



# Annual Security & Fire Safety Report 2023

## *Corktown Campus*

University of Detroit Mercy School of Dentistry  
2700 Martin Luther King Jr. Blvd. Detroit, MI 48208  
[www.dental.udmercy.edu](http://www.dental.udmercy.edu) -494-6700



Annual Security Report Compliance  
Annual Fire Safety Report Compliance  
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The University of Detroit Mercy Department of Public Safety 2023 Annual Security Report is provided to you in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The Annual Security Report regulations require minimum statistical disclosure for the previous three years (for purposes of this report 2020, 2021, 2022), concerning reported crimes that occurred on campus; in certain off-campus buildings, and on property owned or controlled by the University of Detroit Mercy; and on public property within, or immediately adjacent to and accessible from, the campuses. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, alcohol use, Timely Warning Notices, and other matters.

These crime statistics disclosed for the previous three years (2020, 2021, 2022) cover an approximately 1/8-mile radius of the reporting campus.

Dear Students, Faculty, and Staff:

Joel A. Gallihugh  
Chief

Edmund Black  
Captain

Cliffawn Powell  
Lieutenant

Sean Bacon  
Sergeant

Nick Neamonitis  
Sergeant

Garreth Boettcher  
Sergeant

Melissa Webb  
Corporal

Nick Neamonitis  
Sergeant/ Investigations

Visit us at  
[www.udmercy.edu/publicsafety](http://www.udmercy.edu/publicsafety)

Contact us 24/7/365

Emergency: (313) 993-1234  
Non-emergency: (313) 993-1234  
[publicsafety@udmercy.edu](mailto:publicsafety@udmercy.edu)

Our Public Safety team works around the clock to ensure a safe campus environment. The 2023 Annual Security & Fire Safety Report is provided to inform you of safety information at Detroit Mercy. The Report covers our commitment to the University Community, disclosing statistical information for the previous three years (2020, 2021, 2022) and other safety information.

Department of Public Safety  
 Emergency (24-hours) (313) 993-1234  
 Non-Emergency (24-hours) (313) 993-1234  
 Campus Escort (313) 993-1234  
 Crime Prevention (313) 993-1234  
 Parking Holds (313) 993-1235  
  
 Environmental Safety (313) 993-1240  
 Human Resources (313) 993-1036  
 Parking & ID (313) 993-1100  
 Personal Counseling (313) 993-1459  
 (313) 993-1170  
 (313) 494-6938 (Corktown  
 Campus)  
 Residence Life (313) 993-1230  
 Student Affairs (313) 993-1028  
 Student Wellness Center (313) 993-1562

Detroit Police Department  
 Victims Assistance  
 Crisis Line 24-Hours (313) 833-1660

Detroit Police Department  
 Chief Neighborhood Liaison Dept. (313) 596-2520

Interim House  
 Y.W.C.A Metropolitan Detroit-  
 Domestic Violence  
 24-Hour Crisis Line (313) 861-5300

First Step  
 Western Way 843 Dury Lane (encl) > BDC q0.00000912 0 612 792 reW\* 7q0.00000912 0 612 792 reW\* nBT/F4  
 Domestic and Sexual Violence  
 Toll-free Detroit 24-Hour Ref Neigh (888) 758-5900 1 64.584 451.63 Tm0 g6BT/F4 12 Tf1 0 0 1 36 310.73 Tm0

The purpose of the Annual Security Report is to inform the University of Detroit Mercy community of supportive services and resources available to protect your safety. A section of the Report will provide information on criminal acts that may pose a threat to your well-being. An Annual Security Report will be made available on October 1 of each calendar year to keep the University community informed.





resources that are available in the event they become victims of a crime. The information about

Campus pastoral counselors and campus professional counselors, when acting as such, are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics. While this exemption is to protect the counselor-client relationship, there could be situations where counselors are legally obligated to report a crime.

Department of Public Safety  
4001 W. McNichols Road, Detroit 48221  
Student Union Building, southeast corner  
24-hours/7-days



campuses. The Detroit police have jurisdiction in all areas off campus.

Campus pastoral counselors and campus professional counselors, when acting as such, are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. While this exemption is to protect the counselor-client relationship, there could be situations where counselors are legally obligated to report a crime.

The purpose of this policy is to establish procedures for the University's employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

A Detroit Mercy residential student is deemed missing if an investigation concludes that the student has been absent from the University for a period of 24 hours or longer without any known reason. The Director of Public Safety, or designee, in conjunction with the Dean of Students, or designee, will make the official determination of whether a residential student is deemed missing.

Non-residential students, employees, contractors, consultants, temporary help, and other workers who are reported as missing to the Department of Public Safety shall be treated as missing according to the



The purpose of this policy is to make the University of Detroit Mercy Community aware of the police authority of the Detroit Mercy Officers.

This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

University of Detroit Mercy Campus officers has police authority to apprehend and arrest anyone involved in illegal acts on campus during campus patrol. If minor offenses involving University rules and regulations are committed by a University student, the campus officers may also refer the individual to the Dean of Students Office for administrative review and appropriate reprimand.

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local police. Detroit Mercy Public Safety Department will move forward with a joint investigative effort with investigators from the Detroit Police Department to solve these serious felony crimes. The prosecution of all criminal offenses, both felony, and misdemeanor, are typically conducted within the City of Detroit or Wayne County jurisdiction. Campus officers work closely with local, state, and federal police agencies.

By mutual agreement with state and federal agencies, the University Department of Public Safety has access to information maintained within the NLETS Network (National Law Enforcement Telecommunications Network) though our joint effort with the Detroit Police Department. Through this system, police personnel can access the National Crime Information Computer system as well as the Law Enforcement Information Network (LEIN). These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

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These powers are limited to the property of the geographical area bounded on the north by McNichols from Livernois to Fairfield; on the east by Fairfield from McNichols to Puritan; on the south by Livernois; west on Livernois, north to McNichols.

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Authority shall also include the Riverfront Campus School of Law with hard boundary streets: starting at a point at the southbound Chrysler Freeway service drive and Congress proceeding south on the service drive to Jefferson Avenue, west of Jefferson Avenue to St. Antoine, north on St. Antoine to Congress, and east on Congress to the southbound Chrysler Freeway service drive.

