



# Samuel Merritt University

## Annual Campus Safety and Security Report for the 2023 Calendar Year

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### Statement on Emergency Notification, Response, Evacuation, and Timely Warnings

In the event a situation arises that constitutes an ongoing or continuing threat, a University or Campus wide “timely warning” will be issued via the SMU ALERT system.

The University will:

“without delay, take into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.” (Department of Education, July 2010)

As part of Samuel Merritt University’s (SMU) plan to effectively respond to an emergency event on any of the campuses, an SMU ALERT communication system has been established. The SMU ALERT system delivers critical information to the SMU community members on any communication device chosen (phone, email, SMS text, pager, or fax) and it is the most effective way to share updates and information in the event of an emergency. In certain emergencies where the SMU ALERT system would not be as effective or access to internet or telecommunications are severely limited, the University may use University email, University phones, the University webpage, public address, or fire alerting systems, and/or teams of runners.

All students, faculty and staff are automatically enrolled in the SMU ALERT system that has been initially populated with phone numbers and/or SMU email address. You may store additional numbers for voice messages, text messages, email addresses for alerts, or change your phone number or email address.

Go to [http://www.samuelmerritt.edu/smu\\_alert](http://www.samuelmerritt.edu/smu_alert), click the button to “Update My Contact Information,” log in, and enter additional methods for contact or change them.

It is the responsibility of all students, faculty, and staff to update personal information on a regular basis. There is also an opt-out button if you do not wish to receive any emergency communications from the University, although this is not the recommended choice.

The system is designed for use only when an incident disrupts normal campus operations or threatens the immediate health and safety of the campus community.

Anyone with information warranting a timely warning or Clery defined crimes should report the circumstances to the Director of Risk Management, Safety, and Security at 510-879-9200 x7558 or in person at Health Education Center #216, 400 Hawthorne Avenue, Oakland, CA 94609.

The Crisis Response Plan may be activated during a community or regional crisis that may impact University personnel or business operations. For example, a utility outage in nearby areas, a serious toxic spill on a major highway, or a brushfire in a local area may necessitate a plan activation to coordinate safety precautions or emergency information and support services for personnel.

Samuel Merritt University maintains that a major emergency in the community that affects or potentially threatens our students, faculty, and staff is a University emergency.

The University's Crisis Response Plan includes information about the structure of the crisis response and who will be involved in assessing and responding to a crisis. In addition, departments are expected to develop contingency plans and evacuation procedures, and individuals are expected to have their own safety kits and procedures in place as well as to know the plan. The University conducts a training activity or drill each year (which may include tabletop exercises, functional exercises, or full-scale exercises) and tests the emergency notification system on an annual basis. These tests and drills may be announced or unannounced, and the scenarios for these tests and drills will vary from year to year. SMU will publish a summary of its test.

All members of the SMU community are notified on an annual basis that they are required to notify the University (through the individuals identified below) of any situation or incident on campus that involved a significant emergency or dangerous situation that may involve immediate or ongoing threats to the health and safety of students and/or employees on campus. The University administration will determine if the situation does in fact pose a threat to the community. If it is the case, Federal law requires the institution to immediately notify the campus community or appropriate segments of the community that may be affected by the situation.

### *Timely Warning*

The Director of Risk Management, Safety, and Security as Chair of the Crisis Response Team, or a designee will develop timely warning notices for the University Community to notify members of the community about serious crimes against people that occur on campus, where it is determined that the incident may pose an ongoing threat to members of the SMU community. These warnings will be distributed if the incident is reported either to the Crisis Response Team directly or to the Crisis Response Team indirectly through a campus security authority or the local Police Department.

The department issues/posts Crime Alerts for incidents of:

- Criminal Homicide
- Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an on-going threat to the larger SMU community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Crime Alert, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Oakland/Sacramento/San Mateo/Fresno Police Departments)
- Major incidents of arson
- Other crimes as determined necessary by the Chair of the Crisis Response Team, the President, or their designee in their absence.

The description of subjects in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual; if the only known descriptors are sex and race, then that will not be included in the alert.

The Director of Risk Management, Safety, and Security will draft an email containing the proposed Crime Alert, who may coordinate with the Crisis Response Team or President, then will transmit the email containing the Crime Alert to the University Community as a blast email. Updates to the SMU community about any particular case resulting in a crime alert also may be distributed electronically via blast email or posted on the University's Web site.

