



JEANNE CLERY
ANNUAL SECURITY REPORT



DISCLOSURE OF
CAMPUS SECURITY
POLICY & CRIME
STATISTICS

2022

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Contact Information

For Campus Emergencies

From cell phone	9-1-1
From campus landline phone	9-9-1-1
UC Merced Police Department	209-228-2677
Emergency status line	866-993-0969
Emergency website	http://emergency.ucmerced.edu
Blue lights	Press the call button

UC Merced Police Department

Non-emergency (24 hours)	209-228-2677 (CAT-COPS)
Administrative office	209-228-8273
Fax	209-228-7866
Rave Guardian app	Download from your app store
Police website	http://police.ucmerced.edu
Police Facebook page	https://www.facebook.com/ucmercedpolice
Police Instagram account	@ucmpolicedepartment
Lost and found	209-228-2767
Live Scan	209-228-8273

General Information

Office of Student Rights & Responsibilities	209-228-0069
Student Health Services	209-228-2273 (CAT-CARE)
Student Accessibility Services	209-228-6996
Accessibility Management Services/Staff	209-228-8247
Counseling Services	209-228-4266
Human Resource Office	209-228-8247
Office of the Executive Vice Chancellor and Provost	209-228-4439
Office of Ombuds Services	209-228-4410
Whistleblower hotline	800-403-4744
Ethics and Compliance	209-291-5150
Equity, Diversity and Inclusion	209-228-3511
Behavioral Intervention Team	https://ecar.ucmerced.edu/threat_management
Prevention of Harassment and Discrimination (Title IX)	209-285-9510
Valley Crisis Center	24/7 Hotline – 209-722-4357 Merced Office – 209-725-7900

Resources for Survivors of Sexual Assault, Stalking and Dating/Domestic Violence

CARE Director	209-223-1746
Campus Advocate	209-386-2051
Valley Crisis Center of Merced (Confidential)	209-722-4357
Merced County Victim Witness Assistance Program	209-385-7385
Merced County District Attorney	209-385-7381
Merced County Mental Health Emergency Services	209-381-6800
Campus Student Response Team/Dean of Students	209-228-3633

Off-Campus Safety Contact Information

Merced County Sheriff's Department	209-385-7445
Merced City Police/Fire Department	209-385-6912
County Fire/Cal Fire	209-385-7344
Riggs Ambulance	209-725-7000

University of California, Merced

Opening in 2005 as the 10th campus of the University of California, UC Merced strives for excellence in carrying out the UC system's mission of teaching, research, and service. As a key tenet in carrying out this mission, UC Merced promotes and celebrates the equity and inclusion of all members of its community.

The 21st century ushered in the promise of new ways of connecting people to new knowledge and one another. UC Merced capitalizes on this promise by functioning as a network, not simply a single place, linking its students, faculty, and staff to the educational resources of the state, nation, and world. The idea of network extends to UC Merced's relationships with neighboring institutions: educational, cultural, and social. UC Merced seeks strong and mutually supportive relationships with a variety of collaborators in its region: public and private colleges and universities; federal and state organizations that share UC Merced's educational and research goals; and cultural and social institutions.

This networking principle is also realized through the physical and intellectual integration between UC Merced and its surrounding community. The campus has been established as a model of physical sustainability for the 21st century, inviting all members of the campus and surrounding community to think and act as good stewards of the environment they will convey to future generations. Now, entering the next decade, UC Merced has added several new buildings and expanded the campus footprint. UC Merced celebrates its location in the San Joaquin Valley, reflecting the poetry of its landscape, history, resources, and diverse cultures while capitalizing on and expanding the Valley's connections to the emerging global society. UC Merced recognizes that research that begins with the natural laboratory that surrounds us can extend what is known throughout the state, nation, and world.

Message from the Assistant Vice Chancellor and Chief of Police

Thank you for taking the opportunity to review the University of California, Merced, Annual Security Report (ASR). At UC Merced, the security and well-being of our students, faculty, staff, and visitors is our top priority.

UC Merced Police Department provides law enforcement, crime prevention, investigation, security, and outreach services to the university community to support the overall mission of teaching, research, and public service. All our dedicated safety personnel strive to provide a safe and nurturing environment. We work closely with university stakeholders, local law enforcement agencies and the surrounding community to prevent crime and ensure the safety of our university community.

The UC Merced Police Department works closely with many campus stakeholders and partners in the preparation and distribution of this report. Crime prevention and safety is everyone's business. This ASR is part of an ongoing effort to ensure that we continue to work together to foster a safe environment for our university community.

As you read this report, you will learn more about the services provided by the university's police department, Student Affairs, and other campus service providers. We encourage you to use this document as a guide for safe practices on or off university grounds.

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*Assistant Vice Chancellor of Public
Safety and Chief of Police*

Annual Security Report

This report is issued in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (Clery Act). The Higher Education Opportunity Act (HEOA) requires institutions to disclose statistics for the previous three years (calendar years 2019, 2020 and 2021) concerning reported crimes that occurred on campus and/or in certain off-campus buildings or property owned, leased, or controlled by the University. This report also includes University policies and procedures about campus security, including policies regarding sexual and gender-based violence, alcohol and drugs and maintaining a safe campus.

The UC Merced Police Department (UCMPD) has primary responsibility for coordinating and compiling the information contained within the ASR. Information is provided by other university offices, such as the Office of Student Rights & Responsibilities, Housing and Residence Education, Ethics and Compliance and other Campus Security Authorities (CSAs) along with information provided by other law enforcement agencies surrounding the campus. Each of these offices also provides updated policy information and crime data that they have.

The UCMPD distributes an individual notice about the availability of the ASR to students and employees by October 1 of each year with a link to the report. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting UCMPD at 209-228-4216 or at 5200 N. Lake Road, Merced, CA 95343.

The ASR and the Annual Fire and Safety Report (AFSR) are distributed separately. The AFSR may be directly accessed on the Fire and Building Safety (FABS) website at <https://fabs.ucmerced.edu/housing-fire-safety-report>.

Geography

The U.S. Department of Education requires disclosure of statistics for reported Clery crimes that occur on campus, on public property within or immediately adjacent to the campus, and in or on non-campus buildings or properties owned or controlled by the university. This information is updated annually.

- **On-campus** – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and any building or property that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes. (Buildings and property located at 5200 N. Lake Road, Merced, CA 95343).
- **Public property** – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus and owned by a public entity, such as a city or state government. (North Lake roadway – Bellevue Road North to Yosemite Lake, and 1 mile into Yosemite Lake, North Lake Road bicycle path between Yosemite Road and Yosemite Lake).
- **Non-campus** – Any building or property owned or controlled by a student organization that is officially recognized by the institution or any building or property owned or controlled by the institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution:
 - 550 East Shaw Ave., Fresno, CA
 - 4225 Hospital Road, Buildings 1200 and 1201, Atwater, CA
 - 755 E. Yosemite Ave., Bldg. B (Suites ABCDE), Merced, CA
 - 767 E. Yosemite Ave. Bldg. C (Suites CKM), Merced, CA
 - 1985 Olive Ave., Merced, CA
 - 655 W. 18th St., Merced, CA
 - 1033 Motel Dr., Merced, CA
 - 750 Motel Dr., Merced, CA
 - 225 S. Parsons Ave., Merced, CA
 - 309 Prosperity Blvd., Chowchilla, CA
 - 151 S. Parsons Ave., Merced, CA

- 229 S. Parsons Ave., Merced, CA
- 1260 Yosemite Pkwy., Merced, CA
- 2980 E. Yosemite Ave., Merced, CA
- 62821 Wolverton Road, Lodgepole, CA
- “Wolverton – Storage – Front 210”
- 2615, 2618 and 2639 W. Bruce Ave., Wawona, CA
- 2640, 2644 and 2667 English Lane, Wawona Ave., CA
- 2587 River Road, Wawona, CA
- 7799 Chilnualna Falls Rd., (#4000 and #4050), Wawona, CA
- 5873 Schilling Rd., Coulterville, CA

Crime and Fire Reporting to UC Merced Police

Community members are strongly encouraged to immediately report all crimes to the UCMPD at 209-228-2677 (non-emergencies), dial 9-9-1-1 (emergencies only) from a campus landline, 9-1-1 from a cellular phone, or you may text your emergency to 9-1-1. Stay connected no matter the situation you are in by downloading the Rave Guardian app from the app store. Rave Guardian is available for both Apple and Android phones. The Rave Guardian app allows you to text Police Dispatch and even share your location should you feel unsafe at any time on campus. It also features emergency timers and the ability to send anonymous tips to police as well. You may also contact the police department using any blue-light kiosk on campus or by pushing the help buttons in elevators. In addition, you may report crimes to the Title IX Officer or the Office of Student Rights & Responsibilities.

UC Merced police officers are responsible for investigating all crimes and incidents that occur on UC Merced owned, leased, or controlled property. Any criminal activity occurring at these sites or off-campus sanctioned events hosted by UC Merced should be promptly reported to the police department.

Crimes committed in or on other off-campus buildings or property owned or controlled by UC Merced may be reported to the police

agency of jurisdiction where the building or property is located; however, the UCMPD may investigate incidents on all UC Merced properties and at UC Merced sanctioned events as needed.

Crimes occurring on properties not affiliated with UC Merced should be reported immediately to the law enforcement agency having jurisdiction. The UCMPD coordinates police response to crimes in adjoining jurisdictions, when appropriate, and assists local law enforcement agencies such as the Merced Police Department, Merced County Sheriff’s Office, and California Highway Patrol.

Additionally, UC Merced police officers work collaboratively with other law enforcement agencies to address safety concerns, student-conduct concerns, and other related community issues. Information provided to the UCMPD about criminal activity engaged in by UC Merced students at off-campus locations is provided to the Office of Student Rights & Responsibilities for action or follow-up.

Good Reasons for Promptly Reporting Crimes

- It allows officials to assist and support victims of crimes, their friends and family.
- It allows officials to prosecute criminal activity.
- It allows officials to send timely warnings and notices to the campus community about incidents that might affect the ongoing safety and security of our campus, including murder, burglary, auto theft, robbery, arson, rape, sexual assault, and hate crimes.

Reporting to Campus Security Authorities

While the university prefers that community members promptly report all crimes and other emergencies directly to the UCMPD, we also recognize that some may prefer to report to other individuals or university offices.

CSA is a Clery-specific term that encompasses four groups of individuals and organizations associated:

- Campus police or campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but does not constitute a campus police department or a campus security department.
- Any individual or organization specified in the Department of Education Campus Safety and Security

Reporting Handbook as an individual or organization to which students and employees should report criminal offenses.