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This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

1. Controlled substances, as defined in 21 USC 802, which cannot be legally obtained

2. Legally obtainable controlled substances which were not legally obtained, including:
  - Prescribed drugs when prescription is no longer valid (e.g. use of medication after a course of treatment is completed)
  - Prescribed drugs used contrary to the prescription
  - Prescribed drugs issued to another person.

All members of the University community also are governed by laws, regulations and ordinances established by the state and local municipalities, and will be held accountable by law enforcement representatives of those entities for any illegal activity. It is the responsibility of all campus members to be aware of these laws.

Michigan law prohibits the dispensing, selling or supplying of drugs. Employees, students, faculty and campus visitors may not unlawfully manufacture, consume, possess, sell, distribute, transfer or be under the influence of illicit drugs or controlled substances on University property, while driving a University vehicle or while otherwise engaged in University business. University property, as defined in this Policy, includes all buildings and land owned, leased, or used by the University, and motor vehicles operated by employees, including personal motor vehicles, when used in connection with work performed for or on behalf of the University.

Any person taking prescription drugs or over-the-counter medication is personally responsible for ensuring that while taking such drugs or medications, he or she is not a safety risk to themselves and others while on University property, while driving a University or privately owned vehicle, or while otherwise engaged in University business. It is illegal to misuse prescription medication, i.e. continue to use medication when the prescription is no longer valid, use prescribed drugs contrary to the prescription, and give or sell prescribed drugs to another person. Misusing prescription drugs can result in conviction with jail time.

University of Detroit Mercy uses evidenced-based strategic interventions, collaboration, innovation and the incorporation of the wellness dimensions to reduce harmful consequences of alcohol and other drug use.

- Providing education and awareness activities.
- Offering substance-free social and extracurricular options.
- Creating a health-promoting normative environment.
- Restricting the marketing and promotion of alcohol and other drugs.
- Limiting availability of alcohol and other drugs.
- Developing and enforcing campus policies and enforce laws to address high-risk and illegal alcohol and other drug use.



disciplinary actions. Students needing help dealing with substance abuse problems are encouraged to consult the Dean of Students for referral to the appropriate office and/or agency.

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The Detroit Mercy Wellness Center employs nationally certified Nurse Practitioners that work in conjunction with a Physician from Henry Ford Medical System. The Wellness Center is a service available to Detroit Mercy students that can assist with a number of health-related concerns. The Detroit Mercy Wellness Center is located on the McNichols Campus in West Quad, Room 104. To schedule an appointment, call the Detroit Mercy Wellness Center at (313) 993-1562 or email

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Detroit Mercy Wellness Center  
For appointments (313) 993-1562  
4001 W. McNichols Road, Detroit 48221 ([www.udmercy.edu/about/location.php](http://www.udmercy.edu/about/location.php))

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University of Detroit Mercy offers time-limited individual, group, and family counseling to Detroit Mercy students. Individual and family counseling involves 50 minutes sessions with a 15-session limit.

At the time of the initial session the student can talk confidentially about what's most on his/her mind and together the counselor and student will identify problems and set realistic goals for therapy. Some students may have special needs which would require a referral to a clinic or another therapist.

The counseling office serves as a resource for faculty and staff who may want to discuss a

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The State of Michigan sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, is available by c

Theft  
Vandalism  
Personal Safety  
Residence Hall Security

Detroit Mercy Department of Public Safety has identified several agencies that offer educational programs to identify techniques to avoid sexual assault and date rape. Information on these agencies is located on the Department of Public Safety website [www.udmercy.edu/publicsafety](http://www.udmercy.edu/publicsafety) and in the Student Handbook and Calendar.

The Planning Committee hosted the first annual Safety Awareness Day in October. The purpose of the Awareness Day was to provide the University community with safety prevention information across a broad spectrum to empower individuals with the ability to make the best safety choices. Participants in the awareness day were the Detroit Mercy Department of Public Safety, Department of Residence Life, Department of Athletics, Metz Culinary Management, University Health Center, Dean of Students Office, LUMA Clean and Safe, ITS Department, and the Student Senate.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert notices, displays, electronic marquee, articles and advertisements in university student newspaper, the Varsity News.

The University of Detroit Mercy is committed to providing a safe and secure campus environment for all members of the community. We encourage everyone to be vigilant and report any suspicious activity to the appropriate authorities.

organizations throughout the year. Detroit Mercy Department of Public Safety facilitates programs for students, parents, faculty, new employee orientations, student organizations, and community organizations. In addition, Detroit Mercy Department of Public Safety participates in annual training programs for Resident Advisers and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

: To enhance personal safety, program Public Safety into a one-touch button on your cell phone to quickly report campus emergencies.

#### ATIXA 2020 ONE POLICY, TWO PROCEDURES MODEL

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*Advisor:* a person chosen by a Party, or appointed by the University, to accompany the Party to meetings related to the grievance process, to advise the party on that process, and to conduct cross-examination for the Party at the hearing, if any.

*Complainant:* A Person who is alleging sexual or gender-based harassment or discrimination based on a protected class; or alleging retaliation for engaging in a protected activity, or a person on whose behalf the University is alleging sexual or gender-based harassment or discrimination.

*Complaint:* a document submitted or signed by the Complainant, or signed by the Title IX Coordinator, alleging sexual or gender-based harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that the University conduct an investigation based on the alleged conduct.

*Confidential Employee:* an employee of the University who is not a Mandatory Reporter. A confidential employee is licensed by a state medical licensing and regulatory board and hired by the University specifically to work in a job position which cannot be held without appropriate state medical or health licensure to perform their job duties.

*Day:* a business day when the University is in normal operation.

*Directly Related Evidence:* evidence connected to the complaint but is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and will not be relied upon by the Investigator when writing an investigation report.

*Education program or activity:* locations, events, or circumstances where the University exercises substantial control over both the Respondent and the context in which alleged sexual or gender-based harassment or

discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University. Education programs and activities are not restricted to on campus only.

