. Additional information may be obtained from the Kennedy Center:

Kennedy Center for International Studies
237 HRCB BYU
801-422-3377
kennedycenter@byu.edu

Individuals traveling abroad should also visit the U.S. Department of State website (http://www.state.gov/) for further information pertaining to travel tips, warnings and other pertinent information.

Literature
Pamphlets on crime awareness and prevention are available from University Police on a variety of topics. These topics include date rape, seat belt safety, operation identification (personal property labeling), BYU Center for Conflict Resolution, mediation, victim of crime restitution process, bicycle security and domestic violence. Similar information is also available through seminars and other media.
Media Programs
The Y-News (staff newsletters), The Universe (student newspaper), KBYU-FM radio (campus broadcasting station), and KBYU-TV are used to inform the public about crimes and crime prevention tactics as needed. In addition, the university gives timely notice of certain crimes committed on and near campus that pose a foreseeable threat to the campus community.

New Employee Orientation
New employee orientations are held on Mondays. During every orientation, a University Police crime prevention officer gives a crime prevention presentation.

Operation Eyes
On an as-needed basis, bulletins are sent electronically to appropriate BYU employees soliciting their assistance in watching out for a particular perpetrator, suspicious circumstances, etc.

Rape Aggression Defense (RAD)
RAD is a university course in basic self-defense skills that teaches women rape awareness, prevention, risk reduction, and avoidance. The course is offered as Student Activity Course 155—Self Defense (StAc 155). Not all of the StAc 155 sections are RAD classes, so students wishing to register should check with University Police for information to verify which section is a RAD class.

Site Security Surveys
On an as needed basis, site security surveys are conducted to create a safe living and learning environment for specific campus locations by identifying and countering security risks and improving security measures.
Alcohol, Tobacco, and Drugs

Brigham Young University encourages and sustains an academic environment that promotes the health, safety, and welfare of all university members. Thus, it is the long-standing policy of the university that employees and students completely abstain, whether on or off campus, from the use of tobacco and from the possession, use, or distribution of any illegal drug or alcohol and also abstain from the use of any controlled legal substance without specific medical authorization. In addition, possession or consumption of illegal drugs, alcoholic beverages, or tobacco on campus by anyone is contrary to university policy. Personnel or students known to be possessing, using, or distributing illegal drugs or possessing and using alcohol or tobacco are subject to university disciplinary action and, if appropriate, to legal sanctions pursuant to local, state, and federal law.

Through the annual Clery Act Campus Security Report, all personnel and students are provided annually with a copy of the University Drug-Free Policy in which university and legal sanctions are detailed for inappropriate drug use. The document also details the known health risks associated with drug use.

Drug and Alcohol Abuse Education Programs

The university supports personnel and student participation in programs to prevent the abuse of drugs, controlled substances, tobacco, and alcohol. The Substance Abuse Prevention Office can provide confidential assistance with drug and alcohol abuse problems. Educational training programs, health information, preliminary evaluations, and counseling for possible referral for outside medical assistance are likewise available. Contact any of the offices listed on the right for drug or alcohol assistance. Counselors in these offices are experienced professionals. They offer support for students in an atmosphere of understanding and confidentiality. All programs offer individual assessment and referral to both on and off-campus resources. Several independent off-campus entities also offer counseling services that are not affiliated with the university or its sponsor, The Church of Jesus Christ of Latter-day Saints.

Persons aware of those with substance abuse problems enrolled at or employed by BYU are encouraged to act responsibly by consulting with one of BYU’s counselors or a University Police officer. Remaining silent or waiting until a situation has escalated is not wise and is often dangerous. The university supports the premise that personnel and students should cooperatively help one another to solve alcohol and substance abuse problems.

Drug and Alcohol Assistance

<table>
<thead>
<tr>
<th>Contact the following resources for drug or alcohol assistance:</th>
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<tr>
<td>• Counseling and Career Center, 2500 WSC (801-422-3035)</td>
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<tr>
<td>• Honor Code Office, 4440 WSC (801-422-2847)</td>
</tr>
<tr>
<td>• Substance Abuse Prevention Office in the Counseling and Career Center, 2500 WSC (801-422-1942)</td>
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</tbody>
</table>
Drug-Free School Policy
6 January 2014

Brigham Young University encourages an academic environment that promotes the health, safety, and welfare of all university members. As a condition of enrollment or employment, the university requires that all students and personnel abide by a personal commitment to the Church Educational System Honor Code (“Honor Code”), which includes abstaining from the possession, use, or distribution of illegal drugs or alcohol, and abstaining from the intentional misuse or distribution of any prescription or legal drugs without specific medical authorization. These prohibitions apply both on and off campus.

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

This Drug-Free School Policy should not be confused with the university’s Drug-Free Workplace Policy, which is designed to comply with the Drug-Free Workplace Act of 1988 and which governs the workplace environment of university personnel engaged in research sponsored by the Federal government.

Drug Prevention Program
The university has adopted and implemented a drug prevention program for its students and university personnel. This program includes annual distribution in writing to each student—regardless of the length of the student’s program of study—and to all personnel the following information: (1) the standard of conduct expected of students and personnel in relation to the possession, use, or distribution of drugs and alcohol; (2) the standard of conduct related to the misuse of prescription drugs, alcohol, and tobacco; (3) a description of the applicable legal sanctions under state and Federal law that may arise from the unlawful possession or distribution of drugs; (4) a description of the health risks associated with the use of illegal drugs; (5) a description of the university’s substance abuse counseling and treatment resources available to students and personnel; and (6) a clear statement of the disciplinary sanctions that may be imposed upon students and personnel for violations of the university’s Drug-Free School Policy.

Disciplinary Sanctions for Drug Violations
Personnel or students found to be knowingly possessing, using, or distributing illegal drugs, alcohol, or tobacco are subject to university disciplinary action and, if applicable, to legal sanctions pursuant to Federal, state, or local law. A student or employee who violates this policy or the related prohibitions on drug, alcohol, and tobacco use in the Honor Code will be subject to applicable disciplinary sanctions up to and including dismissal from the university or termination of employment.

The university will determine the appropriate sanction(s) on a case-by-case basis and may consider all of the circumstances involved, including, but not limited to, the following factors: (1) whether the violation constitutes a first offense; (2) the scope and duration of the individual’s drug, alcohol, or tobacco use; (3) whether the individual has requested assistance to obtain substance abuse treatment; and (4) any other efforts the individual has undertaken to correct the misconduct, such as counseling with an ecclesiastical leader about the drug, alcohol, or tobacco use. In applicable cases, discipline may involve referral to local law enforcement for criminal prosecution.

Individuals involved in the unintentional misuse of prescription drugs are not subject to the sanctions stated in this policy, but rather are encouraged to seek assistance from the university’s Substance Abuse Prevention Office.
Available Drug Counseling and Treatment
The university supports student and personnel participation in programs to prevent the abuse of illegal drugs, prescription drugs, alcohol, and tobacco. The Substance Abuse Prevention Office, located at 2500 WSC (801-422-1942), has been established to provide students with confidential assistance for drug and alcohol abuse problems. Educational training programs, health information, preliminary evaluations, and counseling for possible referral to an outside medical provider are available. The Honor Code Office (801-422-2847) and Counseling and Psychological Services (801-422-3035) also provide consultations. Counselors in these offices are experienced professionals who offer support for students in an atmosphere of understanding and confidentiality. All programs offer individual assessment and referral to both on- and off-campus resources. Several independent off-campus entities also offer counseling services that are not affiliated with the university or its sponsor, The Church of Jesus Christ of Latter-day Saints.

The general university prevention program of information dissemination, consultation, and referral is available as follows:

- The university will educate students and personnel about the detrimental effects of illegal drugs, misuse of prescription drugs, alcohol, and tobacco through the university’s annual Clery Act Campus Security Report ("Security Report") publication and distribution. Additional educational training for those who request the service may consist of university sponsored workshops, seminars, and lectures as determined appropriate by the director of the Substance Abuse Prevention Office and approved by university administration.
- A description of the health risks associated with any particular drug (i.e., physical and psychological addiction; physical, psychological, and spiritual deterioration; disease; and death) may be obtained from the university’s annual Security Report, which is available online at police.byu.edu or can be requested in hard-copy form from University Police.
- The university recognizes that potential legal sanctions may accompany an individual’s use of drugs. The applicable legal sanctions under Federal, state, or local law may include significant fines and imprisonment. A summary of applicable legal sanctions from the unlawful use of drugs may be obtained from the university’s annual Security Report, which is available online at police.byu.edu or can be requested in hard-copy form from University Police.
- Students and personnel involved in the intentional use of drugs, alcohol, or tobacco may seek a consultative interview through the Substance Abuse Prevention Office for possible referral to an outside medical provider. All discussions will be handled in a confidential manner to the extent permitted by law.

The university supports the premise that personnel and students should cooperatively help one another to solve alcohol and substance abuse problems. Persons aware of those with substance abuse problems enrolled at or employed by the university are encouraged to act responsibly by consulting with the Substance Abuse Prevention Office, Faculty Relations Office, Employee Relations Office, the Honor Code Office, or University Police. Remaining silent or waiting until a situation has escalated is unwise and often dangerous.

Biennial Drug-Free School Program Review
The university has appointed a standing Drug-Free Compliance Committee which meets at least once every two years or more often as needed. The committee reviews the university’s substance abuse prevention program to determine its effectiveness, implement changes to the program as needed, and confirm that appropriate disciplinary sanctions are consistently enforced against students and personnel who violate this policy.
Drug-Free Workplace Policy
January 9, 2012

POLICY

The university absolutely prohibits the unlawful manufacture, use, dispensing, possession, or distribution of controlled substances by any employee, student, volunteer, or other individual participating in the university workplace (collectively referred to in this policy as “workforce participant(s)”).

As a condition of employment or participation in the university workplace, BYU requires all workforce participants, to abide by this BYU Drug-Free Workplace Policy. The Honor Code also addresses workforce participants’ use of controlled substances or abuse of medically prescribed substances. In addition to the requirement to abide by this policy, all workforce participants are also required to adhere to the more restrictive prohibitions outlined in the Honor Code.

PROCEDURES

All workforce participants at the university will receive a copy of the Drug-Free Workplace Policy at least annually.

Any workforce participant at the university convicted of violating a criminal drug statute inside OR outside of the workplace must notify his or her immediate supervisor or the principal investigator (in the case of federal research grant or contract) of the conviction, in writing, no later than five calendar days after the conviction. The immediate supervisor or principal investigator is responsible to immediately notify either Employee Relations or Faculty Relations, as appropriate.

If a workforce participant who violates this policy is engaged in a federally funded contract or award, the supervisor or principal investigator must also inform the Director of the Office of Research and Creative Activities. The Director of the Office of Research and Creative Activities will then notify all affected federal agencies within ten days of receiving notice of the conviction in compliance with 34 C.F.R. § 84.225(a).

If any workforce participant violates this policy, Employee Relations or Faculty Relations, as appropriate and in consultation with the appropriate unit management, will take appropriate personnel action against the individual, up to and including termination of employment, consistent with the requirements of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as amended.

In the event the individual was engaged in the performance of a federal award or contract, these actions must be taken within thirty calendar days of learning about an individual’s conviction. The affected individual may be subject to criminal penalties under applicable federal and state law.

The principal investigator specifically, and not the university, is responsible for ensuring compliance with all terms of a federal grant or contract.

Other disclosures associated with the university’s drug-free workplace responsibilities are available in the annual campus security report available at https://police.byu.edu/ and click on the Annual Security Report tab.

DRUG PREVENTION ASSISTANCE

In an effort to deter drug abuse, the university has established the Substance-Abuse Prevention Office. For individual assistance, please contact this office at 801-422-1942.
Other Drug and Alcohol Information

See the Appendix for federal and state legal sanctions for illegal possession, distribution, and consumption of drugs, alcohol, and tobacco; and the known health risks associated with the consumption of drugs, alcohol, and tobacco.
Sexual Misconduct Policy

23 March 2015

I. GENERAL POLICY STATEMENT

Brigham Young University is committed to promoting and maintaining a safe and respectful environment for the campus community. The university will not tolerate sexual harassment, sexual violence, domestic violence, dating violence, or stalking (collectively “Sexual Misconduct”) perpetrated by or against any university students, university employees, participants in university programs and activities, or visitors to its campus. This policy prohibits Sexual Misconduct by university employees (which include all faculty, staff, and administrative employees) and students, whether the behavior occurs on or off campus. This policy also prohibits Sexual Misconduct by or against visitors to the university (such as independent contractors, vendors, visiting lecturers, and visiting student-athletes).

The university will take immediate and appropriate steps to stop Sexual Misconduct, prevent its recurrence, and address its effects. Any person who violates this policy may be subject to discipline up to and including termination of employment, suspension, dismissal, and a ban from campus, depending on the circumstances and the severity of the violation and the violator’s status as an employee, student, or visitor.