The Crime Alert may also be distributed by ABSMC Security (Oakland), ABSMC Crisis Team (Oakland), SMU Board of Regents, Property Management Offices, and/or to other individuals, as they deem necessary and appropriate. Crime Alerts may also be posted in campus buildings, when deemed necessary. When a Crime Alert is posted in campus buildings, it shall be printed and be posted in the lobby/entrance area of the affected building(s) for seven (7) days.

The department does not issue Crime Alerts for the above listed crimes if:

1. The subject(s) is/are apprehended by the local PD and the threat of imminent danger for members of the SMU community has been mitigated by the apprehension.
2. If the Director of Risk Management, Safety, and Security was not notified of the crime in a manner that would allow the posting of a “timely” warning for the community. A general guideline will include a report that is filed more than five days after the date of the alleged incident may not allow the Director of Risk Management, Safety, and Security to post a “timely” warning to the community. This type of situation will be evaluated on a case-by-case basis.

### *Emergency Notifications*

The Incident Commander (IC) has been designated as responsible for issuing these emergency notifications. Other members of the Crisis Response Team may also initiate emergency notifications at the request of the (IC) or if the (IC) is unable. The Chair of the Crisis Response Team will confirm there is an emergency or dangerous situation that poses an immediate threat to the health and safety of some or all of the members of the SMU community and will collaborate with the members of the (CRT) to determine the content of the message. They will use some or all of the systems described above to communicate the threat to the University community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

If a serious crime, a natural disaster, or a person-made emergency occurs that poses an immediate threat to the SMU community or a segment of the SMU community, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. If the institution implements the procedures regarding notification of the SMU community for an immediate threat, the institution is not obligated to implement the timely warning notice procedures. The types of incidents that may cause an immediate threat to the SMU community could include but are not limited to emergencies such as: an active shooter on campus, hostage/barricade situation, a riot, suspicious package with confirmation of a device, a tornado, a fire/explosion, suspicious death, structural damage to a SMU owned or controlled facility, biological threat (anthrax, etc.), significant flooding, a gas leak, hazardous materials spill, etc.

### **General Evacuation Procedures**

Before an emergency, determine the nearest exit to your location, the safest route to follow, and alternate exits. Leave the immediate area but remain available to emergency personnel. If time permits during an evacuation, secure your workplace, and take personal items such as keys, bag, medication, and glasses. In case of fire or other dangerous conditions, evacuate immediately leaving personal items behind.

Individuals who are unable for any reason to use the emergency stairwells without assistance, including those with temporary disabilities, may need additional assistance. The University strongly recommends that advanced planning is crucial, and guide individuals to work with their Safety Monitor or Facilities department on developing a plan that the individual may implement.

- People with disabilities who may have trouble exiting the building during an emergency are encouraged to self-identify to the Safety Monitor, but self-identification is an optional and not mandated by the University.
- The University will designate "buddies" to assist anyone who needs assistance during an emergency, whether students, visitors, or employees. Buddies should be given some minimal training/guidance by the University and be made aware of who self-identified as needing assistance, so they can work out a plan ahead of time for safely exiting the building together.
- The University has established that the exiting stairwells be the designated waiting areas, where people who are unable to exit the building unassisted may remain temporarily in safety to await assistance during an emergency evacuation. A list or map of these area will be made available to all employees posted. In the event of an actual emergency, the University will provide the information of designated waiting areas to first responders.
- The University will designate Safety Monitors to check and verify that everyone made it out, including individuals with disabilities. In the event a person can't be located, the Floor Warden would provide this information to emergency personnel immediately.

Subject to safety considerations, mobility aids (wheelchair, walker, cane, etc.) should be brought out with the individual when possible.

#### **Statement on the Preparation of Disclosure of Crime Statistics**

The Director of Risk Management, Safety, and Security prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, in consultation with various departments. The full text of the report and the annual statistics can be found on the University website at <http://www.samuelmerritt.edu/campus-safety-security>. The report is prepared in coordination with contracted security teams at each campus (if applicable), key faculty and staff, the Facilities Department, and Student Affairs.

Campus crime, arrest and referral statistics include those reported to the Director of Risk Management, Safety, and Security, Assistant Dean of Students for each campus, designated campus officials, security teams, and outside law enforcement agencies. These statistics may also include crimes that have occurred in nearby private residences and businesses and is not required by law.