*Final Determination:* A conclusion by preponderance of the evidence that the alleged conduct did or did not violate this University Policy.

*Finding:* A conclusion by preponderance of the evidence that the conduct did or did not occur as in a finding of fact.

*Formal Resolution Process:* the methods of formal resolution designated by the University to address sexual or gender-based harassment. This includes conduct described in the Title IX Regulations, 34 CFR 106.45, as consisting of any of the following five types of misconduct: sexual harassment that meets the standard of severe, pervasive, and objectively offensive; sexual assault; stalking; dating violence; and domestic violence. The University employs a separate process to address other types of sex or gender-based discrimination not listed above that include but are not limited to the following examples: sexual harassment that is either severe or pervasive; sexual exploitation; sex-based hazing, and retaliation as well as other forms of sexual violence or sexual misconduct that are not governed by 34 CFR Part 106.30. This separate process is conducted by the Dean of Students or designee at the McNichols campus; by the Associate Dean of Students or designee at the Riverfront campus; by the Associate Dean of

Students or designee at the Corktown campus; and by the Associate Vice President of Human Resources or designee for allegations of sexual or gender-based harassment made against employee respondents.

*Hearing officer and decision-maker:* individual with decision-making and sanctioning authority within the )<sup>a</sup> ¶<sub>j</sub> ® ¶<sub>μ</sub> - fi®









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Cleveland, OH 44115

Telephone: (216) 522-4970

Facsimile: (216) 522-2573

Email: [OCR.Cleveland@ed.gov](mailto:OCR.Cleveland@ed.gov)

Patrick V. McNamara Building  
477 Michigan Avenue  
Room 865  
Detroit, MI 48226  
United States

[1-800-669-4000](tel:1-800-669-4000)

[313-226-4610](tel:313-226-4610)

[1-800-669-6820](tel:1-800-669-6820)

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Notice or complaints of sexual or gender-based harassment or discrimination based on protected class and/or retaliation may be made using either of the following options:

- 1) File a complaint with, or give verbal notice to, the University Title IX Coordinator, or any University Deputy Title IX Coordinator, using the contact information provided in 6. above.
- 2.) Report online using the University Complaint form provided on the Office of Title IX webpage, <https://www.udmercy.edu/academics/academic-affairs/titleix/>

A Formal Complaint is a document filed and signed by the Complainant, or signed by the Title IX Coordinator, alleging a sexual or gender-based policy violation by a Respondent that requests that the University investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail by using the contact information provided in 6. above.

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The University will offer and implement appropriate and reasonable supportive measures to the Parties upon notice of alleged sexual or gender-based harassment or discrimination based on protected class and/or retaliation. Supportive measures are typically offered first to a Complainant and then to a Respondent as the Complainant usually makes the first contact with the Title IX team for this purpose. Supportive measures are offered to a Complainant and/or Respondent using the contact information provided in 6. above.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and as requested by the Parties, to restore or preserve the educational environment of the Parties.





the University will engage in a variety of means to address and mitigate the effect of such communications. This includes application of the University ITS Acceptable Use & Security Policy linked here:

<https://www.udmercy.edu/about/its/policies/files/its-0028.pdf>

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Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom. All policies accompany actual or attempted offenses.

Discriminatory harassment constitutes a form of discrimination that is prohibited by this Policy. The University does not tolerate discriminatory harassment of any employee, student, visitor, or guest and will act to remedy all forms of harassment when reported. This includes harassment based on race, gender, religion, age, disability, sexual orientation, or national origin. Harassment that results in a discriminatory effect on educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing

Sexual assault with an object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent or physical incapacity;

Fondling: the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. viii. Incest:



For the purposes of this definition

Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a

Reasonable person means a reasonable person under similar circumstances and with similar

identifies to the Complainant.

Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

The *University Sexual Harassment Prevention Policy* includes the following Consensual Relationship language incorporated within this Policy:

In General. There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions of power. In the University context, such positions include but are not limited to teacher and student, supervisor and employee, senior faculty and junior faculty, mentor and trainee, teaching assistant and student, coach and athlete, preceptor and student, staff and student, and the individuals who supervise the day-to-day student living environment and student residents. These relationships may, moreover, be less consensual than the individual whose position confers power believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect. The asymmetry of the relationship can lead to a potentially exploitive relationship. Where such a relationship exists, the University will in general be unsympathetic to a defense based upon consent when the facts establish that a professional staff-student, supervisor-employee, senior faculty- junior faculty, mentor-trainee, teaching assistant-student, preceptor-student, or supervisor-student resident power differential existed within the relationship.

With Students. Romantic and/or sexual relationships between faculty and student, even mutually consenting ones, are a basic violation of professional ethics and responsibility when the faculty member has any responsibility for the relationships between faculty and students in the instructional context are prohibited. No faculty member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who is enrolled in a course being taught by the faculty member or whose academic work is being supervised, directly or indirectly, by the faculty member. Romantic and/or sexual relationships between faculty and students that occur outside of the instructional or supervisory context may also lead to difficulties. The asymmetry of the faculty-student relationship can lead to a potentially exploitive relationship. Where such a relationship exists, the University will in general be unsympathetic to a defense based upon consent when the facts establish that a professional faculty-student, staff, student, or coach-student power differential existed within the relationship.

The University reserves the right to impose any level of sanction ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

Consent: communication that is clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent may be given by words or actions, as long as those words or actions create mutually understandable

clear permission regarding willingness to engage in, and the conditions of, sexual activity. Consent to some sexual contact such as kissing or fondling cannot be presumed to be consent for other sexual activity such as intercourse. The existence of a current or previous intimate relationship is not sufficient to constitute consent.

Incapacitation: Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because that individual lacks conscious knowledge of the nature of the act sufficient to understand the who, what, where, when, why or how of the sexual interaction, and/or is physically helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware or uncertain that sexual activity is occurring. Incapacitation may also result from the use of alcohol and/or other drugs. Being intoxicated or impaired by drugs or alcohol is never an excuse and does not diminish the responsibility to obtain consent.