- An institution official who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

CSAs are responsible for forwarding non-identifying information to the campus Clery Coordinator for inclusion in the ASR, regardless of whether the victim chooses to file a report with law enforcement or press charges. Information forwarded by CSAs is for statistical purposes only. If someone wants to pursue criminal charges, they must file a report with the police department. When a CSA receives notice of an incident that may be a reportable crime, they must disclose the information to the designated Clery Coordinator at <https://police.ucmerced.edu/CSAform>

These reports are confidential unless the victim provides permission to document identifying information or permission for the police to investigate the incident. CSA training is available to all students, staff, and faculty. Private security officers/volunteers working at university events receive CSA training from the UCMPD if they temporarily have significant responsibility for student safety.

The UCMPD works with other campus partners to identify and monitor training for CSAs. A list of trained CSAs is maintained in UC Merced's Learning Center. A copy of this list can be made available by contacting UCMPD at 209-228-4216.

Clery Act crime statistic information is collected from police reports generated by the UCMPD, email, mail or in-person by UC Merced designated CSAs, Student Conduct, Title IX, and local law enforcement agencies with jurisdiction over non-campus Clery designated locations. Statistical information received is cross-referenced to reduce the risk of duplicate reporting.

Confidential Reporting Process

If you are the victim of a crime and do not want to pursue actions within the UC Merced system or the criminal justice system, you are encouraged to consider filing a confidential report for purposes of inclusion in the annual disclosure of crime statistics at <https://police.ucmerced.edu/CSAform>. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure your safety and the safety of others. With this information, the university can keep an accurate record of the number of incidents involving students, faculty, and staff, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the campus community to potential danger. Please note that if others have witnessed the crime, they may report independently to a non-confidential reporting source on campus who may have a duty to act.

Contact Numbers

For on-campus emergencies (police, fire, or medical) dial 9-9-1-1 from a campus landline, text or dial 9-1-1 from a cell phone or use one of the emergency blue light kiosks located on campus.

For non-emergencies, call the police department at 209-228-2677 (CAT-COPS).

Stay connected no matter the situation you are in by downloading the Rave Guardian app from the app store. Rave Guardian is available for both Apple and Android phones. The Rave Guardian app allows you to text Police Dispatch and even share your location, should you feel unsafe at any time on campus. It also features emergency timers and the ability to send anonymous tips to police as well. Online reports may also be made to the police department at

<http://police.ucmerced.edu/form/make-report-online>.

Law Enforcement Partnerships

The UCMPD is required to have a Memorandum of Understanding (MOU) with local entities to comply with statutory requirements¹ and must adopt and implement written policies and procedures to ensure that reports of violent crimes, hate crimes or sexual assaults are immediately, or as soon as practicably possible, disclosed to local law enforcement.

The UCMPD has an MOU with the Merced City Police Department, Merced County Sheriff's Office, Merced District Attorney and the Alliance for Community Transformations, the parent organization of Valley Crisis Center.

The MOU is designed to promote collaboration to enhance the reporting, investigation and appropriate response to sexual assault and other covered crimes and to ensure the university complies with all state and federal laws that provide specific requirements related to these issues².

The UCMPD will act as the first responder for incidents and have responsibility for the investigation of crimes on the UC Merced campus and on property owned, operated, or controlled by UC Merced and will report to Merced City Police Department or Merced County Sheriff's Office incidents of violent crimes, hate crimes and sexual assault in accordance with the appropriate agency with jurisdiction. The Merced County Sheriff's Office will act as the first responder for incidents and have responsibility for the investigation of crimes occurring in Merced County, and will report incidents of violent crimes, hate crimes and sexual assault that affect UC Merced to the campus police department.

If incidents involve police action from the UCMPD and Merced City Police Department and/or Merced County Sheriff's Office, law enforcement supervisors from each department will confer and decide which agency will have primary responsibility for investigating and reporting the incident.

The parties recognize that regardless of which law enforcement agency ultimately has operational responsibility in responding to sexual assaults, hate crimes or other violent crimes, other parties may be first responders to reported crimes. Each party has a responsibility to act in a manner that facilitates effective law enforcement and institutional response, as well as appropriate treatment of the individual reporting the crime. This includes ensuring the appropriate preservation of evidence and coordination with law enforcement to maintain chain of custody and authorize forensic sexual assault examinations.

Local Law Enforcement Statistics

Each year, the UCMPD reaches out to other law enforcement agencies with jurisdiction over UC Merced off-campus locations to request crime statistics. All reports received are maintained at the campus police department. Crimes reported to these agencies that occurred at UC Merced-owned or controlled locations are included in this report.

The agency with jurisdiction will investigate a Clery crime that took place in a non-Clery location. The UCMPD will not count it in the Clery statistics.

Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"); Title IX of the Higher Education Amendments of 1972 ("Title IX"); and the California Penal Code and applicable state laws related to health and confidentiality/privacy

¹ Established by AB 1433 (Gatto, 2014), specified in the California Education Code (Ed. Code 67383, subd. (a) and Ed. Code, 67381)

² Outlined in California Education Code sections 67380, 67381 (the Kristin Smart Campus Safety Act of 1998) and 67383, including SB 967 (de Leon, 2014), specified in California Education Code section 67386; the federal Jeanne Clery

Emergency Response and Evacuation Procedures

UC Merced's Emergency Operations Plan (EOP) was developed to ensure students, faculty, staff, and visitors are well prepared to respond to a hazard or emergency incident. The guidelines in the EOP are adaptable to all types of emergency situations, including weather-related hazards, natural disasters, public health emergencies and criminal incidents.

The EOP, guidelines and emergency resources are available at the Emergency Preparedness site, <https://emergency.ucmerced.edu/>.

The university conducts training sessions, testing and exercises throughout the year to ensure the campus community as well as administrators are prepared. Every year, UC Merced participates in earthquake preparedness during the Great Shake Out. In addition to practicing "Drop, Cover, and Hold on," UC Merced tests its emergency notifications system, UCMAAlert. Additional announced and/or unannounced tests may also be conducted throughout the year. These tests are designed to access and evaluate the campus's emergency plans and capabilities and to educate the campus community.

UC Merced emergency response personnel such as first responders, Emergency Operations Center (EOC) staff and the Executive Policy Group (EPG) receive training in compliance with the National Incident Management System and California's Standardized Emergency Management System. When a catastrophic incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the UCMPD, Cal Fire, Riggs Ambulance, and general services units at UC Merced. These entities work together to manage incidents.

Depending on the nature of the incident, affected UC Merced departments and other local or federal agencies may be involved through the provision of mutual aid. Annual fire drills are conducted throughout the year to ensure building occupants and Building Safety Coordinators are familiar with the evacuation procedures. Emergency Management, in collaboration with Fire and Building Safety, Environmental Health and Safety, Residential Education and Cal Fire, conduct annual fire prevention, fire extinguisher and evacuation training with the Residential Assistants and dorm occupants.

Emergency Notifications

UC Merced has a comprehensive emergency preparedness program that includes a mass-notification system commonly referred to as "UCMAAlert." UCMAAlert is a layered approach for notifying students, staff, faculty, parents, and visitors of an emergency or dangerous situation that poses an immediate threat to their health, safety and/or general welfare while on campus.

An emergency notification will be issued as soon as the police department confirms an emergency or dangerous situation exists. The campus community's safety will be considered when determining what information will be released. The only reason an emergency notification would not be issued is if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

In the event of an emerging crisis, the police department, in coordination with External Relations, will notify the campus community through one or a combination of notification avenues. Those could include emergency emails, text messages, external public announcements, and internal public announcements. Notifications and updates will be placed on the Emergency Preparedness site, <https://emergency.ucmerced.edu/>. To receive text messages, students, staff, faculty and parents must update their personal information at <http://emergency.ucmerced.edu/notification-methods/emergency-notifications>. People can contact the police department at 209-228-2677.

To opt-out of receiving emergency notifications, go to emergency.ucmerced.edu and update your notification preferences within the Identity Management portal.

Timely Warnings

The Clery Act requires institutions to alert the campus community regarding any Clery Act crime that is reported to campus police or a CSA and is considered to represent a serious or continuing threat to students and employees.

The warning will be titled “Campus Crime Alert Bulletin” or, in case of an impending hazard such as a flood or fire watch not involving a crime, “Campus Information Bulletin.” Notifications will be issued by the UCMPD and may be prepared in collaboration with External Relations and Student Affairs.

To facilitate the issuance of timely warnings and emergency notifications required by the Clery Act, the UCMPD works with the Merced City Police Department, Merced County Sheriff’s Office, Merced District Attorney, or the Alliance for Community Transformation.

Parties agree to coordinate the sharing of information related to crimes on and off campus that pose serious threats to the safety of students and employees.

The UCMPD does not need to obtain the approval of an outside agency to issue any warnings and/or notifications, nor is the UCMPD required to seek pre-clearance of the content of any warning and/or notification. However, the UCMPD will inform the appropriate law enforcement jurisdiction about such warnings as soon as practicable.

Clery Act Crimes

Clery Act Crimes include homicide, murder, negligent and non-negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking and hate crimes, which include any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault, intimidation or destruction, damage or vandalism of property that was motivated by bias.

Responsibility for Issuing Timely Warnings

The UCMPD is responsible for issuing timely warnings. Although the Clery Act does not define the word “timely,” because the intent of a warning regarding a criminal incident(s) is to allow people to take precautions for their personal safety, a timely warning should be issued as soon as pertinent information about the crime is available. Therefore, even if not all facts surrounding a criminal incident(s) are available, the police department will issue an alert for any Clery Act incident that meets the criteria set forth below.

Timely warnings will be widely distributed in appropriate areas on the campus, provided to External Relations and electronically mailed to members of the campus community.

Standard for Issuing Timely Warnings

A timely warning is a notification to the UC Merced campus and/or campus communities of a Clery Act crime that poses an ongoing threat to the safety of students or employees. A timely warning may be issued in the form of a crime bulletin.

Determination about whether to issue a timely warning is made on a case-by-case basis, considering all facts surrounding a reported Clery Act crime including, but not limited to, such factors as the nature of the crime, any continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

Determination to Issue Timely Warnings

The decision to issue a timely warning will be determined by UCMPD personnel. When possible, the decision will be made in collaboration with UCM External Relations. The UCMPD may elect not to issue a timely warning in very limited circumstances: if the suspect has been detained and no threat to the campus community exists; if the Chief of Police or designee determines there is no threat; or if the incident is reported in such a manner that negates the need for a timely warning. The UCMPD will consider notifying crime victims before alerts are issued to the campus community.