The university will work to prevent Sexual Misconduct and address reports of Sexual Misconduct by

- educating members of the campus community about this policy and applicable laws;
- promptly addressing and resolving reports of Sexual Misconduct in accordance with this policy;
- protecting the rights of all parties involved in a complaint; and
- imposing appropriate discipline against those who have engaged in Sexual Misconduct.

Individuals should seek to resolve incidents of Sexual Misconduct by following the procedures set forth in Section IV of this policy.

II. PROHIBITED CONDUCT

As required by Title IX of the Education Amendments of 1972 and Title VII of the Civil Rights Act of 1964, the university prohibits sex discrimination in its educational programs or activities, admission, and employment. See Nondiscrimination and Equal Opportunity Policy. Under certain circumstances, Sexual Misconduct may constitute sex discrimination.
Sexual Misconduct prohibited under this policy includes a range of unwelcome sexual conduct, including verbal and physical sexual harassment, sexual assault, and other forms of sexual violence, each of which is a form of prohibited sex discrimination. Other criminal behavior, such as domestic violence, dating violence, and stalking, that is generally (though not exclusively) sex-based is also considered Sexual Misconduct under this policy. This policy does not address consensual sexual activity prohibited under the Church Educational System Honor Code or other kinds of sex discrimination of a non-sexual or non-criminal nature prohibited under the Nondiscrimination and Equal Opportunity Policy.

A. SEXUAL HARASSMENT

Sexual harassment is unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature whether verbal, nonverbal, or physical. Conduct is unwelcome if the individual toward whom it is directed did not request or invite it and regarded the conduct as undesirable or offensive. A wide variety of sexual conduct may constitute sexual harassment. Examples of sexual harassment include, but are not limited to, the following:

- Sexually suggestive or offensive joking, flirting, or comments
- Unwelcome and intentional touching
- Sexually oriented verbal abuse
- Sexually oriented comments about an individual's body
- Displaying objects or pictures that are sexual in nature
- Sending sexually explicit or offensive text messages or other communications

Sexual harassment of any kind is contrary to the teachings of The Church of Jesus Christ of Latter-day Saints and the Church Educational System Honor Code, and is considered to be Sexual Misconduct prohibited under this policy.

Sexual harassment directed at employees or students of the university is also a form of sex discrimination which may be prohibited by Title VII of the Civil Rights Act of 1964 (prohibiting unlawful discrimination, including sex discrimination in employment) and Title IX of the Educational Amendments of 1972 (prohibiting sex discrimination in federally-funded education programs and activities). Sexual harassment prohibited by these laws generally falls within one of two categories:

1. Quid pro quo sexual harassment—when submission to or rejection of the unwelcome sexual conduct is used as a basis for employment decisions affecting an employee, or when a teacher or other employee conditions an educational decision or benefit on a student’s submission to unwelcome sexual conduct.
2. Hostile environment sexual harassment—when the unwelcome sexual conduct is so severe or pervasive that it alters the conditions of an employee’s employment and creates a hostile, intimidating, or abusive working environment or it denies or limits a student’s or employee’s ability to participate in or benefit from the university’s programs or activities.

To avoid the possibility or appearance of quid pro quo sexual harassment, employees and students should avoid dating, romantic, or amorous relationships where a power differential exists. Examples of such relationships include, but are not limited to, a professor or teaching assistant involved in a relationship with his or her student, or a supervisor involved in a relationship with a subordinate employee. If such a relationship exists, it must be approved by both parties with the appropriate supervisor(s), who should document the disclosure of the relationship and confirm with the parties that the relationship is voluntary and not unwelcome to either party. As a general rule, dating, romantic, or amorous relationships should not be entered into or continued while one individual in the relationship has the power to either reward or penalize the other in work or in school.

Sexual harassment that creates a hostile environment is more common than quid pro quo harassment, but it is more difficult to identify. In order for harassment to be sufficiently severe or pervasive to create a hostile environment, the employee or student must subjectively consider the environment to be hostile or abusive and the conduct would also have to be objectively offensive, that is, reasonable people in the employee or student’s position would also find the conduct to be offensive, considering all the circumstances.

The fact that someone did not intend to sexually harass an individual is generally not a defense to a complaint of sexual harassment. In most cases, determining whether the behavior has created a hostile environment depends on the effect the behavior has on the victim (including its effect on an employee’s job performance or a student’s education) and the surrounding circumstances (such as the type, frequency, and duration of the conduct; the relationship between the alleged perpetrator and victim; the number of people involved in the conduct; and the location and context of the incidents). Unwelcome sexual conduct that is mildly offensive and isolated, incidental, or sporadic does not rise to the level of unlawful sexual harassment under Title IX or Title VII, even though it may still be considered sexual harassment in violation of this policy and the Church Educational System Honor Code.

B. SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person who has not consented or who is incapable of giving consent. Consent is a voluntary agreement to engage in sexual activity and is determined by all the relevant facts and circumstances. Consent cannot be given by someone who is incapacitated for any reason (i.e., because of the victim’s age, disability, unconsciousness, or use of drugs or alcohol).
Additionally, consent cannot be implied by silence, the absence of resistance, or past consent with the same or another person. Even if a person has given his or her consent to engage in sexual activity, consent to engage in further sexual activity can be withdrawn at any time. Consent is invalid where it is given under coercion, force, or threats.

Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, and sexual abuse. Such acts of sexual violence, in addition to being criminal offenses prohibited under the Utah Criminal Code, also constitute Sexual Misconduct prohibited under this policy. A single act of sexual violence (e.g., rape) may be sufficiently severe to create a hostile environment.

Domestic violence, dating violence, and stalking are likewise criminal offenses under the Utah Criminal Code and are also considered Sexual Misconduct prohibited under this policy, even when the criminal behavior is not specifically sexual in nature.

Domestic violence is a violent crime committed by a current or former spouse or intimate partner (or someone similarly situated) or any other person against a victim who is protected from that person’s acts under state domestic or family violence laws. Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress.

III. REPORTING INCIDENTS

A. DUTY TO REPORT

Some university employees have a duty under this policy to report Sexual Misconduct. Even so, all persons are encouraged to and may voluntarily report incidents of Sexual Misconduct to the Title IX Coordinator. State law imposes additional reporting obligations related to sexual abuse of a child. Victims of Sexual Misconduct are strongly encouraged to report incidents of Sexual Misconduct.

1. Responsible Employees

A dean, director, department chair, professor, coach, University Police officer, or any other university employee in a managerial or supervisory role (“Responsible Employee”) who becomes aware of or reasonably suspects any incidents of Sexual Misconduct must promptly report all relevant information to the Title IX Coordinator. A Responsible Employee who receives a report of Sexual Misconduct should inform the reporting individual that the employee must report the incident, and the employee should then promptly make the report to the Title IX Coordinator. Responsible Employees with information regarding an incident of
Sexual Misconduct who fail to report relevant information or to cooperate in an investigation may be subject to disciplinary action.

The only exceptions to the reporting obligation for Responsible Employees are those situations in which the Responsible Employee received the information as part of a confidential communication in the context of a professional or otherwise privileged relationship (i.e., the Responsible Employee was the reporting person’s doctor, therapist, lawyer, ecclesiastical leader, or spouse).

2. Child Abuse Reporters

Any person who has reason to believe that a child (anyone under 18 years old) has been subjected to sexual violence or other forms of abuse or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in such abuse or neglect, must report the situation to the nearest peace officer, law enforcement agency, or applicable office of the state Division of Child and Family Services, as required by state law and the university’s Child Protection Policy.

3. Campus Security Authorities

A university employee who has been designated as a Campus Security Authority (“CSA”) and who receives a report of Sexual Misconduct must relay statistical information about incidents of sexual assault, dating violence, domestic violence, and stalking to University Police. CSAs are persons who have responsibility for campus security or who have significant responsibility for student and campus activities. Such persons include, but are not limited to, security staff, vice presidents, athletic directors, coaches, deans, directors, managers, Honor Code Office staff, and Residence Life hall advisors. Federal law requires that the university prepare and distribute an annual security report containing statistics for certain crimes that were reported to CSAs. The university must also issue timely warnings about crimes that pose a threat to students and employees.

4. Victims of Sexual Misconduct

In order to protect their own and others’ safety, individuals who believe they have been subjected to Sexual Misconduct should make a report even if they have simultaneously been involved in other violations of university policy, such as use of alcohol or drugs. Violations of university policy or the Church Educational System Honor Code do not make a victim at fault for sexual violence or other forms of Sexual Misconduct and will be addressed separately from the Sexual Misconduct allegation.

Individuals who believe they have been victims of sexual harassment may seek to resolve the issue privately under the informal resolution provisions of this policy or may report the issue under the formal resolution provisions provided herein. Individuals who believe they have been
victims of sexual violence, or those who have suffered severe or pervasive sexual harassment creating a hostile environment, should always come forward and make a report under the formal resolution provisions.

**B. WHERE TO REPORT**

Sexual Misconduct should be reported to the Title IX Coordinator, 3500 WSC, 801-422-2130, t9coordinator@byu.edu. The names, office addresses, and telephone numbers of the Title IX Coordinator and the deputy coordinators are also posted on the university’s Title IX website at titleix.byu.edu/contact-us. In addition, individuals may submit reports, including anonymous reports, through EthicsPoint, the university’s 24-hour hotline provider, by telephone at 888-238-1062, or by submitting information online at https://secure.ethicspoint.com/domain/en/default_reporter.asp. A report of Sexual Misconduct (“Report”) can be made verbally or in writing.

The Title IX Coordinator oversees all Title IX complaints and investigations and coordinates the university’s response to sex discrimination. The remainder of this policy outlines various responsibilities of the Title IX Coordinator.

If a Report involves potentially criminal acts (i.e., rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking), the alleged victim should be informed in writing that he or she also has the option to make a formal criminal complaint by reporting the incident to the University Police at 801-422-2222 or local police by calling 9-1-1. Alleged victims also have the option to decline to notify law enforcement authorities or to be assisted by Responsible Employees in notifying such authorities. The University Police will notify the Title IX Coordinator of all such reports received.

Inquiries concerning Title IX and unlawful sex discrimination may be referred to the university’s Title IX Coordinator or the Equal Opportunity Manager. The Office for Civil Rights within the U.S. Department of Education (OCR) investigates claims of unlawful sex discrimination, including sexual harassment and sexual violence, in the university’s educational programs and activities. The OCR may be contacted by email at ocr@ed.gov or through its website at http://www2.ed.gov/about/offices/list/ocr/index.html. The U.S. Equal Employment Opportunity Commission (EEOC) investigates claims of unlawful employment discrimination, including sexual harassment and sexual violence, in the workplace. The EEOC may be contacted by telephone at 800-669-4000 or through its website at http://eeoc.gov/employees/charge.cfm.

**Title IX Coordinator**

Sarah Westerberg  
3500 WSC  
Provo, UT 84602  
801-422-2130  
sarah_westerberg@byu.edu
C. OTHER PROCEDURES AND SERVICES FOR VICTIMS

A student or employee who reports to the university that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking—even if the offense occurred off campus—will be provided with a written explanation of victims’ rights and options as follows:

1. Procedures victims should follow, including information about preserving evidence, reporting the offense, and obtaining protective orders
2. Information about how confidentiality will be protected
3. Existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims, both within the university and in the community
4. Options for available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures
5. Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking
6. Possible sanctions or protective measures the university may impose following a final determination of an institutional disciplinary procedure

In situations where criminal conduct is involved or personal safety is a concern, it is important that victims of Sexual Misconduct preserve evidence as necessary to prove the crime or secure a protective order through the court system. Victims may choose to seek medical treatment in order to preserve evidence, treat injuries, or prevent sexually transmitted diseases. It is also possible to get a rape kit or find a Sexual Assault Nurse Examiner (SANE) through law enforcement or local hospitals. Health care services are available at local hospitals as well as the on-campus Student Health Center, 1750 Wymount Terrace, Provo, Utah, 801-422-2771.

Counseling, advocacy, and support are available to victims whether or not they choose to make an official Report. Victims can make confidential disclosures to BYU Counseling and Psychological Services, 801-422-3035, 1500 Wilkinson Student Center. Victims can also receive advocacy and support from BYU Women’s Services and Resources, 801-422-4877, 3326 Wilkinson Student Center. Additional resources are available to provide ongoing support during the institutional disciplinary or criminal process.

The university will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims, both within the institution and in the community. Such information will be made available through various university communications and on the university’s Title IX website at https://titleix.byu.edu/campus-resources.
D. COMPLAINT AND ACTIVITY LOG

The university’s Title IX Coordinator will maintain a confidential log of Title IX complaints and activity. To the extent that other campus departments receive complaints of Sexual Misconduct, are involved with complaint investigations, or conduct any part of the resolution proceedings, they should promptly report this activity to the Title IX Coordinator for entry into the confidential log, even if the complaints are resolved without the involvement of the Title IX Coordinator.