In addition to the forms of sexual harassment described under \_\_\_\_\_ above, which are covered by Title IX, the University also prohibits the following offenses as forms of sex and gender-based harassment that may be protected class. They include but are not limited to the following:

1. Sexual exploitation is defined as taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:
  - 1a. Sexual voyeurism is defined by conduct including observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts without the consent of the person being observed;
  - 1b. Invasion of sexual privacy;
  - 1c. Taking photos, video, or audio recording of another in a sexual act, or in any other sexually-

1j. Engaging in sex trafficking;

1k. Knowingly possessing, or disseminating child pornography;

1l. Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person;

The failure of a Mandatory Reporter to report an incident of sexual or gender-based harassment or discrimination based on protected class of which they become aware constitutes a violation of University policy and can result in disciplinary action for failure to comply.

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A complainant may contact a Confidential Resource on or off campus as listed below:

On-campus confidential resources consist of licensed psychotherapists and nurse practitioners working at the

Wellness Center, 313.993.1562, [personalcounselingwc@udmercy.edu](mailto:personalcounselingwc@udmercy.edu)

Dental School, Office of Health and Wellness, Bailey Andersen, 313.494.6938, [anderstb@udmercy.edu](mailto:anderstb@udmercy.edu)



Try not to urinate.

If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.

If clothes are changed, place soiled clothes in a paper bag and not a plastic bag which destroys evidence or secure evidence container.

Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

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1. The University provides a formal resolution process known as Process A which is described below in 1a. Based on U.S. CFR 106.30, certain types of alleged sexual or gender-based harassment or discrimination of a member of a protected class are not included in this Formal Resolution Process and are instead regulated by separate formal resolution processes at the University that apply on the McNichols campus for undergraduate and graduate students; on the Riverfront campus for law students; and on the Corktown campus for dental students. Links to separate formal resolution processes are described below in 1b. Additionally, based on U.S. CFR 106.30, certain types of alleged sex and gender-based harassment involving employees are not regulated by Process A. Links to employee formal resolution processes are described below in 1b.  
The University will act on any formal or informal notice or complaint made under this Policy alleging sexual harassment; sexual assault; stalking; domestic violence or dating violence that is governed by U.S. Code of Federal Regulation, CFR 106.30 by application of this formal resolution process known as Process A.  
For allegations of sex or gender-



If it does, the Title IX Coordinator, or a Deputy Title IX Coordinator, will initiate the formal investigation and grievance process, directing the investigation to address:  
an incident, and/or  
a pattern of alleged misconduct, and/or  
a culture/climate issue, based on the nature of the complaint.

If it does not, the Title IX Coordinator, or a Deputy Title IX Coordinator, determines that the 2020 Title IX regulations apply and will refer the Complainant for resolution under other applicable University processes available to undergraduate and graduate students; law students; dental students; and employees.  
The University will not address a complaint of sexual or gender-based harassment or discrimination of a member of a protected class as described above in 1b. Dismissal of a complaint under the 2020 Title IX regulations is solely a procedural matter. The University reserves the authority to address a complaint with an appropriate process and remedies.

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Based upon 34 CFR Part 106, the University must dismiss a formal complaint or any allegations contained within the complaint after intake meeting with the Complainant, it is determined that the conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy even if proved; and/or

The conduct did not occur in an educational program or activity controlled by the University (including buildings or property controlled by recognized student organizations), and/or the University does not have control of the Respondent; and/or



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The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing officer and may result in the need for a different Advisor to conduct cross-examination at the hearing.

The University may permit parties to have more than one Advisor upon special request made to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator, or Deputy Title IX Coordinator, and will be granted equitably to all parties.

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the University community.

The Title IX Coordinator, or Deputy Title IX Coordinator, will also offer to assign a trained Advisor if a Party has not selected and obtained an Advisor on their own by the time of the hearing or scheduling of the hearing.

The Parties may be accompanied by their Advisor to all meetings and interviews at which the Party is entitled or asked

The University expects that the parties may wish to have the University share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor, or other individuals if they wish, as doing so may help the parties to readily participate in the resolution process.

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Advisors are expected to maintain the privacy of the records shared with them. Shared records may not be shared with third parties, disclosed publicly, or used for purposes not consistent with this resolution process.

The University expects an Advisor to attend meetings when planned, but may change scheduled meetings to

A party may elect to change Advisors during the grievance process. The parties are expected to provide timely notice to the Title IX Coordinator, or Deputy Title IX Coordinator, if they change Advisors at any time. If a Party changes Advisors, consent to share information with the previous Advisor is terminated, and a release and confidentiality agreement for the new Advisor must be signed by the new Advisor. Parties are expected to inform the Title IX Coordinator of the identity of a new Advisor at least two calendar days before their scheduled hearing date.

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An expectation of confidentiality is core to resolution processes under this Policy. Resolution proceedings are not open to members of the University community or individuals outside the University who are not serving as an Advisor or providing testimony as a witness. Parties have discretion to share their own knowledge and evidence with others if they so choose with the exception of information the Parties agree not to disclose related to Informal Resolution or Process B which is first described below.

A Complainant must first submit a Formal Complaint to the Office of Title IX to express interest in resolving an



Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations.

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The University will make a good faith effort to complete the Formal Resolution Process within 90-120 calendar days including appeal which can be extended as necessary for appropriate cause by the Title IX Coordinator, or Deputy Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time is needed to complete the process.

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Once the decision to commence a Formal Resolution Process is made, the Title IX Coordinator, or Deputy Title IX Coordinator, will select an appropriate Investigator from the Title IX Team, or external to the University, and will notify the Parties of the Investigator at the time the NOIA is emailed to them. The Title IX Coordinator, or Deputy Title IX Coordinator, may serve as default investigator if no other investigator is readily available to commence prompt formal grievance resolution.

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Any individual materially involved in the administration of this Formal Resolution Process including the Title IX Coordinator, Investigator(s), and Decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator, or Deputy Title IX Coordinator, will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the Formal Resolution Process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator, or Deputy Title IX Coordinator, will determine whether the concern is reasonable and supportable.

Any concerns of conflict of interest or bias by the Title IX Coordinator should be raised with the University Legal Counsel.