Campus Response to Coronavirus (COVID-19)

Throughout the COVID-19 pandemic, the UC Merced Emergency Operations Center (EOC) continued to follow public health measures and best practices to protect the campus community. The EOC led the coordination efforts with internal and external partners to provide the campus with the appropriate personal protective equipment (PPE), including face coverings, Rapid Antigen Tests, supporting COVID-19 vaccine clinics, and Quarantine and Isolation protocols. Among those efforts were advanced planning for the mitigation of the spread of COVID-19 as mandated by occupational and legislative acts through the COVID-19 Prevention Program.

The COVID-19 pandemic is an ongoing situation, and the university response is continuously evolving with guidance from the Merced County Department of Public Health, California Department of Public Health, University of California, State of California and Centers for Disease Control and Prevention. For updated information, please visit <https://doyourpart.ucmerced.edu>

Daily Crime and Fire Safety Log

The UCMPD Crime and Fire Safety Log records all alleged criminal incidents, including non-Clery Act crimes, reported to campus police, regardless of how much time has passed since the alleged incident occurred. Crimes on this log are recorded by the date they were reported and include the nature of the crime, the date and time the incident occurred, the general location of the incident and the disposition of the complaint if known. The log can be found on the police department website at <https://police.ucmerced.edu/daily-activity-logs>. The log is also printed and displayed for 60 days and viewable during normal business hours at the police department.

The only exceptions in the posting of crimes reported are if the disclosure is prohibited by law; if disclosure would jeopardize the safety of the community; or if disclosure would jeopardize the confidentiality of the victim. Posting of crimes reported may be temporarily withheld in some cases if the release of the information would jeopardize an ongoing investigation, endanger the safety of an individual, cause a suspect to flee or evade detection or result in the destruction of evidence.

Campus Security Programs and Procedures

The police department offers support and services to help make UC Merced a safe place to work, learn and live. The police department presents workshops and training sessions annually, publishes and distributes brochures

and fliers for students, faculty and staff on topics such as personal safety, office and residential security, burglary and theft prevention and vehicle security.

In addition, the police department provides consultation and crime prevention audits, which may assist in developing department specific emergency plans for evacuations, bomb threats and criminal incidents, and gives crime-prevention input in the planning of new campus buildings and landscaping design and maintenance.

Public Service Officer Program

The Public Service Officer (PSO) Program provides a wide range of services, including campus patrol, safety escorts and support for special events. PSOs supplement the police department's security efforts at the Downtown Campus Center and Castle Facility. PSOs are not sworn peace officers but full-time, uniformed security staff who help augment police services as appropriate. PSOs work closely with sworn staff to serve the campus.

Community Service Officer Program

The Community Service Officer (CSO) Program provides a wide range of services, including campus patrol, event security, building checks, blue light verification checks, elevator entrapment checks, the UC Merced safe-bike program, electronic and bicycle registration, peer-to-peer crime prevention presentations and tabling. CSOs provide escorts for students, faculty, staff, or visitors when requested between the hours of 5 p.m. and 2 a.m. every day. To request an escort, call 209-228-2677. CSOs also provide support to Environmental Health and Fire and Building Safety departments.

Student Orientation Presentations

Each semester and throughout the year during prospective student orientations, the police department presents information regarding security awareness and safety issues to students, their parents, families, and other supporters.

Rape Aggression Defense Program

The Rape Aggression Defense (RAD) basic personal defense system is a national program of realistic self-defense tactics and techniques taught for women only. This determination is made based on anatomy only. A CARE advocate is present during these trainings to support survivors of trauma. All courses are taught by nationally certified RAD instructors.

RAD's goal is to provide realistic self-defense options to women, regardless of their level of physical conditioning. Students, staff and faculty at all ability levels, ages and strength levels will learn techniques and information that can be used effectively from the first day of class. RAD is not a martial arts program, nor does it require participants to be athletes to succeed.

The RAD program will provide the knowledge to make educated decisions about personal defense, including physical and non-physical options, and insight into the "survivor mindset."

More information on the RAD Program is available at <https://police.ucmerced.edu/services/rape-aggression-defense-program> or by calling the UCMPD at 209-228-2677.

Violent Intruder Response Training

Violent Intruder Response Training (V.I.R.T.) is training for a civilian response to a violent intruder/active-shooter incident and covers information everyone should know before an incident occurs, options for people during a crisis and law enforcement's responses to various incidents.

The information can be used every day, in any setting, on or off campus, at work or during your travels. The program is 1.5 hours long, includes live scenarios and allows time at the end for questions and discussion.

Contact the UC Merced Police Department at 209-228-2677 to request a class. Several open-session classes are also offered throughout the year on and off campus.

Police Insight Program

The Police Insight Program is a six-week program designed to teach community members about law enforcement in a university setting.

Community members are encouraged to express their views and engage in open dialogue with members of the campus police department regarding a wide range of topics. Cohorts are held once a semester. If you would like to learn more, please call 209-228-2677 or email police@ucmerced.edu.

Policy Statements

The Clery Act requires institutions to publish and distribute an Annual Security Report, which must contain various campus policy statements. These statements must accurately reflect how the policies are currently implemented.

Law Enforcement Authority

The UCMPD has primary law enforcement jurisdiction on the campus, associated university properties and adjacent areas. UC Merced police officers are empowered as part of a full-service state law enforcement agency³. UC Merced police officers have primary responsibility for all criminal investigations and the arrest of criminal violators. Officers and dispatchers fully subscribe to the standards of the California Commission on Peace Officer Standards and Training (POST) and receive the same training as other states, city and county peace officers and dispatchers throughout the state. The UCMPD is committed to the university principles of community and strives to have a representative workforce broad enough to appropriately serve the campus community.

Additionally, the UCMPD is committed to the trainings listed by former UC President Janet Napolitano's taskforce recommendations. Training includes diversity, equity and inclusion. A complete list of the trainings can be found on the UC Merced Police Department website: <https://police.ucmerced.edu/>.

Campus Advocacy, Resources and Education (CARE) Services

The Campus Advocacy, Resources and Education (CARE) office provides supportive services resources and options for UC Merced students, staff and faculty impacted directly or indirectly by sexual assault, domestic abuse, stalking and human trafficking (gender-based violence). All supportive services are rendered by non-UC Merced staff. Valley Crisis Center (VCC) is the local community agency serving Merced County on issues related to sexual assault, domestic violence and human trafficking. The Campus Advocate is confidential and certified by the California Office of Emergency Services (CAL OES) and stationed on campus at the CARE office. VCC provides all community services on campus, such as support for restraining orders, resources, and other tailored services.

³ Section 830.2(b) of the California Penal Code, and Education Code 92600

The CARE office staff provides ongoing prevention education and training to all affiliates of the UC Merced community to end gender-based violence through an intersectional framework. In addition, CARE promotes empathy, diversity, equity, and inclusion while changing attitudes and behaviors.

Reports to the Campus Advocate DO NOT constitute official notice to the University. Contact the Campus Advocate at 209-386-2051, and for general questions, contact 209-228-4147 or email ucmcare@ucmerced.edu. The CARE office website is <https://care.ucmerced.edu>.

Crime Prevention, Security Awareness Programs and Risk Reduction

The prevention of crime is a top priority for UC Merced police personnel. All members of the UC Merced community are encouraged to take responsibility for their own safety and security and when possible, assist others with their safety and security needs. While the UCMPD can offer guidance, risk-reduction suggestions and assistance regarding campus safety, each person must take primary responsibility for their own safety.

The UCMPD supports proactive crime prevention by working closely with community members to help create and maintain a safe environment. The UCMPD supports and encourages students to attend violence prevention education offered by the UC Merced CARE office. For example, as part of the UC Office of the President's initiative to help prevent sexual violence, all members of the UC community are required to receive sexual violence prevention and intervention training. For undergraduate students at UC Merced, this comes in the form of the Violence Intervention and Prevention (VIP) program. Graduate students receive access to workshops and online training. Starting in 2015, VIP became a mandatory training that all incoming undergrad students are required

to complete within their first six weeks of classes. This program aims to educate incoming students on bystander intervention techniques to respond to and prevent sexual violence such as sexual assault, dating/domestic violence, and stalking. The CARE office also provides year-round prevention workshops, presentations, campaigns, and class announcements. In addition, the UCMPD gives various presentations and workshops regarding personal safety, self-defense, and office safety/workplace violence. The UCMPD's efforts to educate the campus community about incidents of crime, the importance of reporting crime and the prevention of crime are performed on an ongoing basis. The CARE office, the UCMPD, Student Affairs, Campus Housing and Residence Education office, Office of the Associate Vice Chancellor and Dean of Students, Office of Student Rights & Responsibilities and the Center for Student Wellness and Health Promotion all actively participate and contribute to this effort. From first-year orientation to commencement, students and employees are presented with and offered many different safety and security programs. The departments listed below offer a variety of educational programs, which may vary depending on requests by community members.

Campus Safety and Security Education, Programming and Other Events

The UCMPD collaborates with campus departments such as the CARE office, the Office of Equity, Diversity and Inclusion, Housing, Student Affairs, and others to provide security and safety programs, presentations, and workshops throughout the year. In addition, these campus units and the UCMPD produce and publish brochures and pamphlets relating to personal safety, bystander intervention and risk-reduction strategies.

Emergency Management

UC Merced's Emergency Management is responsible for the implementation and maintenance of an all-hazards Emergency Operations Plan and the development implementation of programs and projects in emergency planning, training response and recovery. The policy on emergency evacuation and response can be found on the Campus Policies website located at <https://policies.ucmerced.edu/>.

Office of Ombuds Services

The Office of the Ombuds provides conflict resolution resources to all faculty, staff and students.

Pastoral and Psychological Counselors

Although confidential psychological counselors typically have significant responsibility and involvement in student and campus activities, they are exempt from Clery reporting requirements. However, they are encouraged to forward non-identifying information to the police department on crimes that may be reported through their offices for inclusion in the Annual Security Report.

Whistleblower and Anti-retaliation

The University of California has a responsibility to conduct its affairs ethically and in compliance with the law. If individuals suspect a UC employee is engaged in improper governmental activities, the UC has policies that instruct individuals how to “blow the whistle” and can protect individuals from retaliation if the need arises.

Improper governmental activities include acts such as corruption, bribery, theft or misuse of university property, fraudulent claims, fraud, coercion, willful omission to perform duty, economic waste, gross misconduct, gross incompetence, or gross inefficiency; or any condition that may significantly threaten the health or safety of employees or the public.

Serious or substantial violations of UC policy may constitute improper governmental activities determined upon review or investigation. Individuals can report any activity that violates any state or federal law or regulation to their supervisor (or other appropriate administrator), directly to Human Resources, Academic Personnel Office, the locally designated official (LDO), the university-wide Whistleblower Hotline at 800-403-4744 or universityofcalifornia.edu/hotline

More information is available at <https://ethics.ucmerced.edu/reporting-improper-activities>.