E. RETALIATION

Retaliation or intimidation against an individual who has made a Report or provided information in connection with an investigation of Sexual Misconduct is strictly prohibited. Retaliation is any adverse action taken against an individual because he or she has engaged in a legally protected action opposing Sexual Misconduct or participating in a Sexual Misconduct proceeding if the adverse action is reasonably likely to deter the person or others from pursuing their rights. Similarly, intimidation is any adverse action or threat of action reasonably likely to prevent or dissuade an individual from making a Report or providing information in connection with a Sexual Misconduct investigation. Individuals who participate in a Sexual Misconduct investigation should be advised that university policy and federal law prohibit retaliation against them or against individuals closely associated with them and should be assured that the university will take steps to prevent retaliation and will take strong responsive action to any act of retaliation of which it becomes aware. See Nondiscrimination and Equal Opportunity Policy. An individual who feels that he or she has been subjected to retaliation should report the incident to the Title IX Coordinator or the Equal Opportunity Manager.

IV. COMPLAINT RESOLUTION PROCEDURES

The following procedures are designed to provide for the prompt and equitable investigation and resolution of reports of Sexual Misconduct perpetrated by or against university employees, students, or campus visitors. These procedures will include a prompt, fair, and impartial process from the initial investigation to the final result. Additionally, these procedures will be conducted by officials who do not have a conflict of interest or bias for or against the parties and who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

A. INFORMAL RESOLUTION

Whenever it is reasonably possible and safe to do so, an individual who believes he or she has been subjected to Sexual Misconduct (“Complainant”) may attempt to resolve the issue privately and constructively with the person responsible for the alleged misconduct.
(“Respondent”). However, an attempt at informal resolution is not required and is not appropriate, even on a voluntary basis, in instances of sexual violence or other criminal behavior, or when sexual harassment is severe or has become pervasive.

The goal of informal resolution is to conclude the matter to the satisfaction of both parties quickly and confidentially. Either party may enlist the assistance of the Title IX Coordinator or the Equal Opportunity Manager in this effort. If satisfactory resolution is not reached after such informal efforts, or if the Complainant believes informal resolution is not possible or may be unsafe, he or she may forego the informal resolution process or discontinue it at any time and address the concern using the formal resolution process described below.

B. FORMAL RESOLUTION

The formal resolution process may be initiated by submitting a Report to the Title IX Coordinator. Anyone can submit a Report under this policy; however, the submission of such a Report does not prevent the Complainant from subsequently pursuing informal resolution with the Respondent in appropriate circumstances.

1. Selection of the Investigator

Upon receiving a Report, the Title IX Coordinator will select a qualified employee to promptly investigate the allegations in the Report (“Investigator”). Generally, the Assistant to the Associate Deans of Students will serve as the Investigator for allegations against a student or against a campus visitor if the alleged victim is a student. The Equal Opportunity Manager will generally serve as the Investigator for allegations against university employees, including student employees unless the alleged misconduct occurred outside the student employment context. The Equal Opportunity Manager will also generally serve as the Investigator for allegations against visitors to campus if the alleged victim is a university employee or another visitor to campus. The Title IX Coordinator will consider any conflicts of interest, time constraints, or other relevant factors in selecting an Investigator.

The Complainant and the Respondent may each raise issues regarding bias or a potential conflict of interest of investigators or others involved in the resolution process by contacting the Title IX coordinator.

2. Confidentiality

Given the sensitive nature of Sexual Misconduct allegations and the potential for damage to the parties’ personal reputations, all Reports will be investigated as confidentially as reasonably possible. All participants in the investigation—including the Complainant, the Respondent, the Investigator, and individuals interviewed by the Investigator—should keep the allegations and proceedings confidential, and should provide information only to those university and governmental employees who are authorized to investigate the Report or who otherwise have...
a legitimate need to know. Records kept by the university relating to Sexual Misconduct allegations are not publicly available, but in the event that the university is required to make any such records publicly available, any identifying information about the Complainant will be excluded, to the extent permissible by law, to protect the Complainant’s confidentiality. Federal law requires the university to publicly disclose statistics about reported incidents of sexual assault, domestic violence, dating violence, and stalking; however, no personally-identifiable information is maintained or published for purposes of such reporting.

Notwithstanding the foregoing confidentiality provisions, Complainants and any witnesses who participate in an investigation of Sexual Misconduct should be advised that their confidentiality will be preserved only to the extent it does not interfere with the university's ability to investigate the Report and take corrective action, and that if the investigation results in litigation, the university may be legally required to disclose any information it has received.

If a Complainant requests that his or her identity be kept confidential or asks the university not to pursue an investigation, the Complainant should be notified that (1) the university’s ability to investigate and respond to the Report may be limited by such a request, and (2) under some circumstances the university may not be able to honor such a request. The university will take all reasonable steps to investigate and respond to a Report consistent with the Complainant’s request for confidentiality. However, without conducting a full investigation or disclosing the full nature of the Report (including its source) to the Respondent, the university may be unable to impose any discipline, and its corrective actions might be limited to informing the Respondent that allegations of discriminatory behavior have been made against him or her, preserving a record of the discrimination allegation in the Respondent’s employment or student disciplinary file, and pursuing other steps to limit the effects of the alleged harassment and prevent its recurrence, such as training or surveys in the affected area or department. Complainants who desire complete confidentiality may be advised that they can address their confidential concerns to ecclesiastical leaders, mental or physical health providers, or their own legal counsel.

The Complainant should also be advised that the university may not be able to honor a request for confidentiality or to forego an investigation if such a request would prevent the university from meeting its responsibility to provide students and employees with a safe and nondiscriminatory environment and its corresponding obligations to provide a thorough and impartial investigation and a prompt and equitable resolution of the Report. The Investigator, in consultation with the Title IX Coordinator, is responsible for evaluating requests for confidentiality or to forego an investigation.

The Investigator will consider the following factors in determining whether to disclose the identity of a Complainant or pursue an investigation contrary to the Complainant’s request:

- the seriousness of the alleged Sexual Misconduct
3. Preliminary Assessment

Upon receiving a Report of Sexual Misconduct, the Title IX Coordinator and the Investigator will promptly perform a preliminary assessment based on the facts reported to determine whether they provide reasonable cause to believe a violation of this policy may have occurred. If there is no reasonable cause to believe a violation occurred, no further action will be taken and the Complainant will be informed that his or her Report has been considered and will not be investigated. If reasonable cause is found, an investigation will proceed as provided below.

4. Interim Measures

Based on any information acquired in the course of the preliminary assessment or investigation, the Title IX Coordinator or Investigator may recommend that interim measures be taken to protect the Complainant or others from further acts of Sexual Misconduct or retaliation while the investigation is still pending. This recommendation should be submitted to the office or individual within the university administration authorized to implement the recommendation. If requested and available, interim measures will be provided whether or not a victim of Sexual Misconduct chooses to report the crime to campus police or local law enforcement. The university will provide written notification to victims about options for available assistance in, and how to request changes to academic, living, transportation, and working situations or other protective measures. In situations deemed to be extreme or dangerous, the office or individual within the university administration authorized to impose discipline on the Respondent (the “Responsible Administrator”) may take interim disciplinary action against the Respondent, up to and including a temporary suspension and ban from campus; in such cases both parties will receive simultaneous written notification. Other remedial interim measures may also be appropriate, such as special training in the affected department or area, or the dissemination of information about how to report Sexual Misconduct. The nature of any interim measures granted to a victim will be kept confidential to the extent reasonably possible.
5. The Complainant’s Written Complaint, Supporting Documentation, and Evidence

If a Complainant has not already submitted a sufficient written statement in connection with the initial Report, the Investigator will invite the Complainant to prepare and sign a written statement of the facts involved ("Complaint"). The Complaint should clearly and concisely describe the incident(s), including when and where the alleged Sexual Misconduct occurred. The Complaint may also include an explanation as to why the Complainant believes the Respondent’s behavior was unlawful or in violation of university policy, corroborating facts and evidence, the names of other individuals who may have information relevant to the Complaint, other materials or evidence in support of the Complaint, and a proposal for an appropriate resolution. The Complaint may not exceed ten pages in length, exclusive of attached documents and supporting materials, and must be submitted within five business days of the Investigator’s request. Based on the Complainant’s written and oral statements, the Investigator will prepare a written summary of the allegations ("Summary").

The Investigator will ask the Complainant to review the Summary, make any necessary corrections, and affirm it with a signature. If the Complainant refuses to sign the Summary of the allegations, the Investigator may either (a) note that the allegations have been withdrawn and terminate the investigation, or (b) note that the Complainant has refused to sign the Summary of the allegations, but that the investigation will nevertheless proceed to determine what occurred and to protect the university’s interest in maintaining an environment free from sex discrimination.

A copy of the Summary will be provided to the Respondent at a point in the investigation when the Investigator deems it advisable. The Investigator, in consultation with the Title IX Coordinator, may redact the Summary copy before providing it to the Respondent to protect the identity or safety of the Complainant or any witnesses or for any other reason as the Investigator deems advisable.

6. The Respondent’s Written Response, Supporting Documentation, and Evidence

The Respondent may prepare and submit a signed written statement in response to the Summary of allegations ("Response"). The Response should indicate whether the Respondent admits or denies the allegations in the Summary and should provide any exculpatory facts or evidence, including the names of other individuals who may have information relevant to the allegations and other materials in response to the Summary. The Response may also include an explanation as to why the Respondent believes any admitted conduct was lawful or was not in violation of university policy and whether any resolution proposed by the Complainant is or is not appropriate. The Response may not exceed ten pages in length, exclusive of attached documents and supporting materials, and must be submitted within five business days of delivery of the Summary to the Respondent. While reasonable efforts will be made to
communicate with the Respondent, delivery occurs when the university sends the Summary to the email and residential address of the Respondent that is on file with the university.

If the Respondent submits a Response, a copy of the Response will be provided to the Complainant at a point in the investigation when the Investigator deems it advisable. The Investigator may redact the Response copy before providing it to the Complainant to protect the identity or safety of any witnesses or for any other reason as the Investigator deems advisable.

7. Concurrent Investigations or Processes

An investigation conducted under these procedures will be conducted independent of any associated criminal investigation or any other university investigation or procedures. If the university determines the issues raised in this investigation may be relevant to its determination in another non-criminal investigation or another process that is simultaneously pending at the university, it may direct that the other investigation or process be suspended until this investigation and any appeals or administrative reviews are concluded. However, an investigation under these procedures will not be suspended pending the conclusion of a criminal investigation or any other investigation, though the fact-finding portion of the investigation may be delayed temporarily while the police are gathering evidence. While the findings and conclusions of one investigation will not determine the outcome of any other, any evidence or findings developed in any university or non-university investigation may be shared with and considered in any other university investigation.

8. Cooperation with University Investigations

Employees or students who fail to cooperate in the investigation, including those who knowingly or recklessly misrepresent any facts or who withhold pertinent information, may be subject to disciplinary action up to and including suspension or dismissal from the university or termination of university employment. The knowing or reckless reporting of false charges of Sexual Misconduct will be treated as a material breach of the Church Educational System Honor Code, subjecting the individual making the false accusations to similar disciplinary action.

9. Support Person

Only the Complainant and Respondent are permitted to participate in the formal resolution process; however, each party may be accompanied by one support person. Attorneys for the parties may not attend proceedings as the support person unless the Summary includes allegations of dating violence, domestic violence, sexual assault, or stalking. A party’s support person may attend for purposes of observation but will not be permitted to participate in any employee or student interview, meeting, or other proceeding that may take place under these
procedures. A support person may be immediately excluded from the proceedings if he or she attempts to intervene or participate in any way.

10. The Investigation

The investigation should be thorough, prompt, adequate, reliable, and impartial. The university will, in good faith, attempt to conclude the investigation and resolution within sixty calendar days of the Title IX Coordinator receiving the Report. If, as a result of the complexity of the case, unavailability of witnesses, or other extenuating facts and circumstances, the investigation cannot reasonably be concluded within the sixty-day period, the Complainant and the Respondent will be provided with written notice of the delay and the reason for the delay.

During the investigation, the Investigator will consider the Complaint and Response, conduct interviews, and review any other documents or evidence submitted by the parties or discovered during the investigation. An investigation under these procedures is an internal university employment or student disciplinary matter.

At any time during the investigation, either of the parties or the Investigator may propose a resolution of the matter. If both the Complainant and the Respondent are satisfied with this proposed resolution, and if the Investigator, the Title IX Coordinator, and the Responsible Administrator are also satisfied that the university’s interests are protected, the matter may be resolved as proposed.

At the conclusion of the investigation, the Investigator will determine, based on the preponderance of the evidence (i.e., whether it is more likely than not), whether the Respondent has in fact engaged in Sexual Misconduct or other behavior in violation of university policy. The Investigator will promptly communicate findings and a recommendation of appropriate resolution, including any disciplinary sanctions, to the Responsible Administrator, and may provide the Responsible Administrator with a report of findings describing the evidence and reasoning supporting the Investigator’s findings and recommendation.