The Formal Resolutio10(6II Tf1 0 0 .d73)U00000912 0 612 792 reW\* nBT/F4 11.04 Tf1 0 0 1 557.98 408.43 Tm0 G[ )JTJ712

for such duration.

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All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

As part of an investigation, the Investigator completes the following:

- Allow each Party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the

- Document in the investigation report which questions were asked with a rationale for any changes or omissions;

- Endeavor to complete the investigation within 30 business days and provide regular status updates to the Parties every two weeks during the investigation;

- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence including appendices referring to or including relevant physical or documentary evidence;

Occasionally, a Witness may ask the investigator if they can provide a written statement in lieu of an investigation interview and, if this occurs, the Witness may choose to respond to written questions if deemed appropriate by the Investigator(s). This is not preferred as CFR 106.45 does not allow a written statement prepared by a witness to be used as evidence at a hearing as it eliminates the opportunity and requirement for cross-examination unless the witness appears at the hearing and cooperates with cross-examination.

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No unauthorized audio or video recording of any kind by a Party, Witness, or Advisor is permitted during investigation

Alleged conduct violations: a description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result;

Date and location: the time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities;

Technology: any technology that will be used to facilitate the hearing, and ability of the Parties to access the recording after the hearing;

Separate rooms option: information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Hearing Officer and parties to see and hear a Party or Witness answering questions. Such a request must be emailed to the Title IX Coordinator at least five (5) calendar days prior to the hearing;

Witness List: A list of all those who will attend the hearing, along with an invitation to object to the Hearing Officer on the basis of demonstrated bias. Such an objection must be emailed to the Title IX Coordinator at least two (2) calendar days prior to the hearing;

Lack of availability: A statement that if any Party or witness does not appear at the scheduled hearing, the hearing will not be considered by the Hearing Officer who may reschedule the hearing for compelling reasons.

Advisor: Parties are notified that they must have an Advisor at the hearing and that if they do not have an Advisor or no longer have an Advisor, the University will obtain an advisor for them from the Title IX Team.

Accommodations: Contact the Title IX Coordinator at least seven (7) business days prior to the hearing to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing.

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The Title IX Coordinator, or a Deputy Title IX Coordinator not serving as investigator, may serve as an administrative facilitator of the hearing if the Parties agree that it does not pose a conflict of interest.

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Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. At both investigation and hearing stage, the Formal Resolution Process does not allow consideration of the following: 1) incidents not directly related to the possible violation unless they evidence a pattern; or 2) questions and evidence that are offered to prove that someone other than the Respondent committed the alleged violation or that the Respondent had prior sexual behavior with respect to the Respondent and are offered to prove consent.

The Parties may each submit a written impact statement to the Hearing Officer at the time of the hearing.

Previous University disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. Information regarding previous University disciplinary action of a student or employee is only considered at the sanction process and should not be shared before that time.

After the hearing, the Decision-maker prepares a written decision stating whether the Respondent violated the Policy as alleged by the Complainant and does so using the preponderance of evidence standard that requires that it is more likely than not that the Respondent violated one or more terms of this Policy.

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At least seven business days prior to the Hearing, the Hearing Officer, after any necessary consultation with the Parties,

Investigator(s), and/or Title IX Coordinator, will provide the names of persons who will participate in the hearing as well as a list of all relevant documentary evidence and the final investigation report to the Parties.

Any Witness scheduled to participate in the hearing must first be interviewed by the Investigator(s). If the Parties and Hearing Officer do not agree to the admission of evidence newly offered at the hearing, the Hearing Officer will delay the hearing and require that reopening of the investigation.

After receiving the notice of hearing, the Parties have the opportunity for continued review and comment on the final investigation report and available evidence.

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Reasons to request: The Hearing Officer may ask the Title IX Coordinator, or a Deputy Title IX Coordinator, to schedule a pre-hearing meeting with the Parties to invite them to submit questions or topics that the Parties or their Advisors may wish to ask, or have asked by the Hearing Officer, at the hearing. Additionally, the Title IX Coordinator, or a Deputy Title IX Coordinator, may schedule an in-person or virtual pre-hearing if the Title IX Coordinator anticipates that questions of evidentiary relevance may be resolved in advance of the Hearing.

Determining relevance: If a pre-hearing meeting is scheduled by the Title IX Coordinator, the Hearing Officer will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant.

The Hearing Officer may rule on these arguments pre-hearing and will exchange those rulings between the parties Prior to the hearing to assist in preparation for the hearing.

Who attends: In addition to the Parties and their Advisors, the Hearing Officer may request participation of either or both the Title IX Coordinator and University General Counsel.

Recording: Pre-hearing meetings are recorded using audio and/or video.

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*Withholding Diploma*: The University may withhold a diploma and/or deny a student participation in commencement activities as a sanction if the student is found responsible for an alleged violation.

*Revocation of Degree*: The University reserves the right to revoke a degree previously awarded from the University for fraud, misrepresentation, and/or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

*Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including University registration) for a specified period of time.

*Other Actions*: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

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If a Respondent withdraws from the University before the Formal Resolution Process has been concluded, a notice will be sent to the student stating that he or she is alleged to have violated University policy, that the resolution process will continue. A letter will also be sent to the University Registrar, and also to the registrar or academic dean of the school/college in which the student was enrolled indicating that such proceedings are pending. If the student attempts to re-enroll before the matter is resolved, the Registrar will notify the Title IX Coordinator or a Deputy Title IX Coordinator. The matter must be fully resolved before the student may re-enroll at the University.

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Any Party may file a request for appeal in writing and email it to the Title IX Coordinator within seven (7) business days of delivery of the Notice of Outcome. The Title IX Coordinator, or Deputy Title IX Coordinator, will forward Request for Appeal to the Appeal Chair for the University campus where the student or employee is enrolled, or principally work, if the request meets the grounds for appeal.

Appeals are limited to the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made and that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

The Appeals Officer will deny any other grounds for appeal and will notify the Parties and their Advisors in writing of the denial and the rationale.