The University will only remove reports of crimes that have been "unfounded" by law enforcement and will disclose the number in the crime statistics.

Each year, on or before October 1, an email notification is made to all enrolled students and current faculty and staff regarding the updated report and how to access the information. A direct link to the report is included in the email and on the website. Notification to prospective students and prospective employees is made on the respective Admission and Employment webpages. Requests for the report in alternative formats may be made to the Director of Risk Management, Safety, and Security.

## Statement on the Reporting of Criminal Offenses and Encouraging Prompt and Accurate Crime Reporting

Community members, students, faculty, staff, and guests have a duty to report all crimes and public safety related incidents in a timely manner (unless they are a mental health professional serving in that capacity) to 1) the security team noted below and to 2) Director of Risk Management, Safety, and Security. Information on student behavioral violations is reported to the Assistant Dean of Students for each campus per University policy for follow up. The University does not have a campus police department and thus we encourage contacting both the University (via the individuals below) and the appropriate security team.

For crimes in progress or emergencies, contact the security team at your campus or call 911.

Campus	Security Number
Oakland	510-763-4001
Sacramento	916-291-0975 (after 4pm)
San Francisco Peninsula	None on Site; call 911
Fresno	559-495-3000

In addition, you should report a crime to the following:

Director of Risk Management, Safety, and Security and Chair to the Crisis Response Team	510-879-9200, x7558 400 Hawthorne Avenue, Suite 216 Oakland, California 94609
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If you are a victim of sexual violence, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment, and work with authorities to preserve as much evidence as possible. The University strongly advocates that a victim of sexual assault/violence report the incident in a timely manner to the Title IX Coordinator, the Chief Human Resources Officer.

The report to a University official does not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from employees and officers; but it ensures the victim can receive services offered by the University. The Title IX Coordinator and others will assist the student in notifying these authorities if the student requests.

The University will take immediate steps to protect complainants even before a final outcome in the investigations, including, but not limited to, prohibiting the accused from having contact with the complainant, campus escorts, academic support services, counseling, additional counseling visits, course withdrawal without penalty, or other remedies as may be appropriate. The University will provide written guidance on how to access available options.

The University will provide written notification to students and employee about existing resources and support, both on and off campus, including counseling services through the Student Health and Counseling (SHAC) center and through a contracted arrangement with an EAP provider. Counseling and support services outside the University system are available through Bay Area Crisis Centers.

University disciplinary proceedings, as well as special guidelines for handling cases of Equal Opportunity, Harassment, and Nondiscrimination, which includes acts of sexual assault, sexual and gender violence, and sexual misconduct are detailed in the Catalog and Student Handbook at <https://www.samuelmerritt.edu/faculty-and-staff/office-people-and-culture/title-ix>

### **Statement on Confidential Reporting**

If you are the victim of a crime and do not wish to pursue action with the University's conduct process or the criminal justice system, we strongly encourage you to make a confidential report. With your permission, the people noted above can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to ensure the institution's compliance with this Federal law and ensure the future safety of yourself and others. With such information, the University can maintain accurate records of the number of incidents involving students and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

In cases indicating pattern, predation, weapons, threat and/or violence, the University will be unable to honor a request for confidentiality. In cases where the reporting party requests confidentiality and the circumstances allow the University to honor that request, the University will offer interim supports and remedies to the reporting party and the community but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have reports taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through these procedures. Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to investigators, witnesses, the University President, select senior administrators and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy. Additionally, anonymous reports can be made by victims and/or third parties. Note that these anonymous reports may prompt a need for the institution to investigate.

### **Statement on Campus Access**

The University shares facilities with various medical centers and businesses, and some overlap of access by the public and medical center staff will happen. In these areas, the public can use the space as a part of visiting the medical center or business, and the respective security team will take responsibility for security and access.

In other areas, access to the University facilities is limited to current faculty, staff and students, approved contractors, medical center facilities staff, medical center security staff, and other

approved guests and is maintained through proximity card access via campus identification badges. Faculty, staff, and students must wear their University ID Badge (and campus identification badges if separate) while on campus and have it visible, above the waist, at all times.

During business hours, faculty, staff, and students have access to appropriate University facilities via their ID badge. During holidays, after business hours and weekends, access is limited or not permitted. Facilities staff will provide updates prior to holidays on what access is available. The University is closed the week between Christmas and New Year's Eve and special permission is required to be on campus during that time. Please note that emergencies or extenuating circumstances may necessitate changes to any posted schedules.