11. Resolution and Disciplinary Sanctions

Upon receiving the Investigator’s findings and recommendations, the Responsible Administrator will promptly determine the resolution of the allegations of Sexual Misconduct, including the imposition of any disciplinary sanctions, as provided in the applicable disciplinary policy. The Responsible Administrator may consult with the Investigator and Title IX Coordinator in making this determination. Any person found in violation of this policy may be subject to discipline as described below, depending on the circumstances and the severity of the violation.
The Responsible Administrator(s) and the applicable disciplinary policy will be determined as follows:

- The Responsible Administrators for allegations of Sexual Misconduct against a faculty member are the faculty member’s dean and chair or director, who shall administer any discipline consistent with the Faculty Discipline and Termination Policy. Possible sanctions include verbal counseling, written warning, probation, reassignment, demotion, reduction in pay, suspension, termination of faculty employment, and a ban from campus. If the dean and the chair or director conclude there may be adequate cause for involuntary termination of the faculty member’s employment, the Academic Vice President will be consulted and must give final approval for the termination.

- The Responsible Administrator for allegations of Sexual Misconduct against a non-faculty employee is the director over the employee’s area, who shall administer any discipline in consultation with the Manager of Employee Relations and consistent with the Administrative and Staff Employee Discipline Policy and Procedures. Possible sanctions include verbal counseling, written warning, probation, reassignment, transfer, demotion, reduction in pay, suspension, termination of employment, and a ban from campus.

- The Responsible Administrator for allegations of Sexual Misconduct against a student is the Honor Code Office, which shall administer any discipline consistent with the Honor Code Investigation and Administrative Review Process. Possible sanctions include counsel and education, referral (to a responsible person or agency—e.g., reconciliation process), warning, probation, suspension withheld, short suspension, suspension, dismissal, and a ban from campus. If the student is also an employee of the university, the Investigator will provide a copy of the findings and recommendation to the student employee’s manager, who will administer any discipline affecting the student’s employment status in consultation with the Manager of Employee Relations and consistent with the Administrative and Staff Employee Discipline Policy and Procedures. Possible sanctions include those identified above for other non-faculty employees.

- The Responsible Administrators for allegations of Sexual Misconduct against a visitor to campus who is neither a student nor an employee of the university are the vice president over the university unit that originally invited the visitor to campus, or the vice president’s designee, and, if a violation is found, the University Banning Committee. If the visitor was not invited to campus, the Responsible Administrator is the University Banning Committee. Possible sanctions include banning the visitor from all or a part of the university campus.
The resolution shall include, in addition to any discipline imposed, reasonable steps designed to correct any discriminatory effects on the Complainant and on others who may have been affected, and to prevent the recurrence of any discriminatory or otherwise inappropriate actions. Possible protective measures that may be imposed following the investigation include the following: making interim measures permanent, offering remedies and accommodations to the Complainant, implementing changes in programs or activities, or providing training for the campus community or specific groups or individuals.

The Responsible Administrator will communicate the outcome of the investigation and resolution, including any sanctions, and the university’s procedures to appeal the results in writing to both the Complainant and the Respondent simultaneously (“Outcome Notice”). However, the Responsible Administrator may choose not to disclose the discipline imposed by the resolution, and will not disclose the discipline imposed on a student except under one of the following circumstances:

- the discipline directly affects the other party—such as when the student is ordered to stay away from the other party, is transferred to another job, worksite, class, or residence hall, or is suspended or dismissed from the university;
- the Complainant alleged Sexual Misconduct involving a crime of violence or a non-forcible sex offense; or
- the student gives his or her written permission to disclose the discipline.

The university may also report findings of criminal misconduct to the police and may report criminal or other serious misconduct to an individual’s ecclesiastical leaders as it deems appropriate in its absolute discretion.

12. Review of Outcome

A party who remains unsatisfied with the outcome may request an administrative review or appeal of the investigation outcome and resolution (“Review”). The Complainant or Respondent must request a Review within five business days of delivery of the Outcome Notice to the parties. A request for Review may not exceed five pages in length. The party requesting a Review must identify at least one of the following grounds in requesting the Review:

- The outcome of the investigation is clearly contrary to the preponderance of the evidence.
- A procedural error significantly impacted the outcome of the investigation (e.g., a substantiated bias or material deviation from these procedures).
- New evidence, unavailable to the party during the original investigation, has been discovered that could substantially impact the original outcome. This new evidence and an explanation of its potential impact must be included in the request for review.
• The discipline imposed is substantially disproportionate to the severity of the violation (i.e., too severe or not severe enough).
• The non-disciplinary aspects of the resolution are not reasonably designed to correct the discriminatory effects on the Complainant and on others who may have been affected or to prevent the recurrence of further discriminatory or otherwise inappropriate actions.

Except as otherwise specified in the applicable university policy or procedure, the final resolution of the Responsible Administrator will be affirmed unless the party seeking Review demonstrates, by clear and convincing evidence, that one or more of these conditions has been met.

Any Review should be initiated and conducted pursuant to the applicable university policy or procedure, as follows:

• A faculty member who is dissatisfied with a final resolution may initiate a grievance or file an appeal pursuant to the Faculty Grievance Policy. A faculty member may appeal a resolution resulting in the involuntary termination of his or her employment pursuant to the Faculty Discipline and Termination Policy.

• Administrative and staff employees who are dissatisfied with the final resolution that results in disciplinary sanctions against them may submit a grievance pursuant to the Administrative and Staff Employee Grievance Policy. Full-time administrative and staff employees may seek an administrative review of a resolution resulting in the termination of their employment under the same policy.

• When the resolution includes disciplinary sanctions affecting a student’s Honor Code standing, the student may seek a review pursuant to the Honor Code Investigation and Administrative Review Process.

In situations where there is no other university policy or procedure that applies, (e.g., for administrative or staff employee Complainants or student Complainants who are dissatisfied with the final resolution), the Complainant may petition the immediate supervisor of the Responsible Administrator who determined the resolution for a Review.

In all cases where a Review is requested, the individual conducting the Review (“Reviewer”) will provide a copy of the Review petition to the party not requesting Review and invite him or her to submit a written response within five business days of receiving the Review petition. The Reviewer will evaluate the Review petition, any response submitted by the other party, and the documentary record of the investigation and resolution process. Within thirty calendar days of receiving the parties’ submissions or lapse of time to respond, the Reviewer will provide the parties with a written determination as to whether the party requesting Review has met his or her burden of demonstrating, by clear and convincing evidence, that one or more of the grounds for Review identified above is present.
In any Review, the Reviewer should consult with the Investigator and/or the Title IX Coordinator prior to issuing a decision on the Review.

**C. EXHAUSTION OF REMEDIES**

A student or employee may not initiate civil litigation or civil administrative remedies against the university or its employees, agents, officers, or trustees until all the remedies provided by these procedures have been exhausted.

**D. WAIVER OF CLAIMS**

Failure to submit a Complaint or to pursue a Review or other administrative review or appeal within the stated deadlines or to exhaust the remedies provided by these procedures within the time provided will constitute a waiver of the student’s or employee’s right to pursue any claim against the university in the matter, unless the right to pursue a statutory claim is preserved by law or the university waives this clause in writing.

**V. TRAINING**

The university will seek to make all employees and students familiar with the contents of this policy. All administrators, deans, chairs, directors, managers, and supervisors are responsible to ensure that employees within their areas of stewardship are properly trained on their obligations under this policy and applicable laws.

The Title IX Coordinator will develop and oversee training and education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The Equal Opportunity Manager may assist in fulfilling that responsibility. All training sessions and participants should be documented, and those records should be provided to the Title IX Coordinator. Such training and education shall consist of at least the following:

1. Primary prevention and awareness programs for all incoming students and new employees, and ongoing prevention and awareness campaigns for continuing students and employees, including at least the following information:
   
   a. A clear statement that the university prohibits domestic violence, dating violence, sexual assault, and stalking, and definitions for these offenses under the Utah Criminal Code.

   b. The definition of consent under the Utah Criminal Code.

   c. 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 one of the offense listed in subsection (a) against another person.
d. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.

e. Information about this policy, including

   i. information about discipline the university may impose for Sexual Misconduct;

   ii. procedures for victims of Sexual Misconduct to follow, including written information about the importance of preserving evidence and reporting offenses to the university and law enforcement authorities;

   iii. procedures for institutional disciplinary actions; and

   iv. information about preserving victim confidentiality.

f. Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims of Sexual Misconduct both on campus and in the community.

g. Written notification of victims about their options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures.

2. Annual training for the Title IX Coordinator, Deputy Title IX Coordinators, Investigators and Responsible Administrators on issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

APPLICABILITY: This policy applies to all university students, all university personnel (including faculty, administrative and staff employees, volunteers, and representatives), and all visitors to the university (including, but not limited to, independent contractors, vendors, visiting lecturers, and visiting student-athletes).

RESPONSIBLE UNIVERSITY OFFICERS: Student Life Vice President; Administrative Vice President and Chief Financial Officer; Academic Vice President.

RESPONSIBLE UNIVERSITY OFFICES: Dean of Students Office; Human Resource Services; Office of Faculty Relations
Counseling and Student Services for Victims of Sex Offenses

The following are services provided by the university or by the surrounding community to facilitate recovery.

Resources
American Fork Hospital ................................................................. 801-855-3300
BYU Comprehensive Clinic ................................................................. 801-422-7759
BYU Counseling and Career Center ..................................................... 801-422-3035
BYU Women’s Services and Resources Office .................................... 801-422-4877
Center for Women/Children in Crisis .................................................. 801-377-5500
Evening-Child Abuse Hotline ............................................................. 801-376-8261
LDS Family Services ........................................................................ 801-422-7620
Mountain View Hospital-Behavioral Health ........................................ 801-465-7000
Protective Services (Department of Human Services) ......................... 801-538-4100
Provo Police Department Victim Advocate .......................................... 801-852-6375
Rape and Sexual Assault Crisis Intervention ......................................... 801-356-2511
Utah State Hospital (Psychiatric Care) .................................................. 801-344-4400
Utah Valley Regional Medical Center:
General Information ........................................................................... 801-357-7850
Emergency Room ................................................................................. 801-357-7001
Outpatient Psychology ........................................................................ 801-357-7525
Wasatch Mental Health-Adult Outpatient .............................................. 801-373-7393

Other Sexual Assault Information

Not Alone-Together against sexual assault  https://www.notalone.gov/ is a government sponsored site assisting victims of sexual assault. This information is for students, schools, and anyone interested in finding resources on how to respond to and prevent sexual assault on college and university campuses and in our schools. Click explore to find a crisis service, learn more about your rights and how to file a complaint, and view a map of resolved school-level enforcement activities.

Registered Sex Offenders

In accordance with the federal Campus Sex Crimes Prevention Act (CSCPA) and the Utah Sex Offender Registration Act, notice must be given of registered sex offenders to institutions of higher education if the offender is employed, carries on a vocation, or is a student at the institution. This information is available at the University Police Department.

Information regarding registered sex offenders residing within a specific Utah geographic location can be accessed via the Utah Department of Corrections’ website: http://www.communitynotification.com/cap_office_disclaimer.php?office=54438 (click on the tab “Search for Offenders in your area”).
Emergency Notification, Response, and Evacuation

Upon confirmation of any significant emergency or dangerous situation involving an imminent threat to the health or safety of the campus community, the following communication resources and procedures will be used.

Personnel within the University Police Department and/or the Office of Risk Management and Safety will confirm the magnitude and scope of an emergency. Upon confirming that an event warrants immediate notification of the campus community, the University Police Chief or a lieutenant will approve the activation of the Y Alert system. Without delay, unless mitigating factors warrant a delay, alert, information, and reassurance messages will be streamed to the campus community by University Police through the Y Alert system and the university’s web page.

Evacuation and/or shelter-in-place alert directions will be given. If time allows, administrators of the following campus offices may be consulted as to the activation of the Y Alert system: Risk Management and Safety Office, General Counsel, and University Communications. Should the incident or threat impact the larger community, Provo City Police Department will determine whether Provo City residents should be alerted.

Testing

On a semiannual basis the mass e-mail, personal cell phones and campus IP telephones elements of the Y Alert system will be tested. The test will be unannounced, and the text message sent to the campus community will read as follows: “This is a test of BYU’s Y Alert system. In the event of a real emergency the alert message will tell you what the emergency is and what to do.” A record will be made of each test, including a description, the date and time of the test, and whether it was announced or unannounced. The university will publicize its emergency notification procedures in conjunction with the testing of the Y Alert System.

Evacuation Drills

Under the direction of the Risk Management and Safety Office, evacuation drills are conducted on an annual basis. A record is made for each drill that includes a description, the location, date, time, and whether the drill was announced or unannounced.
**Missing Student Notification Policy and Procedure**

The following policy and procedure has been established to assist in locating students residing in on-campus housing when, based upon facts and circumstances University Police has determined a student to be missing:

If you believe a student is missing, you should immediately alert one of the following:
- University Police,
- A Residence Life Hall Advisor,
- Dean of Students Office, or
- Office of Residence Life or any housing complex central building.