If any of the grounds contained in the Request for Appeal meet the criteria listed in A., B., and/or C. above, the Appeal Chair will notify Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Hearing Officer of *Appeals Officer Decision Granting Request and Grounds for Appeal*. Similarly, if none of the grounds contained in the Request for Appeal meet the criteria listed in A., B., and/or C. above, the Appeal Chair will notify Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Hearing Officer of *Appeals Officer Decision Denying Request and Ground for Appeal*.

When grounds for an appeal are granted, The Appeals Officer will send the other Party and their Advisor, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) determination of any approved ground(s) for appeal. If the appeal involves the Title IX Coordinator, Investigator, or Hearing Officer, as necessary, any or each will submit their written responses to the Appeals Officer within seven (7) business days concerning the portion of the appeal that was approved and involves them.

The non-appealing Party (if any) may also choose to raise a new ground for appeal at this time which will be reviewed to determine if it meets one of the grounds in this Policy. If approved, the appeal will be forwarded to the Party who

initially requested an appeal, the Investigator(s) and/or original Hearing Officer, as necessary, and any or each will submit their written responses to the Appeals Officer within seven (7) business days who will then circulate them for review and comment by all Parties.

Neither Party may submit any new requests for appeal after this time period. The Appeals Officer will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and will render a decision in no more than seven (7) business days barring exigent circumstances. The decision of the Appeals Officer is based on preponderance of the evidence.

A Notice of Appeal Outcome will be emailed simultaneously to all Parties and will provide reason for each approved ground for appeal and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law.

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

Decisions on appeal are to be deferential to the original decision-making changes to the finding only when there is clear error and to the sanction(s) only if there is a compelling justification to do so.

Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.

An appeal is not an opportunity for the Appeal Officer to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).

The Appeal Officer may consult with the Title IX Coordinator, or Deputy Title IX Coordinator, on questions of procedure or rationale for clarification if needed. Documentation of all such consultation will be maintained.

Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.

Once an appeal is decided, the outcome is final and further appeals are not permitted

In rare cases where a procedural error cannot be cured by the original Decision-maker(s), the Appeals Officer may order a new hearing with a new Decision-maker(s).

The results of a new hearing can be appealed once on any of the three available appeal grounds.

In cases in which the appeal results in reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

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Following the conclusion of the Formal Resolution Process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the sexual or gender- based harassment or discrimination of a member of a protected class, remedy the effects, and prevent reoccurrence.

These remedies/actions may include but are not limited to:

- Referral to counseling and health services for students;
- Referral to the Employee Assistance Program for employees;
- Education to the individual and/or the community;
- Permanent alteration of housing assignments;



activity; and

If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The University will also maintain any and all records in accordance with state and federal laws.

                      
The University will provide appropriate training to University officials with responsibilities under this policy, including the Title IX Coordinator and Deputy Title IX Coordinators, Investigators, Hearing Officers, and Appeals Officers and any individual who facilitates the informal resolution process. Such training will cover the definition of Title IX Sexual Harassment.

Sexual assault is a physical assault forced upon an individual who does not or cannot consent and involves a sexual act or an attempted sexual act with that individual. Sexual assault includes, but is not limited to sexual intercourse. Sexual assaults are acts of violence used to humiliate, dominate and overpower another person.

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, the Detroit Mercy Department of Public Safety is providing a link to the Michigan Department of State Police (MSP) Sex Offender Registry.

This Act requires sex offenders registered in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. In the State of Michigan, convicted sex offenders must register with the Sex Offender and Crimes against Minors Registry maintained by the MSP. Detroit Mercy Department of Public Safety provides for the campus community resources to obtain information concerning registered sex offenders.

MSP Public Sex Offender Registry (SOR) is available via the Internet pursuant to Offenders Registration Act, MCL 28.721et seq. Registry information provided under this section shall be used for the purpose of the administration of criminal justice, screening of current or prospective employee, volunteers, or

Detroit Mercy strictly forbids the carrying of concealed weapons in Detroit Mercy classrooms and Residence Halls, regardless of whether the individual is licensed to carry a concealed weapon and/or authorized by Detroit Mercy to carry a concealed weapon.

This policy applies to students, employees, temporary employees, independent contractors, and visitors to Detroit Mercy. Students violating this policy will be subject to immediate discipline, up to and including expulsion. Anyone (employee, temporary employee, or independent contractor) who is performing work for Detroit Mercy and violates this policy, will be subject to immediate termination. Visitors and any others who violate this policy will be immediately escorted off campus and/or turned over to local law enforcement authorities as appropriate.

knives, and other weapons as defined by Michigan law or local ordinance. Questions about whether an item is covered by this policy should be addressed to the Director of Detroit Mercy Public Safety or to Human Resources as appropriate.4( Detroit M)-5(e



- Extreme stress from personal problems or a life crisis
- Extreme stress as a response to a workplace condition
- Being a loner with little or no involvement with other employees
- Engaging in frequent disputes with supervisors or fellow employees
- Routine violation of University policy
- No interests outside of work

Supervisors who become aware of behavior patterns similar to those listed above should contact Human Resources.

Threats of violence are serious and should be treated as such. Threatening behavior can include:

- Throwing objects
- Making verbal threats to harm another individual or destroy property
- Making menacing gestures
- Sending threatening faxes, e-mails or notes to other employees
- Expressing significant grudges against other employees
- Displaying an intense or obsessive personal interest with others that exceeds normal bounds
- Attempting to intimidate or harass other individuals
- Behavior indicating that the individual is significantly out of touch with reality to the extent that

Basic Life Skills (CPR)

Basic Life Skills (CPR)

Basic Life Skills (CPR)

Consent Training for RAs and Ols

Summer First Year Orientation  
Consent Training

Summer First Year Orientation Consent Training

Title IX Training for RAs and Ols  
QPR Training for new First Year Students

Basic Life Skills (CPR)  
QPR Training (Suicide Awareness Program)  
Mental Health Town Hall  
Title IX Training Take Back the Night

Basic Life Skills (CPR)  
Town Hall: Barriers to Seeking Mental Health Resources  
QPR Training

The Emergency Response Plan defines for the University of Detroit Mercy community the framework well in an emergency. Since every scenario cannot be predicted, an emergency plan must be able to adapt quickly to events as they unfold. The University response needs to be quick, professional, supportive, person-centered, and meet the emerging demands of any emergency or crisis situation. This plan is designed to be flexible because an emergency may be sudden and without warning.