Security of and Access to and Maintenance of Campus Buildings and Grounds

During the school year, the campus’s daily population is nearly 11,000 students, staff, and faculty.

Because the campus is an open environment, individuals may find it easy to access the buildings and grounds; a few may engage in criminal activity. At all times, be alert and aware of your surroundings and use good judgment and safety precautions.

Buildings, facilities, and landscaping are maintained in a manner that minimizes hazardous conditions. UC Merced police officers regularly patrol the campus and report malfunctioning lights or other unsafe physical conditions to Facilities Management for correction. In addition, anyone who sees a hazardous condition may report it to UC Merced Police Dispatch, campus Facilities Management or other appropriate units.

Non-Residential Buildings

The campus has 19 buildings that directly support academic instruction and research: Leo and Dottie Kolligian Library; Classroom and Office buildings 1 and 2; Science and Engineering buildings 1 and 2; Arts and Computational Sciences Building; Sustainability Research and Engineering building; Research Server; Research Greenhouse; Social Sciences and Management Building; Student Services Building; Biomedical Sciences and Physics Building; Academic Office Building; Student Activities and Athletic Center (SAAC); Joseph Edward Gallo Recreation and Wellness Center; Administration Building; Facilities A and B; and Telecom building.

Mixed-use Space

Granite Pass and Glacier Point are UC Merced’s first two residential units with mixed-use, student-focused environments.

These two buildings offer residential housing, study rooms, lounge spaces, meeting spaces and sheltered bike storage. The ground floor public spaces include classrooms and student life spaces connected to the pedestrian circulation network.

The buildings may be accessed by authorized faculty, staff and students using their keys or card access after business hours. The administrative offices in the library building are locked at 5 p.m. However, the main library is open to UC Merced and the greater Merced community until midnight during the academic year. From 6 p.m. until midnight, library staff members are present to help maintain a safe

environment. UC Merced police officers, PSOs and CSOs periodically provide foot patrol through the library to help maintain that safe environment.

It is essential that staff, faculty and students work with the UCMPD to keep closed facilities locked and prevent unauthorized access. Do not prop doors open, leave doors unlocked or open the door to people you do not know. In addition, protect the security of campus keys, and report immediately any loss or theft of keys to the campus locksmith and university police.

Residential Buildings

UC Merced provides housing to nearly 4,300 students. The UCMPD and Student Housing staff work closely together to create a safe and more comfortable living and learning environment.

Although all student residences are accessible by key 24-hours a day, to maintain the safety and security of residential buildings, residents and visitors must ensure that locked buildings stay closed and locked. Keep suite and room doors locked, always carry your key, take precautions to protect your keys against theft or loss, and immediately report any theft and/or loss of your building, suite, or room keys. In addition, do not open the door for unknown persons, and alert residence hall staff and the UCMPD if you notice improper entry or suspicious activity. Always use good judgement and follow campus safety procedures.

For residence hall maintenance, including lighting and window and door locks, students are directed to submit a request for repair online at <https://jcfmaz.swgasp.com/QFMLiveJCIMerced/>, then select “guest login” and choose north campus or south campus and the building needing the repair. Residents are expected to submit work requests when something is not working properly. Students are asked not to attempt any do-it-yourself projects in buildings. Questions about maintenance or custodial work can be directed to Housing Services email to housing@ucmerced.edu or call 209-228-2293 during business hours.

Parking, Biking or Walking on Campus

If you park on campus, lock your vehicle and consider using a steering-wheel or pedal-locking device and/or auto alarm. We also encourage everyone to remove or place out of view items of value. This extra step decreases the opportunity for thefts. Similarly, always lock your bicycle, even if you will be gone only a few minutes. If you are out at night on campus, use the police department’s Community Service Officer (CSO) Safety Escort Service by calling 209-228-2677. Most importantly, if you need assistance, do not hesitate to ask any staff member, CSO, PSO or police officer.

Policy Regarding Alcohol and Controlled Substances

The university strives to maintain communities and workplaces free from the illegal use, possession or distribution of alcohol and other drugs. Manufacture, sale, distribution, dispensation, possession or use of alcohol and controlled substances by university students and employees — on university property, at official university functions or on university business — are prohibited except as permitted by law, university policy or campus regulations.

Violation of these policies is subject to disciplinary action, including suspension or dismissal from the university, and may be referred for criminal prosecution and/or result in required participation in appropriate treatment programs.

California Alcohol and Drug Laws and Sanctions

California law prohibits furnishing and selling alcoholic beverages to underage (younger than 21) or intoxicated individuals.

Underage persons may not buy alcoholic beverages or possess them on campus, in public or places open to public view; the penalties for violations of these laws may include substantial fines and jail. Alcohol may not be sold without a license or permit. State law also prohibits driving a motor vehicle under the influence (a blood alcohol level of .08 percent or higher creates a presumption of intoxication, but one can be charged with lower blood alcohol levels); drinking or possessing an open container of alcohol while driving; and operating a bicycle while intoxicated. Drunk driving penalties include jail or prison, fines of \$1,000 or more, driver’s license suspension or revocation and required drug/alcohol treatment programs. Refusing to submit to a test for blood alcohol can result in suspension of the driver’s license for up to three years. Sale or possession for sale of controlled substances such as cocaine, methamphetamines, heroin, Ecstasy, GHB,

Ketamine, LSD, PCP and “designer drugs” is a felony. Sentences are enhanced for previously convicted felons, for distribution within 1,000 feet of a school or university or within 100 feet of a recreation facility and for distribution to a pregnant woman or to someone under 18 by someone over 18. Property used in drug transactions can be seized.

Drugs and Alcohol Abuse Education Programs

The University of California recognizes misuse of alcohol and other drugs as a treatable condition and offers programs and services for university employees and students with substance abuse problems in accordance with the Federal Drug-Free Schools and Community Act. UC Merced’s Drug and Alcohol Abuse Prevention Programs (DAAPP) are intended to support student and employee health, safety, and security by increasing awareness, preventing abuse and decreasing potential drug and alcohol related crime. More information can be found at <https://ecar.ucmerced.edu/daapp>.

Programs for UC Merced Employees

The university encourages employees who have a problem with the use of controlled substances or alcohol to seek professional advice and treatment. For confidential help with substance-related problems, employees can explore the following options:

Many UC medical plans offer tobacco cessation resources. Copays and program fees may apply.

<https://ucnet.universityofcalifornia.edu/workin-g-at-uc/livingwell/tobacco-cessation-resources.html>

- The Insight Employee Assistance Program website at <http://www.insighteap.com/index.html> is a free and confidential service that provides services to faculty and staff. EAP has a host of tobacco cessation information and a program called “56 Days to Quitting” on its website.
- The Optum website at <https://www.liveandworkwell.com/conten>

[t/en/public.html](https://ucnet.universityofcalifornia.edu/en/public.html) provides behavioral health and substance abuse coverage for employees and retirees enrolled in Health Net, Kaiser and Western Health Advantage plans.

- The Anthem Blue Cross website <https://ucnet.universityofcalifornia.edu/compensation-and-benefits/health-plans/medical/uc-care.html> provides behavioral health and substance abuse coverage for employees and retirees enrolled in UC PPO plans.
- The Office of Ombuds provides conflict resolution resources to all faculty, staff, and students. Visit their website at <https://ombuds.ucmerced.edu/> to learn more.
- New Employee Orientation – During introductory discussions of UC Merced Principles of Community, policies and procedures, a slide is presented summarizing the University of California Policy on Substance Abuse and makes references to the online comprehensive policy document.

Programs for UC Merced Students

The university provides educational programs and counseling to students who are substance abusers and those affected by the substance abuse of others. For confidential help with substance-related problems, students can explore the following options:

- Counseling and Psychological Services: 209-228-4266
- Student Health Services: 209-228-2273 (CAT-CARE)
- Peer Recovery Support Group: Meets weekly and is facilitated by a licensed psychologist
- In-patient care coordination: Works with Health Services to coordinate care for students with a high level of dependency. Students with Medi-Cal/Central California Alliance can receive in- and out-patient services through Merced County Behavioral Health and Recovery Services. Students with UC SHIP, a self-funded comprehensive medical, dental and vision insurance program, can receive in-patient care as close as Fresno.
- Health Promotion offers presentations to students throughout the year and promotes healthy behaviors related to alcohol use through social media campaigns during the first six weeks of school and prior to large campus events (e.g., Treats N’ Beats and Cowchella).

The following programs are offered to all UC Merced students:

- *Safe Party Presentation* – Reviews the effects of alcohol and campus norms. Highlights tips students can implement before, during and after choosing to drink to keep both themselves and their peers safe.
- *Cannabis 101* – Reviews the history and effects of cannabis while promoting campus norms and safe behaviors when choosing to use cannabis.
- *Rufus’ Party Survival Guide* – Campaign targeting first-year students that promotes responsible behaviors related to alcohol. This campaign is posted through the Health Promotions social media platforms as well as posted throughout the residence halls.
-
- *AlcoholEdu* – Targeting first-year students, AlcoholEdu is an online course that helps students to develop critical skills to make informed decisions outside of the classroom.
- *Therapy Assistance Online (TAO)* – Online resource that offers modules on substance abuse prevention.
- Social media campaigns are implemented throughout the year addressing alcohol and cannabis use/misuse. Alcohol education is largely targeted around large campus events as well as holidays known for an increase in alcohol use. These campaigns focus on campus norms and safe party behaviors.

Alcohol and Drug Abuse Prevention and Treatment

Alcohol and Drug Abuse Prevention and Treatment for students is part of the UC Merced Health and Wellness Education Program (HWEP) hosted by the H. Rajender Reddy Health Center or 209-228-2273 (CAT-CARE). HWEP provides organized campuswide outreach and prevention programs; assessment, education and referrals for students with identified needs

related to alcohol or other drugs; and specific education programs designed for students referred for alcohol/drug incidents.

Resources for Alcohol and Drug Help

UC Merced

- Counseling and Psychological Services: 209-228-4266
- Student Health Services: 209-228-2273 (CAT-CARE)
- Insight Employee Assistance Program: 800-422-5322

Merced County

- Merced County Alcohol and Drug Services: 3305 G St., Merced, 209-381-6850; <http://www.co.merced.ca.us/index.aspx?nid=78>
- Alateen: 209-524-3907
- Merced County Alcohol, Drug and Mental Health Services: 888-334-0163 (no charge, 24 hours), TDD toll free: 866-293-1818; <http://www.co.merced.ca.us/index.aspx?nid=462>
- Merced County Mental Health Emergency Services: 209-381-6800

The following resources exist to assist people in alcohol and drug treatment and recovery. These services are not endorsed by UC Merced or the County of Merced but provided as a community service.