At the beginning of each academic year, the university will inform students residing in on-campus housing that BYU will notify an individual selected by the student within 24 hours after the student is determined to be missing. Students may register this confidential contact information on their Route Y Personal Information page. Such information will be accessible only to authorized campus officials, and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

All missing student reports will be immediately referred to University Police. Upon determining that a student has been missing for 24 hours, University Police personnel will initiate emergency contact procedures in accordance with the student’s emergency contact information and, if the student is under 18 years of age (and not emancipated), the student’s custodial parent or legal guardian will also be contacted. Upon determining that a student is missing, University Police will initiate a missing person investigation under the direct supervision of the department’s Investigations division Lieutenant.

Upon determining that a student is missing, University Police will notify the following:
- On-call University Police administrator,
- On-call University Police investigator,
- Student Life Vice President,
- Dean of Student Life, and
- Director of Residence Life.
Crimes and Other Situations

Active Shooter
To survive an active shooter incident, one must develop a survival mindset and a course of action. A survival mindset is a protective shield with three components: awareness, preparation, and rehearsal. A course of action may include any or all of the following:

- Figure out the situation;
- Get out to a safer area if you can;
- Call out to the police;
- Hide out if you are unable to get out;
- Keep out the shooter by blocking doorways, etc.;
- Spread out (do not huddle together) and quietly develop a plan of action; and
- Take out the shooter. Assume the shooter’s intentions are lethal and be prepared to do whatever it takes (survival mindset) to neutralize the threat.

Shots Fired
This is an online video that explains the aforementioned concepts in detail. To view this video, go to police.byu.edu and click on the Shots Fired icon.

Flashpoint
This is an online video that teaches violence awareness. “Awareness plus Action equals Prevention.” To view this video, go to police.byu.edu and click on the Flashpoint icon.

Assault
Avoid circumstances that may make you vulnerable to assault. These include jogging at night and walking near dense shrubbery where assailants might hide. You should always stay near well-lighted paths and walkways at night, carry a cell phone and a whistle to summon help, and let friends or family know where you are going and when you will return. Keep windows and doors locked, and keep drapes and blinds closed while dressing.

Child Abuse
Utah State Law requires any person who has “reason to believe that a child has been subjected to abuse or neglect, or [observes] a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect” to immediately report the incident to the nearest peace officer, law enforcement agency, or applicable office of the state Division of Child and Family Services.

Child abuse includes, but is not limited to the following:

- The endangerment of a child’s physical or mental health resulting from a non-accidental harm of a child,
- Threatened harm of a child,
- Sexual exploitation, and
- Sexual abuse.
Domestic Violence

Domestic violence is a crime in which a person intentionally or knowingly causes or attempts to cause a cohabitant physical harm or intentionally or knowingly places a cohabitant in reasonable fear of imminent physical harm.

Cohabitant: An individual who is or was a spouse (or living as a spouse) of the other person, is related by blood or marriage to the other person, has one or more children in common with the other person, is the biological parent of the other person’s unborn child, or resides or has resided in the same residence as the other person (this applies to a roommate setting).

Any of the following crimes committed against a cohabitant constitute the crime of domestic violence:

- Aggravated assault;
- Assault;
- Criminal homicide;
- Harassment;
- Telephone harassment;
- Kidnapping, child kidnapping, or aggravated kidnapping;
- Mayhem;
- Sexual offenses;
- Stalking;
- Unlawful detention;
- Violation of a protective order or ex parte protective order;
- Any offense against property;
- Possession of a deadly weapon with intent to assault;
- Discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle; and
- Child abuse.

Domestic violence is a campaign of control. Some of the more common abuser tactics include control through criticism, isolation, money, mind games, decision making, jealousy, children, blame, verbal threats, sex, physical threats, and/or physical assaults.

What would it take for an abuser to change?
The abuser would have to admit his or her history of psychological, sexual, and physical abusiveness, and to acknowledge that the behavior was a wrong choice (not a loss of control). The abuser would need to recognize the effects the abuse has had on his or her victims and show empathy. Identifying patterns of controlling behavior and attitudes and replacing them would also be important, as well as reevaluating his or her distorted image of the abused. The abuser would also need to make amends for damages, accept the consequences, and commit to not repeating the abusive behaviors.

Pornography and Indecent Material

Involvement with pornographic, erotic, obscene, indecent, or other offensive materials, expressions, or conduct that, in the sole discretion and judgment of the university, is inconsistent with the BYU Honor Code or with the principles of BYU’s sponsor, The Church of Jesus Christ of Latter-day Saints, is a serious offense. Such offenses may result in appropriate university sanctions, including termination from university employment, immediate suspension, or dismissal from the university as well as prosecution.
pursuant to state and federal law. BYU believes that an educational and living environment that is consistent with the principles of respecting individual dignity and with the moral virtues encompassed by the gospel of Jesus Christ will assist in discouraging the advent of sexual offenses on campus and within the university community.

**Suspicious Packages or Letters**

Suspicious packages and letters can possibly contain an explosive device or biological agent. If you receive a suspicious package or envelope, you should not shake or empty the contents. Do not touch the package. Leave the room, close the door, or secure the area to prevent others from entering, and immediately notify University Police.

Certain characteristics can make packages and letters more suspicious. An item that deserves concern might have excessive postage, a handwritten or poorly typed address, incorrect titles, no return address, discolorations, unusual sounds, visual distractions, excessive security material or weight, lopsided or uneven envelope, or a city or state in the postmark that does not match the return address.

**What to do with a package or envelope with a powdery substance**

- Do not cleanup or touch the powder.
- Leave the room, close the door, or secure the area to prevent others from entering.
- Wash hands and exposed skin with soap and water to prevent spreading powder to your face.
- Immediately report the incident to the police.
- Remove contaminated clothing as soon as possible and place in a plastic bag or other container. Give it to emergency responders.
- Shower with soap and water as soon as possible.
- Make a list of people that were in the area, especially those who may have had contact with the powder.
- Immediately notify University Police.

**Anthrax Organisms**

Anthrax organisms can cause infection in the skin, gastrointestinal system, or the lungs. Disease can be prevented after exposure to the anthrax spores by early treatment with the appropriate antibiotics. Anthrax is not spread from one person to another person.

**Theft**

Theft on campus is the most frequently reported crime. As with crimes against persons, the best defense against theft is vigilance. The following suggestions may assist you in protecting your personal property:

- In a public setting, never leave personal belongings unattended even for a minute;
- Keep doors and windows locked;
- Do not keep large amounts of money in your room or on your person;
- On campus, lock your bicycle with a quality lock system in approved bicycle racks;
- Register your bicycle with local police or with the University Police;
- Do not lend your keys, credit cards, or BYU ID card to anyone;
- Do not attach ID to your keys;
- Engrave ID numbers on personal property (do not use your Social Security number);
- Keep records of your property, including description, make, model, and serial number;
- Do not leave your laundry unattended in public laundry facilities; and
- Always lock your car and remove valuables or place them in the trunk of the car.
Graduation Rates

Using the 2008 entering cohort (beginning freshmen who entered BYU summer term and re-enrolled fall semester, plus those who entered fall semester, including only those beginning freshmen who registered for 12 or more credit hours during the fall of 2008, and excluding all who later left to serve a mission for the Church of Jesus Christ of Latter-Day Saints), the graduation rate within six years (2014) of all remaining students was 79 percent for the men and 79 percent for the women with a combined rate for both men and women of 79 percent.

As of Fall 2015, 88 percent of BYU's undergraduate male students have served missions and 34 percent of the undergraduate female students have served. Most of these missionaries complete their graduation requirements within one to two additional years, improving further on the ultimate graduation rate. Also, when male students return to school following their missions, they are normally two years older than their counterparts in other universities, and thus there are many more undergraduate students at BYU who are married than is generally the case at other schools. (21 percent of BYU's Fall Semester 2015 undergraduate students were married.) In order for these students to attend school and continue to provide for their families, many carry lighter loads to accommodate their employment which extends the time to graduate.
FIRE SAFETY REPORT

Introduction:

In 2008, Congress passed the College Opportunity and Affordability Act which requires an Annual Fire Safety Report with a focus on campus housing. From January 2000 to October 16, 2007, 114 people have died in campus-related fires across the United States. 1 Even though more than 80% of these deaths occurred in off-campus housing, it has been recognized that the fire safety of a campus is, and should be, an important factor when deciding upon an educational institution to attend. This Act requires public disclosure of the number of fires and deaths associated with fires on a campus. It also mandates disclosure of an institution’s policies and practices concerning fire safety.

Even though Brigham Young University does not have some of the same demographic problems associated with other universities, we feel it is essential to comply with this act and disclose our fire safety record and efforts. Brigham Young University consists of six campuses world-wide located in Provo, Utah; Rexburg, Idaho; Laie, Hawaii; Washington, DC; London, England; and Jerusalem, Israel. This report will only address the Provo campus.

Federal Reporting Requirements:

20 U.S.C. § 1092: INSTITUTIONAL AND FINANCIAL ASSISTANCE INFORMATION FOR STUDENTS.

(i) Disclosure of Fire Safety Standards and Measures-

(1) ANNUAL FIRE SAFETY REPORTS ON STUDENT HOUSING REQUIRED- Each eligible institution participating in any program under this title that maintains on-campus student housing facilities shall, on an annual basis, publish a fire safety report, which shall contain information with respect to the campus fire safety practices and standards of that institution, including--

(A) statistics concerning the following in each on-campus student housing facility during the most recent calendar years for which data are available:

(i) the number of fires and the cause of each fire;

(ii) the number of injuries related to a fire that result in treatment at a medical facility;

(iii) the number of deaths related to a fire; and

(iv) the value of property damage caused by a fire;

(B) a description of each on-campus student housing facility fire safety system, including the fire sprinkler system;

(C) the number of regular mandatory supervised fire drills;

(D) policies or rules on portable electrical appliances, smoking, and open flames (such as candles), procedures for evacuation, and policies regarding fire safety education and training programs provided to students, faculty, and staff; and

(E) plans for future improvements in fire safety, if determined necessary by such institution.

(2) REPORT TO THE SECRETARY- Each eligible institution participating in any program under this title shall, on an annual basis submit to the Secretary a copy of the statistics required to be made available under subparagraph (A).

(3) CURRENT INFORMATION TO CAMPUS COMMUNITY- Each institution participating in any program under this title shall--

(A) make, keep, and maintain a log, recording all fires in on-campus student housing facilities, including the nature, date, time, and general location of each fire; and

(B) make annual reports to the campus community on such fires.

1 Reported by Campus Firewatch.
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</table>
Causes of 2012 Fires

Heritage Halls

1. Harris Hall: A towel wrapped around a pot of boiling eggs caught fire (mostly smoldered.) The towel was immediately drenched in water. No damage.
2. Felt Hall: A poster above a stove top fell onto the stovetop and caught fire. A fire extinguisher was used to extinguish the fire.

Causes of 2013 Fires

Heritage Halls

1. Whitney Hall – A compressor in the basement of the building caught fire. The fire was extinguished early but there was still lots of smoke generated. The compressor was replaced.
2. Building 28 – Occupant was cooking and got distracted. Fire in a pan spread to the cabinets above. The cabinets were more heat damage than fire. Cabinets and stove had to be replaced and the kitchen repainted.

Causes of 2014 Fires

Heritage Halls

1. Building 10 – Occupant was cooking and left it unattended. Previously spilt food ignited on the stove. The fire was extinguished on the stove by the occupant and no damage was recorded.

PART B:

Brigham Young University’s Provo campus owns and maintains five separate on-campus housing complexes:

Helaman Halls: Each building is fully protected by an automatic fire sprinkler system and a fire alarm detection and notification system which sounds a local alarm as well as reporting directly to the campus Police Department.

Heritage Halls: Each building is protected by an automatic fire detection and notification system which sounds both a local alarm and reports to the campus Police Department. Buildings 25, 26, 27 & 28 were built in 2010 and
are fully protected by an automatic fire sprinkler system. Buildings 29, 30, 9 & 10 were under construction through 2012/13 and are also fully protected by an automatic fire sprinkler system.

**Foreign Language Student Residence:** The apartment complex is protected by an automatic fire sprinkler system and by an alarm system which sounds a local alarm and reports directly to campus police.

**Wymount Terrace:** The apartment complex is protected by a fire alarm system which sounds a local alarm and reports directly to University Police.

**Wyview Park:** Each building is protected by a fire alarm detection and notification system which sounds a local alarm and reports directly to the University Police.

**PART C**

**Fire Drills:**

Fire Drills are conducted four times a year at the beginning of each semester or quarter. Additionally, a safety fair is held near the beginning of fall and winter semesters to familiarize all the residents with safe practices and procedures.

**PART D:**

**Student Housing Fire Safety Policies:**

- Small portable appliances and space heaters are not allowed in the bedrooms, with the exception of personal refrigerators provided by the university. We recommend that UL approved irons and popcorn poppers be used in designated areas.
- BYU is a non-smoking University. Smoking is not allowed in any BYU housing facility.
- Incense, candles, or any open flames are not allowed in any housing facility. Barbecues are only permitted in designated areas. University policy strictly prohibits the possession and/or discharge of fireworks or any type of explosive device in or around all housing facilities.

