

**MICHIGAN DOMESTIC AND SEXUAL VIOLENCE
PREVENTION AND TREATMENT BOARD**

**MEETING MINUTES
March 13, 2014**

***** APPROVED *****

Members Present:

Dr. Cris Sullivan, Chair
Sgt. Yvonne Brantley
Jeffrie Cape
James Fink
Honorable Libby Hines
Kathryn Hoover
Honorable Jeff Sauter

Staff Present:

Debi Cain
Carol Hackett Garagiola
Gail Krieger
Mary Lovik
Lore Rogers
LaShawn Thurman, Board Secretary

Guests:

Emily Sherman, DHS -- Adoption Subsidy/Post Adoption Services
Donovan McCarty -- Intern to Judge L. Hines
Rhoda Hacker -- SafeCenter
John Lazet -- Michigan Department of Attorney General

Welcome and Introductions

Chair C. Sullivan convened the March 13, 2014 Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the Michigan Library and Historical Center in Lansing, Michigan at 2:00 p.m. Introductions were made and a welcome extended to guests.

BOARD CONSENT

Review of agenda; approval of the January 31, 2014 meeting minutes.

Motion: Moved by J. Fink to approve the March 13, 2014 meeting agenda and January 31, 2014 meeting minutes, with the following modifications to page 3 of the January 31, 2014 meeting minutes:

M. Lovik reported on HB 5190, which would permit courts to consider past juvenile adjudications of criminal sexual conduct **OR ATTEMPTED CRIMINAL SEXUAL CONDUCT AS PRIOR FELONY CONVICTIONS FOR PURPOSES OF** imposing enhanced sentences on adults convicted of criminal sexual conduct violations.

Seconded by L. Hines. Motion carried.

CHAIR'S REPORT

C. Sullivan reported on how the Office of Violence Against Women (OVW) has modified its expectations of STOP grants based on VAWA 2013. C. Sullivan met with D. Cain and MDSVPTB staff to work on the STOP planning process. C. Sullivan and the MDSVPTB staff decided to conduct feedback sessions through upcoming webinars and meetings held in Gaylord, Grand Rapids, Detroit, and Marquette. C. Sullivan suggested that any STOP questions be directed to D. Cain.

EXECUTIVE DIRECTOR'S REPORT – GENERAL OVERVIEW OF WORK TO DATE

D. Cain introduced Emily Sherman, her new mentee through the DHS Management Mentorship Program.

D. Cain provided an update on several successful prosecutions of 400 Project cases.

D. Cain reported that the OPEB (Other Post-Employment Benefits) is in the Governor's budget for FY '14 and thanked the Governor and his staff for their continued support.

LEGISLATIVE REVIEW

M. Lovik reported on HB 5411, which would require authorization from a parent or guardian, or a court order, before interviewing a child outside the presence of a parent or guardian during an investigation of suspected child abuse or neglect.

Motion: Moved by J. Sauter to strongly oppose. Seconded by J. Fink. Motion carried.

G. Krieger reported on legislation currently being developed to address Michigan's sexual assault forensic evidence kit submission process. Drafting of this legislation is not yet complete; the Board will be provided with a draft when this becomes available.

Motion: Moved by J. Sauter to support the following underlying objectives of the proposal:

- (1) Ensure that if a victim releases a sexual assault forensic exam kit to law enforcement, the kit will be submitted to a lab in a reasonable period of time and tested in a reasonable period of time that reflects the seriousness of the crime. Funding must be allocated for prioritized testing of kits.**
- (2) Ensure that law enforcement agencies retrieve released sexual assault forensic exam kits from health facilities.**
- (3) Ensure that sexual assault forensic exam kits that are not released for testing are stored by health facilities for a reasonable period of time.**
- (4) Provide victims with notice of health facilities' storage policies and how to release a sexual assault forensic exam kit at a later date.**

Seconded by L. Hines. Motion carried.

G. Krieger and M. Lovik presented the Board with amendments they have developed to update MCL 333.21527.

Motion: Moved by L. Hines to support the following amendments to MCL 333.21527:

(1) Amend references to “sexual assault evidence kit” in subsection (1) of the statute to reflect that administration of the kit is an element of a sexual assault medical forensic examination.

(2) Require attending health care personnel to provide an individual with information about the availability of a sexual assault medical forensic examination, including the administration of a sexual assault forensic evidence kit, if the individual alleges that he or she has been the victim of criminal sexual conduct under MCL 750.520a – 750.520/ within the preceding 120 hours.

(3) Require attending health care personnel to inform the individual that the health care provider may not bill the individual for any portion of the costs of a sexual assault medical forensic examination, including any insurance deductible or co-pay, denial of claim by an insurer, or any other out-of-pocket expense.

(4) Delete provisions of the statute stating that administration of a sexual assault evidence kit is not a medical procedure.

Seconded by K. Hoover. Motion carried.

Board members acknowledged that they had an opportunity to review a list of other bills of interest to the Board’s constituency that had been introduced since the Board’s January 31, 2014 meeting.

Judge L. Hines requested that the Board staff report on SB 63, (creating the Michigan Firearms Freedom Act), if this bill moves.

BOARD MEMBER ANNOUNCEMENTS

J. Cape reported on troubling information related to reanalyzed data from the Sherman Domestic Violence Study. J. Cape will forward information, including the Wisconsin Coalition talking points, to D. Cain for distribution to the Board members.

L. Hines informed the Board that free training for Judges is now available online through the American Judges Association website. L. Hines will send the link to D. Cain for distribution to Board members.

K. Hoover announced that she was recently selected as a Board member for the Gift of Adoption Fund national charity.

PUBLIC COMMENT

R. Hacker, Executive Director of SafeCenter, thanked the Board for their thoughtful deliberation and discussion.

ADJOURNMENT:

Motion: Moved by K. Hoover. Seconded by Y. Brantley. Motion carried.

The meeting ended at 4:35 p.m.

Respectfully submitted,
LaShawn Thurman