- Alcoholics Anonymous: 800-970-9040; <http://www.aa.org>
- Narcotics Anonymous: 209-526-1817; <http://www.na.org>
- Marijuana Anonymous: 800-766-6779; <http://www.marijuana-anonymous.org>
- Tough Love Support for family members of teens: 209-386-0980
- Hobie House men’s residential treatment program: 209-722-6335
- Tranquility Village women’s residential treatment program: 209-357-5200
- Alcohol Treatment Referral Hotline: 800-ALCOHOL
- Al-Anon and Alateen Family Group Headquarters, Inc.: 800-344-2666 (U.S.)
- Alcoholics Anonymous World Services Inc.: 212-870-3400
- SmokefreeTXT (for Adults in the U.S. who are ready to quit smoking)

<http://smokefree.gov/smokefreetxt/>

- SmokefreeVET (for military veterans who receive their health care through VA) <http://www.smokefree.gov/VET/>
- National Drug and Alcohol Treatment Referral Service: 800-662-HELP (4357)
- National Council on Alcoholism and Drug Dependence Hope Line: 800-622-2255/800-NCACALL
- Families Anonymous: 800-736-9805
- National Institute on Alcohol Abuse and Alcoholism <https://www.niaaa.nih.gov/>
- Nar-Anon Family Groups: 310-534-8188 or 800-477-6291; <https://www.nar-anon.org>

Dating Violence, Domestic Violence, Sexual Assault and Stalking

The University of California system is committed to creating and maintaining campus communities dedicated to the advancement, application and transmission of knowledge and creative endeavors through academic excellence, where all individuals who participate in university programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Every member of the community should be aware that the UC prohibits sexual violence — including sexual assault, dating violence, domestic violence, human trafficking, and stalking — and sexual harassment, retaliation and other prohibited conduct that violates the law and/or UC policy.

The university responds promptly and effectively to reports of prohibited conduct and takes appropriate action to prevent, to correct, and, when necessary, to discipline behavior that violates its policies on sexual violence and sexual harassment. The university provides a prompt, fair and impartial process from the initial investigation by employees from the Title IX Office and the Office of Student Rights & Responsibilities who have been trained on trauma-informed practices. The university follows the guidance and policy as developed by

the University of California Office of the President and as described in the Sexual Violence Sexual Harassment policy available at <https://policy.ucop.edu/doc/4000385/SVSH>.

On August 14, 2020, the University of California issued a revised Sexual Violence and Sexual Harassment (SVSH) Policy. The revision was required to comply with Title IX regulations issued by the U.S. Department of Education (DOE), which became effective on the same date. If any of the conduct is covered by the DOE regulations and the process could result in discipline, the university must address the conduct through a process that is required by the regulations (referred to in the policy as the “DOE Grievance Process.”) All other conduct will continue to be addressed by the processes that existed prior to August 14, 2020.

Reporting

Any person may make a report — anonymously or by name — of prohibited conduct to the campus’s Title IX officer or any responsible employee or to any appropriate office such as the Academic Personnel Office, Student Affairs, Office of the Provost, or Human Resources. Reports will be sent to the Title IX officer. All complainants (student, staff and faculty) will receive information about their rights and options when a report is submitted to the UCMPD or to the Title IX office. Any person can submit a report at <http://ophd.ucmerced.edu/>.

Immediate Health and Safety

The university will consider and take supportive measures as appropriate to ensure the safety, well-being and equal access to university programs and activities of its students. Interim measures include, but are not limited to, no-contact orders, housing assistance, academic support, accommodations and referral to counseling. Per the policy, respondents may be excluded from campus depending upon the circumstances surrounding the allegations. Any accommodations or protective measures initiated will remain confidential to the extent that maintaining such confidentiality would not impair the ability of the institution to provide such accommodations or protective measures.

Students can seek orders of protection and/or restraining orders through the courts. The UCMPD will also help the victims of these crimes apply for Emergency Protective Order (EPO) through the court. The Campus Advocate can assist the student in applying for a Temporary Restraining Order (TRO) through the court. The Office of the Associate Vice Chancellor and Dean of Students will help to provide accommodations.

Throughout the resolution process, the university will offer and provide support services for complainants through the CARE office and for respondents through the respondent services coordinator.

At all stages of the process, the complainant and

respondent have the right to advisers and support people of their choosing. An advisor may be any person, except another party or potential witness, who provides the complainant or respondent with support, guidance, or advice (including attorneys).

All stages of the resolution process will be tracked by the campus case management team. All university officials involved in the resolution process will be trained to carry out their roles in an impartial manner in keeping with trauma-informed practices.

The standard of proof at all stages of the investigatory process is the preponderance of the evidence.

Jurisdiction Over Reports of Prohibited Conduct

The university has jurisdiction over alleged violations that occur on university property or connected with university activities, programs, or events. In addition, the university may exercise jurisdiction over conduct that occurs off campus:

- That affects the learning or working environment; and/or
- That would violate other university policies had it occurred on campus.

DOE-covered conduct includes only sexual misconduct that occurs in a school's program or activity, while the complainant was in the United States. This excludes some off-campus conduct, for example, study abroad programs. The protections in the SVSH Policy are broader, cover on-campus conduct, conduct in a UC program or activity (wherever located), and off-campus conduct that creates a hostile environment on campus or in a UC program or activity.

Sexual Violence and Sexual Harassment Resolution Process, including Possible Sanctions

Upon receipt of a report or information about alleged sexual violence and/or sexual harassment, the campus's Title IX officer will determine whether an investigation should be initiated. Each resolution process provides action taken in a flow-chart format that

describes each step of the investigation. The flow charts pertain to students, staff, and faculty.

For Non-DOE-covered Conduct:

- Student Investigation and Adjudication Process as referenced in Policies applying to Campus Activities, Organizations and Students – [Appendix E \(Available at: https://policy.ucop.edu/doc/2710641/PAC_AOS-Appendix-E; Flow-chart format available on page 22\)](https://policy.ucop.edu/doc/2710641/PAC_AOS-Appendix-E)

Sanctions will be assigned as follows:

- Penetration or Sexual Assault – Contact that is aggravated as defined in the SVSH Policy will result in a minimum sanction of suspension for two calendar years.
- Sexual Assault – Penetration, domestic or dating violence, or stalking will result in a minimum sanction of suspension for two calendar years unless there are exceptional circumstances.
- Sexual Assault – Contact will result in a minimum sanction of suspension for one calendar year unless there are exceptional circumstances.
- Sexual Harassment and other prohibited behavior, as defined by the SVSH Policy, will not result in any minimum sanction but will be sanctioned in accordance with the factors identified in Section D above.

For DOE-covered Conduct:

- Student Investigation and Adjudication Process as referenced in Policies applying to Campus Activities, Organizations and Students – [Appendix F \(Available at: https://policy.ucop.edu/doc/2700689/PA_CAOS-Appendix-F; Flow-chart format available on page 27\)](https://policy.ucop.edu/doc/2700689/PA_CAOS-Appendix-F)

Sanctions will be assigned as follows:

- Penetration or Sexual Assault – Contact that is aggravated as defined in the SVSH Policy will result in a minimum sanction of suspension for two calendar years.
- Sexual Assault – Penetration, domestic or dating violence, or stalking will result in a minimum sanction of suspension for two calendar years unless there are exceptional circumstances.
- Sexual Assault – Contact will result in a minimum sanction of suspension for one calendar year unless there are exceptional circumstances.
- Sexual Harassment and other prohibited behavior, as defined by the SVSH Policy, will not result in any minimum sanction but will be sanctioned in

accordance with the factors identified in Section D above.

- Staff Adjudication Process as referenced in Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel (Available at: <https://www.ucop.edu/title-ix/files/staff-nfap-framework-final.pdf>. Flow chart format available on pages 31-32))
- Following approval by the Chancellor's designee, the respondent's supervisor will implement the approved decision in accordance with applicable PPSMs, which may include but is not limited to PPSM-62 and PPSM-64 or if represented by a Union, in accordance with the applicable collective bargaining agreement. (<https://ucnet.universityofcalifornia.edu/lab-or/bargaining-units/>)
- Possible sanctions the university may impose on policy covered staff depend on the nature of the violation and may include, but not limited to (as stated in PPSM-62 <https://policy.ucop.edu/doc/4010411/PPSM-62>):
 - Written Warning
 - Corrective Salary Decrease
 - Suspension (unpaid)
 - Demotion
 - Dismissal from University Employment

Senate Faculty Adjudication Process as referenced in Investigation and Adjudication Framework for Senate and Non-Senate Faculty (Available at:

<https://www.ucop.edu/title-ix/files/investigation-and-adjudication-framework-for-senate-and-non-senate-faculty.pdf>; Flow-chart format available on pages 30-31)

Following consultation with the Peer Review Committee, in accordance with Academic Personnel Manual (APM)-016, can be viewed

at https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf the Chancellor or Chancellor's designee will decide what action to take to resolve the matter. Sanctions may include:

- No Formal Discipline – In the event the Chancellor or Chancellor's designee determines to resolve the matter without taking any formal disciplinary action, the Chancellor or Chancellor's designee will promptly communicate this decision and its rationale to both the complainant and the respondent.
- Early Resolution – The Chancellor or Chancellor's designee can enter an early resolution with the respondent in accordance with APM 016. An early resolution can be achieved at any time prior to the final imposition of discipline.

Subsequent to the respondent agreeing to the terms of the early resolution, the Chancellor or Chancellor's designee will promptly inform the complainant of those terms, including any discipline or other corrective or remedial measures and the rationale for these terms.

- Charge Filed with Academic Senate Privilege and Tenure Committee — The Chancellor or Chancellor's designee can take steps to propose discipline and file a charge with the Academic Senate's Privilege and Tenure Committee without first pursuing early resolution, or if the respondent does not agree to early resolution.
- The Chancellor or Chancellor's designee will promptly inform the complainant that the charge has been filed.

Non-Senate (Non-Represented) Faculty Adjudication Process as referenced in Investigation and Adjudication Framework for Senate and Non-Senate Faculty (Available at: <https://www.ucop.edu/title-ix/files/investigation-and-adjudication-framework-for-senate-and-non-senate-faculty.pdf>; Flow-chart format available on pages 32-33)

Following consultation with the Peer Review Committee or Academic Personnel Office, and in accordance with Academic Personnel Manual (APM)-150, which can be viewed at https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-150.pdf the Chancellor or Chancellor's designee shall decide what action to take to resolve the matter.