The President or designee (most senior Executive Officer when President is unavailable) shall declare a state of emergency when, upon recommendation of the Chief/Director of Public Safety, it is deemed necessary to activate emergency procedures and/or close all or part of the University.

The President or designee can convene the President's Council as the situation dictates.

The President or designee shall declare an end to the state of emergency when hazards no longer exist.

Following is the list of University designees who have decision-making responsibilities in case of an emergency or crisis at the University of Detroit Mercy.

- President
- Provost, VPAA
- Vice President of Business and Finance
- Associate Vice President of Facilities Management & Campus Services
- Chief/Director of Public Safety

University of Detroit Mercy Emergency Alert is a mass, urgent notification system, comprised of a variety of methods by which the University, without undue delay, will notify students, faculty and staff of an active, major campus emergency or dangerous situation involving and immediate threat to the health or safety of student or employees occurring on campus:



Register for University of Detroit Mercy emergency communications and be among the first to receive alerts on class cancellations or other emergency notices via text message and email through the Rave Mobile Safety system.

All faculty, staff and students are enrolled in the free program but must register to confirm contact information and choose notification preferences (cell phones, landline phones, text pagers or emails).

To log in, scan to adjacent QR code or go to [www.getrave.com/login/udmercy](http://www.getrave.com/login/udmercy). Use your Titan Connect user name and password and then click the Log In button. Follow the screen prompts to modify contact information and select notification devices.

University of Detroit Mercy provides emergency response and guidance for the McNichols Campus, Corktown Campus and Riverfront Campus. Emergency response and evacuation procedures are identified in the Detroit Mercy Emergency Response Procedure (ERP) and in individual Building Emergency Plans. The ERP outlines how the University of Detroit Mercy community (students, faculty, staff and visitors) conducts emergency response actions for specific emergency situations. The ERP is available online at: [www.udmercy.edu/publicsafety/EmergencyPreparedness](http://www.udmercy.edu/publicsafety/EmergencyPreparedness)

Emergency Procedure Guides with basic instructions are available from DPS. Students, faculty and staff with questions about emergency procedures in their building should check with their Facility Manager or college office, Building Coordinator or contact DPS at (313) 993-1234. Emergency preparedness plans are exercised at minimum of once a year in each academies building.

**Detroit Mercy** 304-211-5128 copy 0091 building 102 Hall G Seq 000009120612792 The Quinn-BT /F4 12 T  
College must sign up for the respective Emergency Alert Systems at this campus. University of Detroit Mercy does not control the Emergency Alert Systems at their

release from an industrial or transportation accident, hazardous weather, police, fire or public health emergencies, or acts of violence. Since each situation is unique, shelter in place techniques may vary based on the incident. All decision to shelter in place will be made by DPS and notification will be through University Mass Notification System and by DPS Personnel or other responding emergency personnel. You must immediately seek shelter in the nearest facility or building (preferably in a room with no windows). Example of shelter in place:

- Tornado Warning
- Hazardous Materials (HAZMAT)
- Active Shooter
- Building Intruder
- Civil Disturbance

Academic Building Emergency Preparedness/Fire drills are conducted once yearly. Resident Halls Emergency Preparedness/Fire drills are conducted each semester for all occupied facility. The fall semester exercise/drill is conducted within the first 21 days of start of semester. The University of Detroit Mercy follows PA 481 of 2014, amends PA 2017 of 1941, MCL 29.19a, Section 19a (1-5). These Emergency Preparedness/Fire drills could be announced or unannounced. The University also conducts tabletop exercises, functional or full-scale exercises.

Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Motor Vehicle Theft	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Sex Offenses- Non Forcible <sup>2</sup>	0	0	1
Sex Offenses- Forcible <sup>2</sup>	0	0	0
Stalking	0	0	0

Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Motor Vehicle Theft	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Sex Offenses-Non Forcible <sup>2</sup>	0	0	0
Sex Offenses-Forcible <sup>2</sup>	0	0	0
Stalking	0	0	0

Aggravated Assault

There were zero unfounded Clery geography crimes in 2022.











intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.

r) means the person alleging to have been subjected to criminal sexual conduct.



- d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:
  - i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
  - ii) The actor uses force or coercion to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).
- e) The actor is armed with a weapon, or any article used or fashioned in a manner to lead a person to reasonably believe it to be a weapon.
- f) The actor causes personal injury to the victim and force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).
- g) The actor causes personal injury to the victim and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
- h) That other person is mentally incapable, mentally disabled, mentally incapacitated, or



iii) When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute that threat. As used in this subparagraph, "to retaliate" includes threats of physical punishment, kidnapping, or



more than 2 years or a fine of not more than \$500.00, or both.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Michigan Criminal Law section 750.81: Assault or assault and battery.

1) Except as otherwise provided in this section, a person who assaults or assaults and batters an



contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:

- i) Following or appearing within the sight of that individual.
  - ii) Approaching or confronting that individual in a public place or on private property.
  - iii) Appearing at that individual's workplace or residence.
  - iv) Entering onto or remaining on property owned, leased, or occupied by that individual.
  - v) Contacting that individual by telephone.
  - vi) Sending mail or electronic communications to that individual.
  - vii) Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual.
- f) \* ~~§ 160.50~~ § 160.50(1)(b) or continuing harassment.

2) An individual who engages in stalking is guilty of a crime as follows:

- a) Except as provided in subdivision (b), a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.
- b) If the victim was less than 18 years of age at any time during the individual's course of conduct and the individual is 5 or more years older than the victim, a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both.

3) The court may place an individual convicted of violating this section on probation for a term of not more than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order the defendant to do any of the

Policies and Fire Statistics <http://edocket.access.gpo.gov/2009/E9-25373.htm>

or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death, or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

: 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, etc.