**Evacuation Procedures:**

- When a fire alarm sounds, residents are to:
  - Close windows and doors
  - Walk or crawl to the nearest exit (Exit routes are posted in the rooms and throughout the buildings)
  - Not use elevators.
  - Assemble in a pre-designated area where hall advisors will attempt to take a head count
Fire Safety

- Not re-enter the building until cleared to do so by the hall advisor, a fire officer or a police officer.
- When residents discover a fire, they should:
  - Activate the fire alarm system and then leave the building, shouting and knocking on doors as they leave.
  - Only attempt to rescue others if they can do so safely.
  - Not attempt fighting a serious fire.

Fire Safety Education & Training:

At the beginning of each semester, new students and staff are oriented as to fire safety and policies. All policies are posted on the university’s website. An annual safety fair is held for all Wymount Terrace residents.

PART E:

Reporting Fires:

For the purpose of record keeping and statistical reporting, all fires discovered by students or employees shall be reported to the Brigham Young University Housing office. The housing office shall forward reports to the Brigham Young University Fire Marshal.

BYU Housing Office (801) 422-2810
BYU Fire Marshal (801) 422-6880

PART F:

Future Improvements:

1. The Heritage Halls complex is being demolished and replaced with new buildings which will be provided with automatic fire sprinklers and fire alarm systems. This is a multi-year project.
### Appendix

**Legal Sanctions for Unlawful Possession or Distribution of Drugs and Alcohol**

The following tables address federal and state legal sanctions for illegal possession, distribution, and consumption of drugs, alcohol, and tobacco; and the known health risks associated with the consumption of drugs, alcohol, and tobacco.

**Federal Penalties for Illegal Drug Distribution—Drug Specific**
Federal penalties for the manufacture, distribution, or dispensing of illegal drugs. See 21 U.S.C. § 841.

<table>
<thead>
<tr>
<th>CSA</th>
<th>Drug</th>
<th>Quantity</th>
<th>First Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>I &amp; II</td>
<td>Heroin</td>
<td>100–999 gm mixture</td>
<td>≥ 5 yrs and ≤ 40 yrs Death / serious injury: ≥ 20 yrs and ≤ life Supervised release: ≥ 4 yrs Fine: ≤ $5 million (individual); ≤ $25 million (not an individual)</td>
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<tr>
<td></td>
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<td>≥ 10 yrs and ≤ life Death / serious injury: = life Supervised release: ≥ 8 yrs Fine: ≤ $8 million (individual); ≤ $50 million (not an individual)</td>
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<tr>
<td></td>
<td></td>
<td>1 kg or more mixture</td>
<td>≥ 10 yrs and ≤ life Death / serious injury: ≥ 20 yrs and ≤ life Supervised release: ≥ 5 years Fine: ≤ $10 million (individual); ≤ $50 million (not an individual)</td>
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<td>≥ 20 yrs and ≤ life Death / serious injury: = life Supervised release: ≥ 10 years Fine: ≤ $20 million (individual); ≤ $75 million (not an individual)</td>
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<tr>
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<td>500–4,999 gm mixture</td>
<td>≥ 5 yrs and ≤ 40 yrs Death / serious injury: ≥ 20 yrs and ≤ life Supervised release: ≥ 4 yrs Fine: ≤ $5 million (individual); ≤ $25 million (not an individual)</td>
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<td>≥ 10 yrs and ≤ life Death / serious injury: = life Supervised release: ≥ 8 yrs Fine: ≤ $8 million (individual); ≤ $50 million (not an individual)</td>
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<td></td>
<td>5 kg or more mixture</td>
<td>≥ 10 yrs and ≤ life Death / serious injury: ≥ 20 yrs and ≤ life Supervised release: ≥ 5 years Fine: ≤ $10 million (individual); ≤ $50 million (not an individual)</td>
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<tr>
<td></td>
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<td></td>
<td>≥ 20 yrs and ≤ life Death / serious injury: = life Supervised release: ≥ 10 years Fine: ≤ $20 million (individual); ≤ $75 million (not an individual)</td>
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<tr>
<td></td>
<td></td>
<td>28–279 gm mixture</td>
<td>≥ 5 yrs and ≤ 40 yrs Death / serious injury: ≥ 20 yrs and ≤ life Supervised release: ≥ 4 yrs Fine: ≤ $5 million (individual); ≤ $25 million (not an individual)</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>≥ 10 yrs and ≤ life Death / serious injury: = life Supervised release: ≥ 8 yrs Fine: ≤ $8 million (individual); ≤ $50 million (not an individual)</td>
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<tr>
<td>CSA</td>
<td>Drug</td>
<td>Quantity</td>
<td>Penalties</td>
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<tr>
<td>I &amp; II</td>
<td>Fentanyl</td>
<td>280 gm or more mixture</td>
<td>First Offense</td>
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</table>
|     |                 |                               | ≥10 yrs and ≤ life  
Death / serious injury: ≥20 yrs and ≤ life  
Supervised release: ≥5 years  
Fine: ≤$10 million (individual); ≤$50 million (not an individual) | ≥20 yrs and ≤ life  
Death / serious injury: =life  
Supervised release: ≥10 years  
Fine: ≤$20 million (individual); ≤$75 million (not an individual) | =life  
Release: none  
Fine: ≤$20 million (individual); ≤$75 million (not an individual) |
| I & II | PCP            | 10–99 gm pure or 100–999 gm mixture | ≥5 yrs and ≤ 40 yrs  
Death / serious injury: ≥20 yrs and ≤ life  
Supervised release: ≥4 yrs  
Fine: ≤$5 million (individual); ≤$25 million (not an individual) | ≥10 yrs and ≤ life  
Death / serious injury: =life  
Supervised release: ≥8 yrs  
Fine: ≤$8 million (individual); ≤$50 million (not an individual) | =life  
Release: none  
Fine: ≤$20 million (individual); ≤$75 million (not an individual) |
| I & II | LSD            | 1–9 gm mixture                | ≥5 yrs and ≤ 40 yrs  
Death / serious injury: ≥20 yrs and ≤ life  
Supervised release: ≥4 yrs  
Fine: ≤$5 million (individual); ≤$25 million (not an individual) | ≥10 yrs and ≤ life  
Death / serious injury: =life  
Supervised release: ≥8 yrs  
Fine: ≤$8 million (individual); ≤$50 million (not an individual) | =life  
Release: none  
Fine: ≤$20 million (individual); ≤$75 million (not an individual) |
| I & II | Fentanyl       | 40–399 gm mixture             | ≥5 yrs and ≤ 40 yrs  
Death / serious injury: ≥20 yrs and ≤ life  
Supervised release: ≥4 yrs  
Fine: ≤$5 million (individual); ≤$25 million (not an individual) | ≥10 yrs and ≤ life  
Death / serious injury: =life  
Supervised release: ≥8 yrs  
Fine: ≤$8 million (individual); ≤$50 million (not an individual) | =life  
Release: none  
Fine: ≤$20 million (individual); ≤$75 million (not an individual) |
| I & II | Fentanyl Analogue | 10–99 gm mixture             | ≥5 yrs and ≤ 40 yrs  
Death / serious injury: ≥20 yrs and ≤ life  
Supervised release: ≥4 yrs  
Fine: ≤$5 million (individual); ≤$25 million (not an individual) | ≥10 yrs and ≤ life  
Death / serious injury: =life  
Supervised release: ≥8 yrs  
Fine: ≤$8 million (individual); ≤$50 million (not an individual) | =life  
Release: none  
Fine: ≤$20 million (individual); ≤$75 million (not an individual) |
<table>
<thead>
<tr>
<th>CSA</th>
<th>Drug</th>
<th>Quantity</th>
<th>Penalties</th>
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<tr>
<td></td>
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<td>First Offense</td>
<td>Second Offense</td>
</tr>
<tr>
<td>I &amp; II</td>
<td>Marijuana</td>
<td>100–999 kg mixture, or 100–999 plants</td>
<td>≥10 yrs and ≤life Death / serious injury: ≥20 yrs and ≤life Supervised release: ≥5 yrs Fine: ≤$10 million (individual); ≤$50 million (not an individual)</td>
</tr>
<tr>
<td>I &amp; II</td>
<td>Marijuana</td>
<td>1,000 kg or more mixture, or 1,000 or more plants</td>
<td>≥10 yrs and ≤life Death / serious injury: ≥20 yrs and ≤life Supervised release: ≥5 yrs Fine: ≤$10 million (individual); ≤$50 million (not an individual)</td>
</tr>
<tr>
<td>I &amp; II</td>
<td>Methamphetamine</td>
<td>5–49 gm pure, or 50–499 gm mixture</td>
<td>≥5 yrs and ≤40 yrs Death / serious injury: ≥20 yrs and ≤life Supervised release: ≥4 yrs Fine: ≤$5 million (individual); ≤$25 million (not an individual)</td>
</tr>
<tr>
<td>I &amp; II</td>
<td>Any Schedule I or II Controlled Substance not otherwise identified</td>
<td>N/A</td>
<td>≤20 yrs Death / serious injury: ≥20 yrs and ≤life Supervised release: ≥3 yrs Fine: ≤$1 million (individual); ≤$5 million (not an individual)</td>
</tr>
<tr>
<td>I &amp; II</td>
<td>Gamma Hydroxybutyric Acid</td>
<td>N/A</td>
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<tr>
<td>I &amp; II</td>
<td>Flunitrazepam</td>
<td>1 gm</td>
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<tr>
<td>I &amp; II</td>
<td>Marijuana</td>
<td>Less than 50 kg or 50-99 plants</td>
<td>≤5 yrs Supervised release: ≥2 yrs Fine: ≤$250,000 (individual) ≤$1 million (not an individual)</td>
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<tr>
<td>I &amp; II</td>
<td>Hashish</td>
<td>Less than 10 kg</td>
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<tr>
<td>CSA</td>
<td>Drug</td>
<td>Quantity</td>
<td>Penalties</td>
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<tr>
<td>I &amp; II</td>
<td>Hashish oil</td>
<td>Less than 1 kg</td>
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</table>
| III | All Schedule III Controlled Substances | N/A | <10 yrs  
Death / serious injury: ≤15 yrs  
Supervised release: ≥2 yrs  
Fine: ≤$500,000 (individual)  
≤$2,500,000 (not an individual)  
≤20 yrs  
Death / serious injury: ≤30 yrs  
Supervised release: ≥4 yrs  
Fine: ≤$1 million (individual)  
≤$5 million (not an individual)  |
| IV | All schedule IV controlled substances | N/A | ≤5 yrs  
Supervised release: ≥1 yr  
Fine: ≤$250,000 (individual)  
≤$1 million (not an individual)  
≤10 yrs  
Supervised release: ≥2 yr  
Fine: ≤$500,000 (individual)  
≤$2 million (not an individual)  |
| V | All schedule V controlled substances | N/A | ≤1 yr  
Fine: ≤$100,000 (individual)  
≤$250,000 (not an individual)  
≤4 yrs  
Supervised release: ≥1 yr  
Fine: ≤$200,000 (individual)  
≤$500,000 (not an individual)  |
Federal Penalties for Illegal Drug Distribution—All Drugs
Federal penalties for the manufacture or distribution of illegal drugs (all drugs).

<table>
<thead>
<tr>
<th>CITATION</th>
<th>SUMMARY</th>
<th>First Offense</th>
<th>Second Offense</th>
<th>Third Offense</th>
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<tbody>
<tr>
<td>21 U.S.C. §§ 859(a)-(b), 841(b)(1)(a)</td>
<td>Distribution to persons under twenty-one years of age.</td>
<td>Twice the maximum penalties described above and at least twice any authorized term of supervised release.</td>
<td>Three times the maximum penalties described above and at least three times any authorized term of supervised release.</td>
<td>Mandatory life imprisonment without release. Fine of no more than $20 million for an individual. $75 million if not an individual.</td>
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<td>Unless a greater minimum sentence is otherwise provided, a term of imprisonment not less than 1 year. (This does not apply to offenses involving 5 gm or less of marijuana.)</td>
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<tr>
<td>21 U.S.C. § 860(a)-(b)</td>
<td>Distribution, possession with intent to distribute, or the manufacture of a controlled substance on or within one thousand feet of a school (including elementary schools and universities), playground, or public housing facility or within one hundred feet of a youth center, public swimming pool, or video arcade.</td>
<td>Twice the maximum penalties described above and at least twice any authorized term of supervised release.</td>
<td>The greater of a prison term of ≥3 years and ≤ life or three times the maximum penalties described above and at least three times any authorized term of supervised release.</td>
<td>Mandatory life imprisonment without release. Fine of no more than $20 million for an individual. $75 million if not an individual.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unless a greater minimum sentence is otherwise provided, a term of imprisonment not less than 1 year. (This does not apply to offenses involving 5 gm or less of marijuana.)</td>
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<tr>
<td>21 U.S.C. § 855</td>
<td>In lieu of an otherwise authorized fine, a defendant who</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>CITATION</td>
<td>SUMMARY</td>
<td>First Offense</td>
<td>Second Offense</td>
<td>Third Offense</td>
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<tr>
<td>21 U.S.C. § 862(a)</td>
<td>derives profits from an offense may be fined not more than twice the gross proceeds.</td>
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<td></td>
<td>Ineligibility for Federal benefits following a conviction for distribution of a controlled substance. (Denied benefits exclude federal benefits related to long-term drug treatment programs).</td>
<td>Ineligible for Federal benefits for up to 5 years.</td>
<td>Ineligible for Federal benefits for up to 10 years.</td>
<td>Permanent ineligibility for Federal benefits.</td>
</tr>
</tbody>
</table>
Federal Penalties for Illegal Possession of Drugs

21 U.S.C. § 844(a)
First conviction: Term of imprisonment \(\leq 1\) year, minimum fine of $1,000, or both.

Second conviction: Term of imprisonment \(\geq 15\) days and \(\leq 2\) years, and a minimum fine of $2,500.