Sanctions may include:

- No Disciplinary Action – In the event, the Chancellor or Chancellor's designee determines to resolve the matter without taking any disciplinary or corrective action, the Chancellor or Chancellor's designee will promptly communicate this decision and its rationale to both the complainant and respondent.

- Informal Resolution – The Chancellor or Chancellor’s designee can pursue an informal resolution in accordance with APM-150, which may include discipline and/or other corrective or remedial measures. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action.

After respondent agrees to terms of an informal resolution, the Chancellor or Chancellor’s designee will promptly inform complainant of those terms, including any discipline or other corrective or remedial measures, and the rationale for these terms.

- Notice of Intent – The Chancellor or Chancellor’s designee can issue a notice of intent instituting dismissal or other corrective action in accordance with APM-150.
- Non-Faculty (Non-Represented) Academic Personnel Adjudication Process as referenced in Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel (Available at: <https://www.ucop.edu/title-ix/files/investigation-and-adjudication-framework-for-staff-and-non-faculty-academic-personnel.pdf>; Flow-chart format available on pages 32-33)

Possible sanctions the University may impose on policy covered Non-Faculty Academic Personnel may include:

- No Further Action – Supervisor or appropriate administrative authority may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor’s designee for approval. In the event it is approved, this decision and its rationale will be promptly communicated to both the complainant and the respondent.
- Informal Resolution – Supervisor or appropriate administrative authority may propose an informal resolution in accordance with APM-150, which may include discipline and/or other corrective or remedial measures. The proposed informal resolution and its terms will be reviewed by the Chancellor’s designee for

approval. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action.

In the event the informal resolution is approved and agreed to by the respondent, the complainant will be promptly informed of its terms and the rationale.

- Notice of Intent – Supervisor or appropriate administrative authority may propose to issue a notice of intent instituting dismissal or other corrective action in accordance with APM-150. The proposed terms of the notice of intent shall be reviewed by the Chancellor’s designee for approval.

Following the provision of a notice of intent, corrective action or termination will be implemented in accordance with APM-150. The terms of the implemented action and its rationale will be promptly communicated to both the complainant and the respondent.

Formal Investigation (Student Respondents)

If an investigation is not conducted, the Title IX officer will notify the complainant in writing and explain the rationale for the determination.

If an investigation is conducted, the Title IX officer will send written notice of the charges to the complainant and respondent.

The written notice will include:

- A summary of the allegations and potential policy violations.
- The purpose of the investigation.
- A statement that the investigative report, when issued, will make factual findings and recommendations regarding whether there has been a violation of university policy.
- A statement that the findings and recommendation will be based on a preponderance of the evidence standard.
- A summary of the process, including the expected timeline; and
- A summary of the rights of the complainant and respondent.

Decision on Responsibility and Disciplinary Sanctions

Upon completion of the Title IX investigation, the Title IX officer will send to the complainant and the respondent:

- Written notice of the investigation findings and the investigator’s recommended determinations; and
- Will provide a copy of the investigation report. The

investigation report may be redacted, if necessary, to protect student privacy rights.

Hearings

Non-DOE-Covered Conduct

For investigated cases that are not covered by the DOE Grievance Process and that involve a student respondent, the investigation is followed by a hearing where questions are asked of the parties and witnesses by a neutral Hearing Officer.

- The Hearing Officer will ask questions of the parties and witnesses.
- The Hearing Officer will implement measures they deem appropriate to protect the well-being of the parties and witnesses.
- After the hearing, there is a right to appeal the Hearing Officer's determination; and
- There was procedural error in the hearing process that materially affected the outcome.

In cases involving employee respondents, there is no hearing or appeal under the SVSH Policy. Employees retain all rights to hearings and appeals that are available under the relevant grievance procedures.

DOE-Covered Conduct

For investigated cases covered by the DOE Grievance Process, the university must provide a hearing following the investigation. This hearing must take place before a decision is made about whether the accused (known as the "respondent" under the SVSH Policy) violated the policy.

- A hearing must be provided in cases where the respondent is a student or an employee.
- The hearing will be conducted remotely with any modifications the hearing coordinator has made in response to a party's request for assistance.
- The parties have the right to have their advisor ask the party's questions of the other party and witnesses.

- If a party does not have an advisor, the university will make a person available who will ask questions on behalf of that party. After the hearing, there is a right to appeal the hearing officer's determination.

Appeal Process

Non-DOE-Covered Conduct

The complainant and respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The appeal should identify the reason(s) why the party is challenging the outcome under one or more of the available grounds. In cases where there was a hearing, the following grounds for appeal apply:

- There was a procedural error in the hearing process that materially affected the outcome.
- The determination regarding policy violation was unreasonable based on the evidence before the hearing officer; this ground is available only to a party who participated in the hearing; and
- The sanctions were disproportionate to the hearing officer's findings.
- In cases where there was no hearing, the parties may appeal on only one ground: that the sanctions were disproportionate to the investigator's preliminary determination regarding policy violations.
- In cases where there was a hearing, an appeal must be submitted to the hearing coordinator within 10 business days following the issuance of the notice of the hearing officer's determination and, if imposed, the disciplinary sanctions.

DOE-Covered Conduct

- The complainant and respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The appeal should identify the reason(s) why the party is challenging the outcome under one or more of the available grounds. In cases where there was a hearing, the following grounds for appeal apply:
- There was procedural error in the hearing process that materially affected the outcome; procedural error refers to alleged deviations from university policy and not challenges to policies or procedures themselves.
- There is new evidence that was not reasonably available at the time of the hearing and that could have materially affected the outcome.
- The hearing office had a conflict of interest or bias that affected the outcome.

- The determination regarding policy violation was unreasonable based on the evidence before the hearing officer; this ground is available only to a party who participated in the hearing; and
- The sanctions were disproportionate to the hearing officer's findings.

In cases where there was no hearing because the parties both decided to accept the preliminary determination, the parties may appeal on only one ground: that the sanctions were disproportionate to the preliminary determination regarding policy violations that was accepted.

In cases where there was a hearing, an appeal must be submitted to the hearing coordinator within 10 business days following issuance of the notice of the hearing officer's determination and, if imposed, the discipline sanctions.

In cases where the parties accepted the preliminary determination, an appeal must be submitted in writing to the Office of Student Rights & Responsibilities (OSRR) within 10 business days following OSRR's notice to the parties that the preliminary determination was final and that OSRR would impose the proposed sanction. OSRR will notify the other party of the appeal and that the other party will have an opportunity to submit a written statement in response to the appeal, within five business days. OSRR will also inform the parties that they have an opportunity to meet with the appeal officer to discuss the proportionality of the sanctions.

Appeal Decision

The same appeal decision process for DOE and Non-DOE Conduct.

Within 10 business days of receiving the appeal, the appeal officer will send their written decision to complaint and respondent. The appeal officer may uphold, overturn, modify, remand the case back or issue any other directive they deem appropriate. The appeals officer's decision is final and there is no further right of appeal. Additional details are outlined in Appendix E of Policies Applying to Campus Activities, Organizations and Students (PACAOS).

Educational Programs

The CARE office collaborates with UC Merced partners to develop and support understandings of gender-based violence through prevention education and trauma-informed advocacy using an intersectional framework. CARE promotes empathy, diversity, equity, and inclusion through its programs for staff, faculty, and students.

Advocacy services are free, confidential and a trauma-informed care approach is utilized. VCC provides client-centered advocacy services this includes first contact, intake and follow up services.

CARE encourages the UC Merced community to step in and speak up against all forms of gender-based violence. In addition, CARE collaborates with campus partners to educate all incoming students since they are required to complete a mandatory prevention education program online (EVERFI).

The CARE office offers the following programs in-person and online to engage the campus community:

- *Being A New Member/Greek Announcements* - Discussions of how sexual violence affects Greek organizations as well as identifying techniques Greek organizations can use to promote violence prevention
- *All fraternities and sororities are required to take a 60-minute program regarding Interpersonal/Gender-based Violence* – The purpose of this program is to promote positive social norms in the FSL community, such as bystander intervention, supporting survivors of violence, holding people accountable for their words/actions, and creating a culture that does not tolerate violence.
- *GROW (Graduate Orientation Week)* - Introduction to types of domestic/sexual violence; handling disclosures of domestic/sexual violence they may receive in their role as Graduate Students.
- *New Employee Orientation* - Introduction to types of gender-based violence, resources, bystander techniques and responsibilities as new employees at UC Merced.
- *Peer Educator/CARE Charlas Positivas (Spanish language)* - Training students how to present and talk about gender-based violence as agents of social change.
- *Joint Presentations on Responsible Employees* - Introduction to types of gender-based violence, resources, bystander techniques and employee responsibilities

- *Domestic Violence, Human Trafficking, Stalking and Sexual Assault Awareness Month Virtual Fairs* - Information about crimes and bystander intervention techniques, addressing common misconceptions about crimes.

Immediate Assistance for Survivors of Gender-based Violence

Survivors (CARE uses survivors in place of victims to encourage healing) of these crimes are encouraged to take the following steps:

1. Seek immediate assistance. Survivors are provided all their reporting options to ensure physical safety and/or to initiate an investigation.
2. Preserve evidence. Even if a survivor is not sure about pursuing an investigation or sanctions against the perpetrator, they are encouraged to preserve evidence. It is essential to keep physical evidence to assist in criminal prosecution. Evidence should be preserved in a paper bag, not a plastic bag, when possible.
 - Survivors of sexual assault should make every effort to save anything that might contain the perpetrator's DNA. Therefore, the survivor should try not to bathe or shower, use the restroom or douche, change clothes, comb their hair, clean up the crime scene or move anything the offender might have touched. Evidence of sexual assault is most effectively collected via a sexual assault forensic exam within approximately 7 days as a general guideline after an assault.
 - To obtain the free exam, a survivor can call the UC Merced Police Department or local law enforcement by dialing 9-1-1 or by calling the CARE Campus Advocate at 209-386-2051 or Valley Crisis Center after hours at 209-725-4357.
 - A "Jane Doe" police report is not required before obtaining the exam, and the exam by itself will not begin an investigation. Connect with the

CARE Campus Advocate to get more information.

- Survivors of sexual violence can also preserve evidence by saving or taking screenshots of text messages, instant messages, social networking pages, photographs, and other documents applicable to the police.
3. Obtain medical attention. Health care providers can examine and treat physical injuries, provide pregnancy tests, emergency contraception and test for sexually transmitted diseases. Health care providers are mandatory reporters. Call the CARE Campus Advocate for more details or questions at 209-386-2051.

Affirmative Consent

California laws make it illegal to engage in a sexual act with another without affirmative consent.