The University does not have on-campus residence halls.

The Facilities department is responsible for the upkeep of all University facilities and grounds, including security cameras, access systems, and safety equipment.

#### **Statement Addressing Mental Health Counselors and Confidential Crime Reporting**

Please note that persons employed by the University or contracted by the University to serve as professional counselors, when acting as such, are not considered to be a campus security authority, and are not required to report crimes for inclusion into the annual disclosure of crime statistics. They are encouraged, if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

#### **Statement on Campus Law Enforcement**

Samuel Merritt University does not have its own police force, public safety, or security team and it utilizes services with the security team or building management from whom it rents or leases space at each of its campuses.

The security teams have the authority to ask persons for identification and determine whether individuals have lawful business with Samuel Merritt University. These security teams also have the ability to collect reports of incidents. They do not have arrest power. Criminal incidents are referred to the local police who have jurisdiction at the campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to the security team at that campus as well as one of the University officials listed above, including when the victim elects to, or is unable to, report. Prompt reporting will assure timely warning notices and disclosure of statistics.

Police are involved in addressing all criminal activity that occurs on campus. This is stated in multiple policy documents, and a police report number is required on all criminal event incident reports.

In compliance with the statutory requirements that require institutions to 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 practically possible, disclosed to local law enforcement (established by AB 1433 (Gatto, 2014), specified in the California Education Code (Ed. Code, § 67383, subd. (a) and Ed. Code, § 67381)) and responded to in sensitive and culturally appropriate manner, the University has initiated MOUs with the police departments in San Mateo, Sacramento, Oakland, and Fresno. Those police departments have not yet signed the MOUs.

### **Statement on Safety Awareness and Education Programs for Students and Employees**

The University will provide annual safety educational programming to promote the awareness of safety, crime prevention, sexual misconduct, and violence, which may include rape, acquaintance rape and other forcible and non-forcible sex offences, domestic violence, dating violence, sexual assault.

The following are descriptions of awareness programs provided to students and employees on an annual basis:

- Student Orientation: tips on personal safety, crime prevention, reporting emergencies, Title IX, or awareness of the University alert system.
- Community Learning Series: programs in the community learning series include education and information on dating/relationship/domestic violence, gender violence, bystander training (helping skills for effective intervention), sexual assault, consent, risk reduction, key health issues or healthy living. In addition, resources are distributed on how to report.
- Title IX and Safety Training: The University provides online training on Clery, Title IX, and Sexual Harassment as part of its online compliance training. This training is required of all students and all employees' annual training.
- Clery Campus Security Authority (CSA) Training: CSA's have an additional online training module that they complete annually as well.
- Safety Tips: The Safety & Security department regularly share safety tips with the University community.

In addition, such educational programs may also be done at the request of students, by security in an ad hoc program, or because of a campus concern.

### **Statement Regarding Criminal Activity Non-Campus**

The University does not have any officially recognized student organizations with any non-campus locations. The University does not monitor off-campus or non-campus activities of students, faculty, and staff. It may respond to behavior of employees and students in an off-campus or non-campus location if it is made aware of such behavior and that behavior violates University policy or is a safety concern.

### **Statement Addressing Alcoholic Beverages and Drugs**

The possession, sale, or the furnishing of alcohol on the University campus is governed by California state law. Samuel Merritt University has been designated as "drug and alcohol free"

and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, or distribution of any controlled substance is illegal both under state and federal laws. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under the age of 21 in a public place or place open to public is illegal. It is also a violation of Samuel Merritt University policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval.

#### **Statement Addressing Substance Abuse Education**

The University offers substance abuse programs including informational materials, counseling services (through Student Health and Counseling for students and EAP for employees), referrals to diversion programs or long-term treatment, and University disciplinary actions.

#### **Statement Addressing Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses**

Samuel Merritt University will simultaneously disclose to the alleged victim of a crime of violence, sexual misconduct/harassment or a non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the member of the University community who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Samuel Merritt University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

#### **Statement on Campus Sex Offenses**

Students, faculty, and staff are required to report sex offenses to the Director of Risk Management, Safety, and Security and the Title IX Coordinator. As required by the Higher Education Amendments of 1992, the University provides an annual report of campus crime statistics, including all sex offenses. See Campus Security Act of 1990 in the Federal and State Regulatory Policies section.