: A criminal offense committed against a person or property which is motivated, in whole or in part, by the victim's race, color, sex, religion, sexual orientation, gender identity, or ethnicity/national origin; also known as Hate Crime.

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

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.

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.

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

: 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.

: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition).

: The killing of another person through gross negligence.

: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joy riding).

: The willful (non-negligent) killing of one human by another.

: The taking or attempting to take anything of value from the care, custody, or control of a



matters. Detroit Mercy Corktown Campus School of Dentistry does not maintain a student housing facility on this campus. Accordingly, the university does not have residential housing fire statistics to report for the 2020, 2021, and 2022 Annual Fire section of this report. The Detroit Mercy McNichols Campus maintains a student housing complex. Fire statistics for the McNichols Campus are disclosed in this Annual Security & Fire Safety Report 2023. You can obtain a copy of the campus reports by following the print options, contacting the Department of Public Safety at (313) 993-1234 M-F 9:00 a.m. to 4:00 pm., or by accessing the following website [www.udmercy.edu/publicsafety](http://www.udmercy.edu/publicsafety)

Never tamper with fire alarm systems.

Know two fire escape routes from your residence.

Read fire safety evacuation measures provided.

When an alarm sounds











University of Detroit Mercy releases fire safety information to the University community as a first step in educating the community on fire safety procedures. Detroit Mercy has provided educational information that provides techniques to reduce the risk of a fire safety incident. The University will offer prevention programs essential to keep the University community safe from fire safety incidents. Fire safety laws are meant to educate our community and to encourage those with fire incident information to report the offense to the Detroit Mercy Department of Public Safety.

To create and maintain a fire safe environment for students residing in campus housing, non-residential students, employees, contractors, consultants, temporary help and other workers at Detroit Mercy, including all personnel affiliated with third parties.

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When it comes to fire safety, certain personal property can compromise the safety of all within the community. The prohibited items can be found in the . The Office of Residence Life conducts regular health and safety inspections of each residence hall. All areas and spaces of the room/suite, and all objects and containers within the space may be searched. Illegal or unauthorized property will be confiscated and residents will be provided a list of items taken. Items violating local, state, or federal laws may be turned over to the Department of Public Safety.

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Detroit Mercy has life safety procedures to keep our community free of fire safety hazards. Annually fire systems are tested throughout University campuses. The Department of Public Safety (DPS) has leadership role to initiate, facilitate and account for fire safety test drills. As an ongoing process check other committees and departments have a responsibility to assist DPS during these tests and report their findings.

Fire safety tests are one measure that Detroit Mercy uses to account for the operations of mechanical equipment and emergency response of our community and emergency personnel. While other inspections occur to assess our emergency readiness, as a standing practice the Detroit Mercy community is encouraged to play a role in the prevention and evaluation process of campus fire safety systems and procedures.

Fire incidents on Oagergenenen1 36 653.14 Tm0 gs.e3(ms ar)4(e -3(9reW\*p)-(s to r)4(esp)-1 26.04 198.05 Ts3(



You can also reach Public Safety by dialing (313) 993-1234 for non-emergencies, or by using the exterior emergency telephones located throughout campus parking lots or near some buildings.

Any suspicious activity or person observed loitering in the parking lots, inside building or around the Residence Halls should be immediately reported to the Department of Public Safety. In addition, if you are a victim involved in a fire incident you may also report a crime to the following areas:

Monica Williams, Dean of Students	(313) 993-1028
Sandra Alef, Residence Life	(313) 993-1439

When the situation necessitates the Detroit Mercy Department of Public Safety will make notification to the Detroit Fire Department for response. Each department augments the other within their jurisdictions during mutual incidents and investigations. Detroit Mercy officers attend regular meetings with local law enforcement agencies to exchange ideas and problems, which may be of concern for the University community.

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Detroit Mercy only has residential housing on the McNichols Campus. Our residential complex has the capacity to house nearly 900 students each term. Residential students are educated to immediately report fire related incidents as follows:

- Verbally alert other occupants as you exit
- To the extent safely possible assist others who may need assistance
- Use the stairs to evacuate the building. Do not use the elevators.
- Go to the nearest Evacuation Area
- Wait for further instruction from on scene emergency personnel

To educate residential students on procedures related to building evacuation.

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Faculty should assure that students in their class who have mobility difficulty are assisted in the evacuation, making sure these students get at least to a stairwell landing.  
All University employees are responsible to know the location of exits and be able to identify their building's evacuation route(s) in an emergency.

Designated Building Coordinators shall ensure, to the extent practical, that the site-specific Evacuation Plan of their building is followed and that the evacuation of the facility proceeds until emergency personnel arrive.

Exit the building using the nearest marked exit and posted evacuation route.

Proceed to designated outside Gathering Point shown on the evacuation map posted in the building.

ObeY the directions of emergency response personnel or the Building Coordinator(s).

Be alert to the presence of persons requiring evacuation assistance and assist as much as possible to get them out or to a stairwell landing.

Notify emergency personnel immediately upon arrival of the exact location of any person(s) who may be having difficulty evacuating.

Emergency response personnel will direct you if it will be necessary to proceed to another location.

Do not return to an evacuated building until the Department of Public Safety announces the all clear

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When the fire alarm sounds, on-campus residents must evacuate to the nearest designated evacuation area and begin the fire evacuation procedures:

Check your room door for heat. If hot, do not open it.

If door is cool, open it slowly and check the hallway for smoke.

If the hallway is passable, immediately and swiftly leave your room.

Close and lock your room door.

Help others who may need assistance.

Evacuate the areas via stairs. Do not use the elevators.

Go to the Evacuation Areas as directed.

Do not return to the building for any reason until the Department of Public Safety determines









approved -Curling Irons, Hair Straighteners, and other electronic hair devices with a heating element must remain unplugged when not in use. -Items are not to be hung from any ceiling. Damage resulting from items attached to the ceiling may result in a damage charge being assessed. -All university furniture must remain in the room. Relocation of any university issued furniture is in direct violation of Residence Life Policy and could result in a fine or fee to replace the missing furniture. Residence Life will not remove furniture from any room by request. Some rooms containing a single occupant may have furniture for double occupancy.