Consent is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of each person an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person to ensure they have the affirmative consent (yes means yes) of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not, alone, constitute consent.

Affirmative consent must be ongoing and can be revoked at any time during sexual activity. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

Reporting Options and Confidential Resources

The UCMPD is located at the back of the campus near the Facilities building. To reach the police department by phone, call 9-9-1-1 from a campus landline phone, text or dial 9-1-1 from a cell phone, or 209-228-2677 (CAT-COPS) for non-emergencies. UC Merced police officers and public safety dispatchers are on duty 24-hours a day, seven days a week.

When a report is made to the UCMPD, an officer will be dispatched to the scene. The officer will explain, guide, and provide the victim with all the available options on how to proceed so that the victim can make an empowered decision. The officer will also contact the Campus Advocate to ensure that the victim has support throughout the process. A sexual assault forensic exam may be obtained at that time. When the investigation is concluded, the case may be submitted to the Merced County District Attorney's Office for their review and consideration in the

formal filing of criminal charges. The decision to formally file criminal charges against the accused individual is at the sole discretion of the Merced County District Attorney's Office.

California Crime Victim's Bill of Rights – Marsy's Law

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse throughout the criminal or juvenile justice process.
2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family, or which disclose confidential communications made during medical or counseling treatment or are otherwise privileged or confidential by law.
5. To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, **upon request**, regarding the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and **upon request** to be notified of and informed before any pretrial disposition of the case.
7. To reasonable notice of all public proceedings, including delinquency

proceedings, **upon request**, at which the defendant is entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.

8. To be heard, **upon request**, at any proceeding, including any delinquency proceeding involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and a prompt and conclusion of the case and any related post-judgment proceedings.
10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. To receive, **upon request**, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. To be informed, **upon request**, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. To restitution
 - It is the unequivocal intention of the People of the State of California that all persons who suffer losses because of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
 - All monetary payments, monies and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. To the prompt return of property when no longer needed as evidence.
15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the

offender, and to be notified, **upon request**, of the parole or other release of the offender.

16. To have the safety of the victim, the victim's family, and the public considered before any parole or other post-judgment release decision is made.
17. To be informed of the rights enumerated in paragraphs (1) through (16).

UC Merced's goal is to prevent, correct and when necessary, to discipline behavior that violates the UC policies on sexual violence and sexual harassment.

- Office for the Prevention of Harassment and Discrimination/Title IX officer: 209-355-0352; Arts and Computational Science Building, rooms 311 and 313; <http://ophd.ucmerced.edu/>
- Office of Rights and Responsibilities: 209-228-0069; located in Granite Pass, Room 167. This office is obligated to notify the Title IX officer at <http://osrr.ucmerced.edu>.

UC Merced has a Title IX officer in the Office for the Prevention of Harassment and Discrimination to aid, support, monitor and oversee overall compliance with laws and policies related to sexual violence.

Office for the Prevention of Harassment and Discrimination staff members can explain and discuss the victim's rights and options, including the right to file a criminal complaint or administrative complaint; confidentiality; the investigation process; remedial and protective measures; support options; and other related matters.

This office is also responsible for conducting neutral, administrative (non-criminal) investigations of all reports of sexual violence, harassment, discrimination, and retaliation. If a victim chooses, they may request an investigation regardless of whether the victim has made a police report against the alleged perpetrator.

Although UC Merced encourages the timely reporting of all crimes, victims of sexual violence are not required to report to police, the Office for the Prevention of Harassment and

Discrimination or any other campus office or official.

Regardless of whether a victim chooses to formally report sexual violence to law enforcement or UC Merced, the following on and off-campus confidential support resources are available to help:

- Campus Advocacy, Resources and Education (CARE) General Office number 209-228-4147; <https://care.ucmerced.edu/>; CARE is a source for information, crisis intervention and follow-up support regarding sexual assault, dating and domestic violence, human trafficking, and stalking. All supportive services are rendered by Valley Crisis Center to all UC Merced constitutes (staff, faculty, and students).
- Valley Crisis Center: 24-hour hotline: 209-722- 4357, 1960 P St., Merced, <http://www.valleycrisiscenter.org/>
- Counseling and Psychological Services (CAPS) (students only): 24-hour hotline: 209-228-4266, <http://counseling.ucmerced.edu/>, in the Student Health Center
- Insight Employee Assistance Program (employees only): 800-422-5322; <http://counseling.ucmerced.edu/>
- Office of Ombuds Services (students and employees): 209-228-4410; <http://ombuds.ucmerced.edu/>, Student Services Building, Room 211

You may report a sexual assault at any time.

- You have the right to a free and confidential Campus Advocate throughout the reporting process and you may talk with the Campus Advocate before you decide to report to law enforcement.
- The Campus Advocate is available through Valley Crisis Center and located at the CARE office. The Campus Advocate will assist you in exploring your options and can accompany you throughout the process if you choose to report to law enforcement.

Required Notifications

Individuals making reports shall be informed about:

- Confidentiality of reports, including when reports cannot be kept confidential.
- The range of possible outcomes of the report, including Health and Safety measures, remedies, and disciplinary actions that may be taken against the respondent, and information about the procedures leading to such outcomes.
- Victim rights, University policies, Code of Student

Conduct policies and other relevant options, including the contact of the Campus Advocate.

If the report results in a formal investigation, after the conclusion of the investigation, the complainant and respondent will be simultaneously informed in writing of:

- The outcome of the investigation and its rationale.
- Any available appeal rights and procedures.
- How to obtain a copy of the investigation report, which may be redacted as necessary to protect privacy rights.

If the matter results in a disciplinary proceeding, when the proceeding concludes, the complainant and respondent will be simultaneously informed in writing of:

- The outcome of the proceeding, including the final determination with respect to the alleged offense; any sanctions being imposed; and the rationale for the result.
- Any available hearing rights appeal rights and procedures.
- Any subsequent change to the results and when results will become final.

Seeking Medical Attention

It is most important that survivors of sexual assault and other violent crimes are provided immediate care and support. If you are a survivor of violence, you have the right to seek immediate medical attention, no matter whether you report the incident, even if you do not feel you have been seriously injured. A medical examination can check for sexually transmitted infections or other injuries and pregnancy. Medical professionals are mandated to report disclosures of sexual assault to law enforcement, but a survivor does not need to report to law enforcement if he or she does not wish to do so. Emergency medical services can be requested by calling 9-9-1-1 from a campus landline or 9-1-1 from a cell phone.

Preserving Evidence

Physical evidence can be collected at a certified medical facility. The Campus Advocate or Valley Crisis Center advocate and/or a police officer will transport and accompany you to the exam. A full police report does not have to be filed for this resource to be used. Through an anonymous “Jane Doe” report, the survivor can have access to this resource without having to provide their name and information.

Support and Assistance

We want to ensure that you are provided with support and assistance. That is why the UCMPD contacts the CARE Campus Advocate as soon as you contact the police. If you do not want to speak to the advocate, you will be provided with written resources describing options and available support services. The CARE Campus Advocate can provide individual crisis counseling and will accompany you as requested to notify law enforcement authorities, medical treatment, interviews by law enforcement, student conduct proceedings, court hearings, etc.

The CARE Campus Advocate provides support and crisis intervention services. The role of the CARE Campus Advocate is to discuss options and procedures regarding academic assistance, housing, safety, medical and counseling needs, regardless of whether the victim chooses to report the crime to campus police or law enforcement.

In addition, the CARE Campus Advocate will make the necessary referrals to resources, including support groups, individual psychological counseling, and outside agencies. With respect to academic matters, the advocate serves as the liaison between you and Student Affairs to make necessary arrangements for accommodations, including class attendance.

The Office of Compliance will provide written notification to students and employees about counseling, health, mental health, victim advocacy, legal assistance, visa, immigration assistance, student financial aid and other

services available for complainants.

Reporting Suspected Sexual Misconduct by Students, Student Organizations, Staff or Faculty

To report suspected misconduct by a UC Merced student, staff member, faculty member or registered student organization, contact:

- Office of Student Rights & Responsibilities: 209-228-0069; Assistant Vice Chancellor of Student Life and Residence Education: 209-228-4560; Associate Vice Chancellor and Dean of Students: 209-228-4482; Vice Chancellor for Student Affairs: 209-228-7620 (Students)
- Human Resources (Staff): 209-228-8247
- Office of Academic Personnel (Faculty): 209-228-7948
- Office for the Prevention of Harassment and Discrimination (EEO and Title IX): 209-355-0352
- UC Merced Police Department: 209-228-2677
- UC Acts of Intolerance Report Form: https://ucsystems.ethicspointvp.com/custom/ucs_ccc/default.asp

Students, staff, and faculty have the right to free confidential advocacy throughout this process. The Campus Advocate can be reached at 209-386-2051.

If a formal hearing is held, both the complainant and the respondent may be present at the hearing and may be accompanied by an advisor or support person of their choice at any stage of the process.

In addition, if the incident involved a crime, both are notified of the final decision and any sanctions imposed. A finding that the violation was intentional, forcible, violent or motivated by hatred or bias usually results in enhanced sanctions that may include suspension or dismissal.

Bystander Intervention

The UC Merced campus supports the CARE office in the use of the following forms of bystander intervention behaviors — known as the 3Ds:

- **Direct:** Approach the situation
- **Distract:** Create a distraction to diffuse situation
- **Delegate:** Seek assistance from others (friends, authority figures, etc.)

To learn more, visit

<https://care.ucmerced.edu/prevention/how-intervene>.

Changing culture can happen with the support of every individual on campus. Below are some examples of behaviors or interventions that can be done to prevent gender-based violence.

- Hold perpetrators accountable for their choices to harm others by speaking up against their actions.
- Challenge victim-blaming myths and jokes about rape, stalking and abusive relationships in classes, practices, games, and activities.
- Attend educational programs and trainings to learn more about the complexities of these issues. Model healthy relationships and interactions with others.
- Treat others with respect.
- Volunteer with the CARE office.
- Display posters, flyers, brochures, and buttons from the CARE office.

Public Information Regarding Sex Offenders

Federal Law Regarding Registration and Release of Information: Upon release from prison, individuals convicted of sex crimes may be required to register with law enforcement agencies under laws referred to as Megan's Laws. Additionally, the Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. Such institutions have the authority to release, in some circumstances, certain information about registered sex offenders.

At UC Merced, the controlled release of such information may occur through the authority of the Chief of Police in collaboration with legal counsel and the Office of the Chancellor when such release is deemed appropriate for the safety of the university community.

The CSCPA amends the Family Educational Rights and Privacy Act (FERPA) to clarify that nothing in the act prohibits an educational institution from disclosing information provided to the institution concerning registered sex offenders.