Third or subsequent conviction: Term of imprisonment \(\geq 90\) days and \(\leq 3\) years, and a minimum fine of $5,000.

NOTE: For possession of flunitrazepam: Term of imprisonment \(\leq 3\) years, fine as otherwise provided, or both.

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

21 U.S.C. §§ 853(a)(1)-(2), 881(a)(7)
Forfeiture of personal property obtained as the result of a violation or used (or intended to be used) to possess or to facilitate possession of a controlled substance and any real property if that offense is punishable by more than one year of imprisonment.

21 U.S.C. § 862(b)(1)
First conviction:

i. Ineligibility for all Federal benefits for up to 1 year;

ii. Requirement to successfully complete an approved drug treatment program which includes periodic testing;

iii. Requirement to perform appropriate community service; or

iv. Any combination of (i), (ii), or (iii).

Second or subsequent conviction: Ineligible for Federal benefits for up to 5 years, in addition to the penalties otherwise described for a first offense. The court may require that the completion of the conditions imposed by clause (ii) or (iii) be a requirement for the reinstatement of Federal benefits.

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

18 U.S.C. § 922(g)
Ineligible to transport, possess, or receive a firearm.
## Utah Penalties for Drug Violations

See Utah Code Ann. §§ 58-37-8; 76-3-203, -204, -205, -301

<table>
<thead>
<tr>
<th>VIOLATION</th>
<th>Controlled Substance Category</th>
<th>Classification</th>
<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Produce, manufacture, dispense, distribute, or possess with the intent to produce, manufacture, dispense, or distribute a controlled substance</td>
<td>Schedule I or II, a controlled substance analog, or Gamma Hydroxybutyric Acid</td>
<td>First conviction: Second degree felony.</td>
<td>Imprisonment not less than 1 year nor more than 15 years; fine not exceeding $10,000.</td>
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<td>Second or subsequent conviction: First degree felony.</td>
<td>Imprisonment not less than 5 years; fine not exceeding $10,000.</td>
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<td>Schedule III or IV, or marijuana</td>
<td>First conviction: Third degree felony.</td>
<td>Imprisonment not more than 5 years; fine not exceeding $5,000.</td>
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<td>Second or subsequent conviction: Second degree felony.</td>
<td>Imprisonment not less than 1 year nor more than 15 years; fine not exceeding $10,000.</td>
</tr>
<tr>
<td></td>
<td>Schedule V</td>
<td>First conviction: Class A misdemeanor.</td>
<td>Imprisonment not more than 1 year; fine not exceeding $2,500.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second or subsequent conviction: Third degree felony.</td>
<td>Imprisonment not more than 5 years; fine not exceeding $5,000.</td>
</tr>
<tr>
<td>Unlawful possession or use of a controlled substance</td>
<td>Marijuana (100 lbs or more)</td>
<td>First conviction: Second degree felony.</td>
<td>Imprisonment not less than 1 year nor more than 15 years; fine not exceeding $10,000.</td>
</tr>
<tr>
<td></td>
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<td>Second or subsequent conviction: First degree felony.</td>
<td>Imprisonment not less than 5 years; fine not exceeding $10,000.</td>
</tr>
<tr>
<td></td>
<td>Schedule I or II, marijuana (if more than 16 oz but less than 100 lbs), or a controlled substance</td>
<td>First conviction: Third degree felony.</td>
<td>Imprisonment not more than 5 years; fine not exceeding $5,000.</td>
</tr>
<tr>
<td>Substance Analog</td>
<td>Unlawful possession or use of a controlled substance (cont’d)</td>
<td>Imprisonment not less than 1 year nor more than 15 years; fine not exceeding $10,000.</td>
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</tr>
<tr>
<td>------------------</td>
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<td></td>
</tr>
<tr>
<td>Second or subsequent conviction: Second degree felony.</td>
<td>Marijuana (if not in the form of an extracted resin, and the amount is more than 1 oz but less than 16 oz)</td>
<td>First conviction: Class A misdemeanor. Second or subsequent conviction: Third degree felony.</td>
<td></td>
</tr>
<tr>
<td>First conviction: Class A misdemeanor.</td>
<td>Second or subsequent conviction: Third degree felony.</td>
<td>Imprisonment not more than 1 year; fine not exceeding $2,500.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Imprisonment not more than 5 years; fine not exceeding $5,000.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>First conviction: Class B misdemeanor.</td>
<td>All other controlled substances (including less than 1 oz of marijuana)</td>
<td>Second conviction: Class A misdemeanor.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Third or subsequent conviction: Third degree felony.</td>
<td>Imprisonment not more than 6 months; fine not exceeding $1,000.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Imprisonment not more than 1 year; fine not exceeding $2,500.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Imprisonment not more than 5 years; fine not exceeding $5,000.</td>
<td></td>
</tr>
</tbody>
</table>
**Utah State Laws**
Not comprehensive.

<table>
<thead>
<tr>
<th>CATEGORY &amp; VIOLATION</th>
<th>CLASSIFICATION</th>
<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MINORS</strong></td>
<td></td>
<td>(Utah Code Ann. §§ 76-3-204, 301)</td>
</tr>
<tr>
<td><strong>Utah Code Ann. § 32B-4-409</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Possession, purchase, attempt to purchase (by themselves or soliciting another), consumption, or having measurable levels of alcohol in their body by a person less than 21 years of age.</td>
<td>Class B misdemeanor.</td>
<td>Imprisonment not more than 6 months; fine not exceeding $1,000.</td>
</tr>
<tr>
<td><strong>Utah Code Ann. § 32B-4-403</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Selling, offering to sell, or giving alcoholic products to persons less than 21 years of age.</td>
<td>Class A misdemeanor if the person who furnishes the alcohol knows the recipient is a minor.</td>
<td>Imprisonment not more than 1 year; fine not exceeding $2,500.</td>
</tr>
<tr>
<td></td>
<td>Class B misdemeanor negligently or recklessly failing to determine the age of the recipient.</td>
<td>Imprisonment not more than 6 months; fine not exceeding $1,000.</td>
</tr>
<tr>
<td><strong>Utah Code Ann. §§ 32B-1-403(2), 32B-4-411</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unlawful use of proof of age to procure an alcoholic product, gain admittance to a restricted area, or obtain employment otherwise prohibited by the Alcoholic Beverage Control Act.</td>
<td>Class B misdemeanor for a first offense.</td>
<td>Imprisonment not more than 6 months; fine not exceeding $1,000.</td>
</tr>
<tr>
<td></td>
<td>Class A misdemeanor for a second offense</td>
<td>Imprisonment not more than one year; fine not exceeding $2,500.</td>
</tr>
<tr>
<td></td>
<td>Class A misdemeanor, with certain additional penalties, for a third or subsequent offense.</td>
<td>Imprisonment not more than 1 year; fine not exceeding $5,000. The court may also impose substance abuse treatment, an educational series, community service, fees for restitution and treatment costs, defensive driver education courses, or a combination of these penalties.</td>
</tr>
</tbody>
</table>

**CONSUMPTION IN PUBLIC PLACES**

<p>| <strong>Utah Code Ann. § 32B-4-421</strong> |                |         |</p>
<table>
<thead>
<tr>
<th>CATEGORY &amp; VIOLATION</th>
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<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drinking liquor in a public building, park, or stadium.</td>
<td>Class C misdemeanor.</td>
<td>Imprisonment not more than 90 days; fine not exceeding $750.</td>
</tr>
</tbody>
</table>

**INTOXICATION**

Utah Code Ann. § 76-9-701

A person is guilty of intoxication if the person is under the influence of alcohol, a controlled substance, or any substance having the property of releasing toxic vapors, to a degree that the person may endanger the person or another, in a public place or in a private place where the person unreasonably disturbs other persons.

Class C misdemeanor. Imprisonment not more than 90 days; fine not exceeding $750.

**UNLAWFULLY PERMITTING INTOXICATION**

Utah Code Ann. § 32B-4-419

No person shall permit anyone to become intoxicated as described above, in any premises of which the person is the owner, tenant, or occupant, in a chartered bus or limo of which the person is the owner or operator, or permit an intoxicated person to further consume any alcoholic product on the premises.

Class C misdemeanor. Imprisonment not more than 90 days; fine not exceeding $750.

**UNLAWFUL SALE OR SUPPLY TO INTOXICATED PERSONS**

Utah Code Ann. § 32B-4-404

A person may not sell, offer to sell, or furnish any alcoholic product to any person who is actually or apparently intoxicated, or to any person who, given the circumstances, the person knows or should know is intoxicated.

Class B misdemeanor if committed negligently or recklessly. Imprisonment not more than 6 months; fine not exceeding $1,000.

Class A misdemeanor if committed knowingly. Imprisonment not more than 1 year; fine not exceeding $2,500.

**UNLAWFUL PURCHASE BY AN INTOXICATED PERSON**

Utah Code Ann. §§ 32B-4-412

A person may not purchase an alcoholic product if the person is intoxicated.

Class B misdemeanor. Imprisonment not more than 6 months; fine not exceeding $1,000.

**UNLAWFUL TRANSFER OF IDENTIFICATION CARD**

Utah Code Ann. § 32B-1-403(1)
<table>
<thead>
<tr>
<th>CATEGORY &amp; VIOLATION</th>
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<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is unlawful for the owner of an identification card to transfer or loan the card to any other person in order to help that person: (1) Procure alcoholic products, (2) gain admittance to a place where alcohol is consumed or sold, or (3) to obtain any employment that requires the employee to handle alcoholic products.</td>
<td>Class B misdemeanor</td>
<td>Imprisonment not more than 6 months; fine not exceeding $1,000.</td>
</tr>
</tbody>
</table>
Utah Penalties for Driving Under the Influence
Not comprehensive.

<table>
<thead>
<tr>
<th>CATEGORY &amp; VIOLATION</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Class C misdemeanor.</td>
<td>Imprisonment not more than 90 days; fine not exceeding $750.</td>
</tr>
<tr>
<td>A person may not drink any alcoholic beverage while in a motor vehicle, whether that vehicle is moving, stopped, or parked, on any highway or waters of the state.</td>
<td></td>
</tr>
</tbody>
</table>

| Class C misdemeanor. | Imprisonment not more than 90 days; fine not exceeding $750. |
| A person may not keep, carry, transport, or possess in the passenger compartment of a vehicle any container of an alcoholic beverage that has been opened, its seal broken, or its contents partially consumed when the vehicle is on any highway or waters of the state. |

| Class B misdemeanor for a first or second offense. | Imprisonment not more than 6 months; fine not exceeding $1,000. |
| It is unlawful for any person to operate or be in actual physical control of a vehicle within this state if the person's blood or breath alcohol level is above a concentration of .08 gm or greater, or if a person is under the influence of alcohol and/or other drugs to a degree which renders the person incapable of safely operating a vehicle. |

| Third degree felony for a third or subsequent offense. | Imprisonment not more than 5 years; fine not exceeding $5,000. |
| NEGLIGENT DUI with INJURY |

| Class A misdemeanor for a first or second offense if under age 21 with a passenger under age 18 or if transporting a passenger under age 16 |
| The penalties for a DUI are stricter when bodily injury is inflicted upon another person. |

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2 “Highway,” as defined by Utah Code Ann. § 41-6a-102, means any public place authorized for vehicular traffic.
<table>
<thead>
<tr>
<th>CATEGORY &amp; VIOLATION</th>
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</tr>
</thead>
<tbody>
<tr>
<td>AUTOMOBILE HOMICIDE</td>
<td>Third degree felony</td>
<td>Imprisonment not more than 5 years; fine not exceeding $5,000.</td>
</tr>
<tr>
<td>Utah Code Ann. § 76-5-207</td>
<td>Second degree felony if subsequent to a previous DUI conviction or if the behavior is found to be “criminally negligent”</td>
<td>Imprisonment not less than 1 year nor more than 15 years; fine not exceeding $10,000.</td>
</tr>
</tbody>
</table>

Automobile homicide occurs when a person operates a motor vehicle in a negligent manner causing the death of another and either has a blood or breath alcohol concentration of .08 gm or is under the influence of alcohol and/or any drug that renders a person incapable of safely operating a vehicle.
# Health Risks of Drug and Alcohol Use

All information, unless otherwise noted, is derived from the National Institute on Drug Abuse’s “Commonly Abused Drugs” chart and “Commonly Abused Prescription Drugs” chart (http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs).