#### **Statement on Sexual Offender Registration**

In accordance with the Campus Sex Crimes Prevention Act of 2000, The Jeanne Clery Act and FERPA, Samuel Merritt University is providing a link to the California State Sex Offender Registry. The University is required to inform the campus community that a list of all registered sex offenders is available from the State of California Office of Attorney General at <https://www.meganslaw.ca.gov/>

#### **Bystander Intervention and Risk Reduction**

Bystander intervention promotes the idea of bystanders (observers, onlookers) intervening safely and effectively to stop a perilous situation, such as a potential sexual violence. An active bystander is an individual who stands up against offensive language and behaviors that may perpetuate sexual violence and intervene on the behalf of the victim to eliminate the danger and/or provide needed support.

In our continuous endeavor to foster a safe community for students' success, Samuel Merritt

University encourages all community members to become active, empowered bystanders who can safely intervene if they witness a situation, or a potential situation in which a friend or stranger may experience inappropriate, harmful, and hurtful acts.

### **Active bystander tips:**

- Promise yourself that you will speak up and/or take action.
- Attend a bystander intervention training program.
- Develop strategies to intervene as a bystander safely and effectively when you observe or suspect sexual assault, dating violence, domestic violence, or stalking happening around you.
- Ensure your friends leave the party with the same people they came with.
- Ask a friend or acquaintance if they need to be walked home from a party.
- Express concern if your friend has unexplained bruises that may be signs of abuse in their relationship.
- Listen, believe, and support someone who discloses a sexual assault, dating violence, domestic violence, or experience with stalking or cyber-stalking.
- Learn and share information about the sexual assault community and campus resources and information with your friends
- Report the incident with or without names.
- Find allies (others who agree with you) and ask for their support.
- If the situation is beyond your control call 911.
- Express discomfort/concern if someone makes sexist comments, homophobic jokes, or catcalls.
- Confront a friend who is planning to hook up with someone who is passed out.

### **Risk Reduction**

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

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.

6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find out a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact a law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason for you to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else you need to be, etc.
  - e. **Try to think of an escape route.** How would you try to get out of the room?

Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

- f. **If you and/or the other person have been drinking**, you can say that you would rather wait until both of you have your full judgment before doing anything you may regret later.

Wellness programming from the Student Health and Counseling (SHAC) center incorporates Active Bystander education. Additional resources are available at the SHAC.

### Definition of Reportable Crimes

- *Murder/Manslaughter* – defined as the willful killing of one human being by another.
- *Manslaughter by Negligence* – is defined as the killing of another person through gross negligence.
- *Sex offenses* – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - *Rape* – the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - *Fondling* – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - *Incest* – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - *Statutory Rape* – Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- *Robbery* – is defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- *Aggravated Assault* – 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 usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- *Burglary* – is the unlawful entry of a structure to commit a felony or a theft.
- *Motor Vehicle Theft* – is the theft or attempted theft of a motor vehicle.
- *Arson* – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- “Domestic violence” includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- “Dating violence” means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its

length, type, and frequency of interaction.

- “Stalking” means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.
- *Hate Crimes* – includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes:
  - *Larceny/Theft* — includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
  - *Simple Assault* — an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
  - *Intimidation* — to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
  - *Destruction/Damage/Vandalism or Property (except Arson)*— to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

#### **Hate Categories of Bias**

- *Race*—A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- *Gender* – A preformed negative opinion or attitude toward a group of persons because those persons are 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 nonconforming individuals.
- *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.
- *Sexual Orientation*—A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
- *Ethnicity* – A preformed negative opinion or attitude toward a group of persons who identify with each other through common heritage (common language, common culture and/or ideology that stresses common ancestry).
- *National Origin* – A preformed negative opinion about a group of persons based upon them being from a particular country or part of the world.
- *Disability* – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is

temporary or permanent, congenital, or acquired by heredity, accident, injury,  
advanced  
age or illness.