The public may gain access to information about convicted and registered California sex offenders at the Megan's Law website: <http://www.meganslaw.ca.gov/>.

Missing Persons

It is the policy of the UCMPD to accept all reports of missing persons without delay. Investigative priority will be given to missing person cases over the handling of property crimes. In cases where the missing person report originates in another law enforcement jurisdiction, UCMPD will take the report and immediately contact the law enforcement agency having jurisdiction. The UCMPD will provide them with all the necessary information they need to initiate an investigation as they deem appropriate.

Every missing person's case is unique investigative challenges that will dictate who, if any (e.g., spouse, roommates, family members, guardians, friends) will be contacted and interviewed and in what order.

When a person's disappearance is deemed to be suspicious, when foul play is suspected, and/or the person may be at risk, based on several factors, the UCMPD may request assistance from the Merced City Police Department or Merced County Sheriff's Office. Where necessary, the UCMPD will also request assistance from a range of other local, state and/or federal resources.

Missing Student Notification Policy Statement

If any person has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify the UCMPD at 209-228-2677. A police officer will respond and generate a missing person's report and initiate an investigation. After investigating, if it is determined that the

student is missing, the UCMPD and the Vice Chancellor for Student Affairs will notify the student's emergency contact within 24 hours or sooner. If the student is under the age of 18 and not emancipated, the student's parents or legal guardians will be notified immediately by the Vice Chancellor of Student Affairs.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted in the event the student is determined to be missing for up to 24 hours. If a student has identified such an individual, that person will be notified no later than 24 hours after the student is determined to be missing. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate.

A student is deemed missing after a reasonable investigation fails to discover the location of the student, or when a set of circumstances may suggest immediate concern to UC Merced officials. Such conditions may include but are not limited to students who have health-related problems; a student who has not regularly attended class and has not been seen elsewhere; and/or parent(s) and roommate(s) of the student reports that a student is missing because they have had irregular contact with the student.

It is imperative that any missing student must be referred immediately to the UCMPD at 209-228-2677, regardless of how long the student is believed to have been missing. The official determination that a student is missing can be made at any time by the UCMPD. In addition, students, employees, or other individuals are encouraged to report if a student is believed to be missing.

If a missing student report is received by any office, the UCMPD will immediately be notified, and a report filed.

Action to be Taken

For on-campus residential students, the reporting party will notify Housing and Residence Education and/or the UCMPD.

The Residential Life staff members will make the appropriate internal notifications and report to the UCMPD and the appropriate Student Affairs senior staff members. For non-residential students, the reporting party will notify the UCMPD, which will notify the on-duty/on-call Student Affairs senior staff members.

The UCMPD will keep the key stakeholders apprised of the progress of the investigation.

Follow-up

If the search is successful, a Residential Life staff member or an appropriate Student Affairs staff member will

contact the student and inform him/her of support services available on campus (e.g., Student Counseling Center, Student Health Center).

The support should also be offered to any other students (e.g., roommates, friends) affected by the incident.

If the search is deemed unsuccessful, the Chief of Police, the Vice Chancellor for Student Affairs, and/or other appropriate university officials will decide what further action should be taken.

Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20USC § 1092(f)) requires colleges and universities across the country to disclose information about crime on and around their campuses. The UCMPD maintains a close relationship with local law enforcement agencies where UC Merced owns or controls property to ensure that crimes reported directly to these agencies that involve the university are shared with campus police.

The UCMPD collects the Clery crime statistics disclosed in this report through several methods. UC police dispatchers and officers enter all reports of crime incidents made directly to the department through an integrated computer aided-dispatch systems/records management system (CAD/RMS). After an officer enters the report into the system, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. The department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook.

In addition to the crime data, the UCMPD maintain the statistics that are reported to various Campus Security Authorities (CSA). The statistics reported for the subcategories on liquor laws, drugs laws and weapons offenses represent the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. These subcategory

statistics are collected from police, housing and conduct reports and then cross-referenced to make certain they are counted only once. This process eliminates the opportunity for over reporting.

A reported Clery crime to UCMPD may not be withheld or subsequently removed from the Clery crime statistics data based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

However, a reported crime may be withheld or subsequently removed from the crime statistics when sworn law enforcement personnel have fully investigated the reported crime and based on the results of a full investigation and evidence, made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn law enforcement personnel may declare a crime report unfounded.

The Clery Act requires colleges and universities to include four general categories of crime statistics:

- **Criminal Offenses** – Criminal homicide, including murder and non-negligent manslaughter and negligent manslaughter; sex offenses including forcible and non-forcible; robbery; domestic violence, dating violence, stalking and aggravated assault; burglary; motor vehicle theft; and arson.
- **Hate Crimes** – Any of the above offenses, and/or any incidents of domestic violence, dating violence, stalking, larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that were motivated by bias.
- **VAWA Offenses** – Any incidents of domestic violence, dating violence and stalking (Sexual assault is also a VAWA offense but is included in the Criminal Offenses category for Clery Act reporting).
- **Arrests and Referrals for Disciplinary Action** – Includes weapons violations such as carrying or possessing, drug abuse violations and liquor law violations.

Definitions of Reportable Crimes

- **Murder and Non-negligent Manslaughter** is defined as the willful killing of one human being by another.
- **Negligent Manslaughter** is defined as the killing of another person through gross negligence.
- **Sex Offenses** are any sexual acts directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is 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. This offense includes the rape of both males and females.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental incapacity.
- **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees where in marriage is prohibited by law.
- **Statutory Rape** is non-forcible sexual intercourse with a person under the statutory age of consent.
- **Robbery** is defined as 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 (includes attempts).
- **Aggravated Assault** is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by using a weapon or by means likely to produce death or great bodily harm (regardless of the victim's extent of injuries or whether not they accept assistance).
- **Burglary** is defined as the unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft** is defined as the theft or attempted theft of a motor vehicle.
- **Arson** is defined as any willful or malicious burning or attempts to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft or personal property of another, etc. (includes attempts).
- **Hate Crimes:** all the crimes listed above and the additional four (4) listed below that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.
- **Larceny-theft** includes, pocket picking, purse snatching, shoplifting, theft from building or theft from motor vehicles.
- **Simple assault** is 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 broken bones, loss of teeth, internal injury, severe lacerations and/or loss of consciousness.
- **Intimidation** is 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** is to willfully or maliciously destroy, damage or deface or otherwise injure real or personal property without the consent of the owner or person having custody or control of it.

Categories of Prejudice

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity, distinguishing them as a distinct division of humankind.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual and heterosexual (straight) individuals.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their

actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals). Gender non-conforming describes a person who does not conform to the gender-based expectations of society (e.g., a woman dressed in traditionally male clothing or a man wearing makeup). A gender non-conforming person may or may not be a lesbian, gay, bisexual or transgender person may be perceived as such.

- **Ethnicity:** A preformed negative opinion or attitude toward a group of people

whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group or because they are married to or associate with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Violence Against Women Act (VAWA)

- **Domestic Violence** is defined as a felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the victim.

- By a person with whom the victim shares a child in common.
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction where the crime of violence occurred.

- **Dating Violence** is defined as 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 does not include acts covered under the definition of domestic violence.

- **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

Violation of Weapons, Drug Abuse and Liquor Laws

- **Drug/Narcotics Violations** are defined as the unlawful possession, sale, use, transportation, growing, cultivation, manufacturing, making, distribution, purchase and/or importation of any controlled drug or narcotic substance. Violations of laws prohibit the use of the equipment or devices utilized in their preparation and/or use.
- **Alcohol Violations** is defined as the unlawful possession, sale, transportation, manufacturing, purchase and/or use of alcoholic beverages as well as furnishing alcohol to a minor (under 21 years old), maintaining unlawful drinking places, bootlegging, and operating a still, using a vehicle for illegal transportation of liquor and attempts to commit any of the above.

- **Weapons Violations:** The unlawful possession or control of any firearm, deadly weapon, (including nunchakus or billy clubs), illegal knife or explosive device while on the property of the University of California, except as required in the lawful course of business or as authorized by the UC Merced Chief of Police. Additionally, the unlawful manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

2019-2021 Statistics

UC Merced Clery Criminal Offense 2021 Statistics							
Criminal Offenses	Year	Geographic Location				Unfounded	Total
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property		
Murder/ Non-negligent Manslaughter	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Negligent Manslaughter	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Rape	2021	4	4	1	0	0	5
	2020	1	1	0	0	0	1
	2019	2	2	0	0	0	2
Fondling	2021	2	2	0	0	0	2
	2020	4	3	0	0	0	4
	2019	4	0	0	0	0	4
Incest	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	1	1	0	0	0	1
Robbery	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Aggravated Assault	2021	3	3	0	0	0	3
	2020	0	0	0	0	0	0
	2019	0	0	0	1	0	1
Burglary	2021	2	1	0	1	0	3
	2020	6	1	5	0	0	6
	2019	2	2	1	1	0	4
Motor Vehicle Theft	2021	1	0	0	0	0	1
	2020	2	0	0	0	0	2
	2019	1	0	0	0	0	1
Arson	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0

VAWA Offenses							
VAWA Offenses	Year	Geographic Location				Unfounded	Total
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property		
Domestic Violence	2021	0	0	0	0	0	0
	2020	2	1	0	0	0	2
	2019	0	0	0	1	0	1
Dating Violence	2020	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	2	0	0	1	0	3
Stalking	2021	2	1	0	0	4	2
	2020	4	0	0	0	0	4
	2019	2	1	0	0	0	2

UC Merced Clery Arrest and Disciplinary Referral Statistics

Conduct Referrals	Year	Geographic Location				Unfounded	Total
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property		
Arrests: Liquor Law Violations	2021	1	0	0	0	0	1
	2020	0	0	0	0	0	0
	2019	0	0	0	4	0	4
Disciplinary Referrals: Liquor Law Violations	2021	83	83	0	0	0	83
	2020	24	24	0	0	0	24
	2019	139	139	0	0	0	139
Arrests: Drug Law Violations	2021	1	1	1	0	0	2
	2020	1	0	0	0	0	1
	2019	3	0	0	0	0	3
Disciplinary Referrals: Drug Law Violations	2021	30	30	0	0	0	30
	2020	4	4	0	0	0	4
	2019	113	111	0	0	0	113
Arrests: Weapons Law Violations	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	2	1	0	0	0	2
Disciplinary Referrals: Weapons Law Violations	2021	0	0	0	0	0	0
	2020	1	1	0	0	0	1
	2019	0	0	0	0	0	0

UC Merced Clery Hate Crime Statistics

Hate Crimes	2021	
	2020	1, On Campus, On Basis of National Origin
	2019	

2021 Clery Geographical Map