<table>
<thead>
<tr>
<th>SUBSTANCES: CATEGORY &amp; NAME</th>
<th>COMMERCIAL &amp; STREET NAMES</th>
<th>CSA SCHEDULE &amp; HOW ADMINISTERED</th>
<th>ACUTE EFFECTS &amp; HEALTH RISKS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ALCOHOL</strong></td>
<td></td>
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</tr>
<tr>
<td>Alcohol (ethyl alcohol)</td>
<td>Found in liquor, beer, and wine</td>
<td>Not scheduled Swallowed</td>
<td>In low doses, euphoria, mild stimulation, relaxation, lowered inhibitions. In higher doses, drowsiness, slurred speech, nausea, emotional volatility, loss of coordination, visual distortions, impaired memory, sexual dysfunction, loss of consciousness. Increased risk of injuries, violence, fetal damage (in pregnant women); depression; neurologic deficits; hypertension; liver and heart disease; addiction; fatal overdose.</td>
</tr>
<tr>
<td><strong>CANNABINOIDs</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hashish</td>
<td>Boom, gangster, hash, hash oil, hemp</td>
<td>Schedule I Smoked, swallowed</td>
<td>Marijuana and Hashish – euphoria; relaxation; slowed reaction time; distorted sensory perception; impaired balance and coordination; increased heart rate and appetite; impaired learning, memory; anxiety; panic attacks; psychosis. Cough; frequent respiratory infections; possible mental health decline; addiction.</td>
</tr>
<tr>
<td>Marijuana</td>
<td>Blunt, dope, ganja, grass, herb, joint, bud, Mary Jane, pot, reefer, green, trees, smoke, sinsemilla, skunk, weed</td>
<td>Schedule I Smoked, swallowed</td>
<td></td>
</tr>
<tr>
<td>Spice (“Synthetic Marijuana”)</td>
<td>K2, spice product, herbal smoking blend, fake marijuana, Yucatan Fire, Skunk, Moon Rocks</td>
<td>Schedule I Smoked, swallowed</td>
<td>Spice – As of December 2012, no studies on the effects of Spice (or similar products) on the human brain had been completed. However, patients have reported symptoms that include rapid heart rate, vomiting, agitation, confusion, hallucinations, increased blood pressure, reduced blood supply to the heart, and heart attacks.³</td>
</tr>
</tbody>
</table>

<table>
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<tr>
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<tbody>
<tr>
<td><strong>CLUB DRUGS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flunitrazepam</td>
<td><em>Rohypnol</em>: forget-me pill, Mexican Valium, R2, roach, Roche, roofies, roofinol, rope, rophies</td>
<td>Schedule IV Swallowed, snorted</td>
<td><em>Flunitrazepam</em> – sedation; muscle relaxation; confusion; memory loss; dizziness; impaired coordination.</td>
</tr>
<tr>
<td>GHB</td>
<td><em>Gamma-hydroxybutyrate</em>: G, Georgia home boy, grievous bodily harm, liquid ecstasy, soap, scoop, goop, liquid X</td>
<td>Schedule I Swallowed</td>
<td>Addiction.</td>
</tr>
<tr>
<td>MDMA (methylendioxy-methamphetamine)</td>
<td>Ecstasy, Adam, clarity, Eve, lover’s speed, peace, uppers</td>
<td>Schedule I Swallowed, snorted, injected</td>
<td><em>GHB</em> – drowsiness; nausea; headache; disorientation; loss of coordination; memory loss.</td>
</tr>
<tr>
<td><strong>DEPRESSANTS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barbiturates</td>
<td><em>Amytal, Nembutal, Seconal, Phenobarbital</em>: barbs, reds, red birds, phennies, toovies, yellows, yellow jackets</td>
<td>Schedule II, III, or IV Injected, swallowed</td>
<td>Sedation/drowsiness; reduced anxiety; feelings of well-being; lowered inhibitions; slurred speech; poor concentration; confusion; dizziness; impaired coordination and memory.</td>
</tr>
<tr>
<td>Benzodiazepines</td>
<td><em>Ativan, Halcion, Librium, Valium, Xanax</em>: candy, downers, sleeping pills, tranks</td>
<td>Schedule IV Swallowed</td>
<td>Slowed pulse and breathing; lowered blood pressure; tolerance; withdrawal; addiction; increased risk of respiratory distress and death when combined with alcohol.</td>
</tr>
<tr>
<td>Sleep Medications</td>
<td><em>Ambien (zolpidem), Sonata ( zaleplon), Lunesta (eszopicolone)</em>; forget-me pill, Mexican Valium, R2, Roche, roofies, roofinol, rope, rophies</td>
<td>Schedule IV Swallowed, snorted</td>
<td><em>Barbiturates</em> – euphoria, unusual excitement, fever, irritability.</td>
</tr>
<tr>
<td><strong>DISSOCIATIVE DRUGS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dextromethorphan (DXM)</td>
<td>Found in some cough and cold medications: Robotripping, Robo, Triple C</td>
<td>Not scheduled Swallowed</td>
<td>Feelings of being separate from one’s body and environment; impaired motor function.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Anxiety; tremors; numbness; memory loss; nausea.</td>
</tr>
</tbody>
</table>

*DXM – euphoria; slurred speech; confusion; dizziness; distorted visual perceptions; increased heart rate and blood pressure; nausea; vomiting; paranoia; impaired motor function.*

*Ketamine – amnesia; impaired memory.*
<table>
<thead>
<tr>
<th>SUBSTANCES: CATEGORY &amp; NAME</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Ketamine</strong></td>
<td><em>Ketalar SV</em>: cat Valium, K, Special K, vitamin K</td>
<td>Schedule III</td>
<td>Injected, snorted, smoked</td>
</tr>
<tr>
<td><strong>PCP and analogs</strong></td>
<td><em>Phencyclidine</em>: angel dust, boat, hog, love boat, peace pill</td>
<td>Schedule I or II</td>
<td>Swallowed, smoked, injected</td>
</tr>
<tr>
<td><strong>Salvia divinorum</strong></td>
<td>Salvia, Shepherdess’s Herb, Maria Pastora, magic mint, Sally-D</td>
<td>Not scheduled</td>
<td>Chewed, swallowed, smoked</td>
</tr>
</tbody>
</table>

**HALLUCINOGENS**

- **LSD**
  - Lysergic acid diethylamide: acid, blotter, cubes, microdot, yellow sunshine, blue heaven
  - Schedule I
  - Swallowed, absorbed through mouth tissues
  - *LSD and Mescaline* – increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness; dizziness; weakness; tremors; impulsive behavior; rapid shifts in emotion.
  - *LSD* – flashbacks; Hallucinogen Persisting Perception Disorder.

- **Mescaline**
  - Buttons, cactus, mesc, peyote
  - Schedule I
  - Swallowed, smoked

- **Psilocybin**
  - Magic mushrooms, purple passion, shrooms, little smoke
  - Schedule I
  - Swallowed
  - *Psilocybin* – nervousness; paranoia; panic.

**OPIOIDS and MORPHINE DERIVATIVES**

- **Codeine**
  - *Empirin with Codeine, Fiorinal with Codein, Robitussin A-C, Tylenol with Codeine*: Captain Cody, Cody, schoolboy; (with glutethimide) doors & fours, loads, pancakes and syrup
  - Schedule II, III, or IV
  - Injected, swallowed
  - *Codeine*—less analgesia, sedation, and respiratory depression than morphine

- **Fentanyl & Analogs**
  - *Actiq, Duragesic, Sublimaze*: Apache, China girl, China white, dance fever, friend, goodfella, jackpot, murder 8, TNT, Tango and Cash
  - Schedule II
  - Injected, smoked, snorted
  - *Fentanyl*—80-100 times more potent analgesic than morphine
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</thead>
</table>
| Heroin                      | Diacetylmorphine: smack, horse, brown sugar, dope, H, junk, skag, skunk, white horse, China white; cheese (with OTC cold medicine and antihistamine) | Schedule I Injected, smoked, snorted | Methodone—used to treat opioid addiction and pain; significant overdose risk when used improperly  
Oxycodone—muscle relaxation/twice as potent analgesic as morphine; high abuse potential |
| Morphine                    | Roxanol, Duramorph: M, Miss Emma, monkey, white stuff | Schedule II or III Injected, swallowed, smoked |  |
| Methadone                   | Methadose Dolophone; fizzies, amidone, (with MDMA: chocolate chip cookies). | Schedule II Swallowed, injected |  |
| Opium                       | Laudanum, paregoric: big O, black stuff, block, gum, hop | Schedule II, III, or V Swallowed, smoked |  |
| Other opioid pain relievers | Tylox, Oxycontin, Percodan, Percocet: Oxy, O.C., oxycontin, oxycet, hillbilly heroin, percs  
Vicodin, Lortab, Lorcet; Vike, Watson-387  
Dilaudid; juice, smack, D, footballs, dillies  
Opana, Numorphan, Numorphone; biscuits, blue heaven, blues, Mrs. O, octagons, stop signs, O bomb  
Demerol, meperidine hydrochloride; demmies, pain killer  
Darvon, Darvocet | Schedule II, III, or IV Chewed, swallowed, snorted, injected, suppositories |  |
| OTHER COMPOUNDS             |                            |                                  | Anabolic Steroids — no intoxication effects.  
Hypertension; blood clotting and cholesterol changes; liver cysts; hostility and aggression; acne; in adolescents—premature stoppage of growth; in males—prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females—menstrual irregularities, development of beard and other masculine characteristics. |
<p>| Anabolic steroids           | Anadrol, Oxandrin, Durabolin, Depo-Testosterone, Equipoise: roids, juice, gym candy, pumpers | Schedule III Injected, swallowed, applied to skin |  |</p>
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</thead>
<tbody>
<tr>
<td>Inhalants</td>
<td>Solvents (paint thinners, gasoline, glues); gases (butane, propane, aerosol propellants, nitrous oxide); nitrites (isoamyl, isobutyl, cyclohexyl); laughing gas, poppers, snappers, whippets</td>
<td>Not scheduled</td>
<td>Inhalants (varies by chemical) – stimulation; loss of inhibition; headache; nausea or vomiting; slurred speech; loss of motor coordination; wheezing. Cramps; muscle weakness; depression; memory impairment; damage to cardiovascular and nervous systems; unconsciousness; sudden death.</td>
</tr>
<tr>
<td>STIMULANTS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amphetamine</td>
<td>Biphetamine, Dexedrine, Adderall: bennies, black beauties, crosses, hearts, LA turnaround, speed, truck drivers, uppers</td>
<td>Schedule II</td>
<td>Increased heart rate, blood pressure, body temperature, metabolism; feelings of exhilaration, increased energy, mental alertness; tremors; reduced appetite; irritability; anxiety; panic; paranoia; violent behavior; psychosis.</td>
</tr>
<tr>
<td>Cocaine</td>
<td>Cocaine hydrochloride: blow, bump, C, candy, Charlie, coke, crack, flake, rock, snow, toot</td>
<td>Schedule II</td>
<td>Weight loss; nervousness; insomnia; cardiac or cardiovascular complications; heart attack; stroke; seizures; addiction.</td>
</tr>
<tr>
<td>Methamphetamine</td>
<td>Desoxyn: meth, ice, crank, chalk, crystal, fire, glass, go fast, speed</td>
<td>Schedule II</td>
<td>Amphetamines—rapid breathing, tremor, loss of coordination, irritability, anxiousness, restlessness/delirium, panic, paranoia, hallucinations, impulsive behavior, aggressiveness, tolerance, addiction</td>
</tr>
<tr>
<td>Methyphenidate</td>
<td>Concerta, Ritalin: JIF, MPH, R-ball, Skippy, the smart drug, vitamin R</td>
<td>Schedule II</td>
<td>Cocaine—nasal damage from snorting.</td>
</tr>
<tr>
<td>Synthetic cathinones</td>
<td>Bath salts, plant food, jewelry cleaner, phone screen cleaner</td>
<td>Not scheduled</td>
<td>Methamphetamine – severe dental problems.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Synthetic cathinones—euphoria, increased sociability and sex drive, paranoia, agitation, hallucinatory delirium, psychotic and violent behavior. Cardiac symptoms; panic attacks; dehydration; breakdown of skeletal muscle tissue; kidney failure; addiction; death.4</td>
</tr>
</tbody>
</table>

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<tr>
<td>TOBACCO</td>
<td></td>
<td></td>
<td>Increased blood pressure and heart rate.</td>
</tr>
<tr>
<td>Nicotine</td>
<td>Found in cigarettes, cigars, bidis, and smokeless tobacco (snuff, spit tobacco, chew)</td>
<td>Not scheduled Smoked, snorted, chewed</td>
<td>Chronic lung disease; cardiovascular disease; stroke; cancers of the mouth, pharynx, larynx, esophagus, stomach, pancreas, cervix, kidney, bladder, and acute myeloid leukemia; adverse pregnancy outcomes; addiction.</td>
</tr>
</tbody>
</table>
Emergency Telephone Map