**2023 Crime Statistics Sheet**  
**Samuel Merritt University-Oakland**

<b>Offense (Reported by Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Non- Campus</b>	<b>Total</b>
Murder/Non-Negligent Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Non- Forcible (Incest and Statutory)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Burglary	2023	0	0	0	0
	2022	0	0	0	0
	2021	1	0	0	1
Motor Vehicle Theft	2023	0	6	0	6
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
	2023	0	0	0	0



Drug Law Violations Referred for Disciplinary Action	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Offense (Crimes Not Reported by Hierarchy)	Year	On Campus	Public Property	Non- Campus	Total
Arson	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Domestic Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

**HATE CRIME REPORTING: (DO NOT INCLUDE IN THE CHART ABOVE)**

No hate crimes were reported for 2023, 2022, or 2021.

Notes:

- On November 22, 2024, revised crime statistics were provided by the Oakland Police Department based on specific SMU Campus Addresses. Of the (6) vehicle thefts reported, (4) were attributed to 400 Hawthorne Ave. (HEC Building) and (2) were attributed to 3100 Telegraph Ave. (Peralta Medical Office Building). There were no incidents reported for 450 30<sup>th</sup> Street.
- ~~For 2023, crimes reported occurred on non-campus, public property, within the confines of the area best described as: 34<sup>th</sup> Street, 29<sup>th</sup> Street, Telegraph Ave., and Webster Street.~~
- For 2022, the Oakland Police Department did not respond to SMU's Crime Request.
- For 2021, the Oakland Police Department did respond to SMU's Crime Request.

**2023 Crime Statistics Sheet**  
**Samuel Merritt University-Sacramento**

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Non- Campus</b>	<b>Total</b>
Murder/Non-Negligent Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Non-Forcible (Incest and Statutory)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2023	0	1	0	1
	2022	0	0	0	0
	2021	0	0	0	0
Burglary	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Arrests	2023	0	0	0	0
	2022	0	1	0	1
	2021	0	0	0	0
Drug Law Arrests	2023	0	0	0	0
	2022	0	3	0	3
	2021	0	0	0	0
Weapons Law Arrests	2023	0	3	0	3
	2022	0	1	0	1

	2021	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Offense (Crimes Not Reported by Hierarchy)	Year	On Campus	Public Property	Non- Campus	Total
Arson	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Domestic Violence	2023	0	2	0	2
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

**HATE CRIME REPORTING: (DO NOT INCLUDE IN THE CHART ABOVE)**

No hate crimes were reported for 2023, 2022, or 2021.

**Notes:**

- For 2023, the Sacramento Police Department did respond to SMU’s Crime Request.
- For 2022, the Sacramento Police Department did respond to SMU’s Crime Request.
- For 2021, the Sacramento Police Department did respond to SMU’s Crime Request.

**2023 Crime Statistics Sheet**  
**Samuel Merritt University-San Francisco Peninsula (San Mateo)**

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Non- Campus</b>	<b>Total</b>
Murder/Non-Negligent Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Non-Forcible (Incest and Statutory)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Burglary	2023	0	1	0	1
	2022	0	0	0	0
	2021	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Arrests	2023	0	2	0	2
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Arrests	2023	0	0	0	0
	2022	0	0	0	0

	2021	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Offense (Crimes Not Reported by Hierarchy)	Year	On Campus	Public Property	Non- Campus	Total
Arson	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Domestic Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

**HATE CRIME REPORTING: (DO NOT INCLUDE IN THE CHART ABOVE)**

No hate crimes were reported for 2023, 2022, or 2021.

**Notes:**

- For 2023, the San Mateo Police Department did respond to SMU's Crime Request.
- For 2022, the San Mateo Police Department did respond to SMU's Crime Request.
- For 2021, the San Mateo Police Department did respond to SMU's Crime Request.

**2023 Crime Statistics Sheet**  
**Samuel Merritt University-Fresno**

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Non- Campus</b>	<b>Total</b>
Murder/Non-Negligent Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Non-Forcible (Incest and Statutory)	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Burglary	2023	0	0	0	0
	2022	1	0	0	1
	2021	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Arrests	2023	0	0	0	0
	2022	0	0	0	0

	2021	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Offense (Crimes Not Reported by Hierarchy)	Year	On Campus	Public Property	Non- Campus	Total
Arson	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Domestic Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

**HATE CRIME REPORTING: (DO NOT INCLUDE IN THE CHART ABOVE)**

No hate crimes were reported for 2023, 2022, or 2021.

**Notes:**

- For 2023, the Fresno Police Department did respond to SMU’s Crime Request.
- For 2022, the Fresno Police Department did respond to SMU’s Crime Request.
- For 2021, the Fresno Police Department did respond to SMU’s Crime Request.