

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

## **MEETING MINUTES September 30, 2011**

**\*\*\* Approved\*\*\***

### **Members Present:**

Jeffrie Cape  
Candace Cowling  
James A. Fink  
Honorable Amy Ronayne Krause  
Cris Sullivan, Chair

### **By Phone:**

Honorable Edward Sosnick

### **Staff Present:**

Mike Bobbitt  
Michelle Bynum  
Debi Cain, Executive Director  
Celestine Colton  
Debbie Felder-Smith  
Michele Hanses

Sarah Heuser  
Gail Krieger  
Mary Lovik  
Carri Phillips  
Karen Porter  
Lore Rogers

### **Guests:**

Kathy Hagenian, MCADSV  
Rhoda Hacker, RAVE  
Melissa Horste, Senator Carl Levin's Office  
Shannon Nobles, Michigan Resource Center on Domestic & Sexual Violence  
Sally Repeck, Cadillac Oasis

### **Welcome and Introductions**

Chair C. Sullivan convened the September 30, 2011 Michigan Domestic Violence Prevention and Treatment Board (MDVPTB) meeting at DHS, Grand Tower Building in Lansing, MI, at 1:10 p.m. Introductions were made and a welcome extended to guests.

## **BOARD CONSENT**

Review of agenda; approval of July 15, 2011 meeting minutes.

**MOTION: Moved by A. Krause to approve the September 30, 2011 agenda and to approve the July 15, 2011 meeting minutes with the addition that A. Krause was unable to attend the May 20, 2011 Board meeting. Motion seconded by C. Cowling. Motion carried.**

## **CHAIR'S REPORT**

C. Sullivan wanted to thank D. Allen for his services on the Board. He was a very valued member and will be greatly missed.

C. Sullivan announced that Kathryn A. Hoover will be joining the MDVPTB. D. Cain and C. Sullivan will be meeting with her in the next couple of weeks to give her an orientation.

C. Sullivan shared with the Board that D. Cain, M. Lovik and C. Sullivan had a meeting with Darin Ackerman from the Governor's Legislative Affairs Division. C. Sullivan, A. Krause and J. Fink met with Maura Corrigan, the Director of the Department of Human Services. A. Krause, D. Cain and J. Fink thought the meeting was helpful and very productive. All agreed that Director Corrigan is very supportive of the MDVPTB and our work in domestic violence and sexual assault.

C. Sullivan discussed possibly creating a new award that would go to a prosecutor who has done exceptional work in the area of domestic or sexual violence at the Annual Prosecuting Attorneys Association of Michigan (PAAM) conference. L. Rogers, G. Krieger and D. Cain will be meeting with H. Tanner to discuss this further.

C. Sullivan announced that the Board Retreat is scheduled for December 9, 2011 at the Kellogg Center in East Lansing. C. Sullivan and D. Cain are currently working on the agenda for the retreat.

**MOTION: Moved by J. Cape to accept all four Executive Limitation Reports regarding Assurance of Quality, Compensation and Benefits, Contracting Process and Treatment of Staff. Motion seconded by A. Krause. Motion carried.**

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

The MDVPTB grant application for Grants to Encourage Arrest (GTEA) was awarded. This grant allows the Attorney General's office to develop a Cold Case Unit on sexual assault cases. This grant is a million dollars over two years. GTEA also incorporates police training in sexual assault in partnership with PAAM.

D. Cain mentioned that L. Rogers, J. Soet and D. Cain continue to work closely with Wayne County Prosecutor Kym Worthy, on the Sexual Assault Kit (SAK) action research grant funded by the Department of Justice (DOJ), National Institute of Justice (NIJ). This grant is one of two awarded nationally (the second is in Houston) and builds on the 400 Project. Dr. Rebecca Campbell is the researcher on the NIJ/SAK grant. Dr. Campbell has already presented preliminary findings as to how approximately 11,000 SAKs, covering a 20 year span, ended up in the police property room. Phase II of the project starts October 1<sup>st</sup>.

D. Cain announced that the Alpena domestic and sexual violence program has been selected as one of six SADI (Sexual Assault Demonstration Initiative) grantees in the country. Kudos to Shelter, Inc. and their Executive Director, Sandra Lewis. This DOJ/OVW grant will provide technical assistance and capacity-building for domestic violence programs with a dual focus on sexual assault. The goal is to enhance the sexual assault components of each of the six grantees.

MDVPTB has been pulled for a DOJ audit of our current Safe Havens contracts. The Chicago auditors were here this week both with MDVPTB/DHS and with the Grand Rapids YWCA, who were able to back up their expenses to the penny! DOJ is also doing a desk audit of our Transitional Supportive Housing-American Recovery & Reinvestment Act (TSH-ARRA) grant. We are most likely six months or more from receiving the report findings and will share those with the Board upon receipt.

D. Cain mentioned that Josie Jubb has left us for a promotion. She served as the Board Secretary for the past 11 years and will be greatly missed.

M Lovik, C. Sullivan and E. Sosnick gave an update on the status of the "Off Ramp" workgroup on child custody cases involving domestic violence. The group met Sept. 19 and determined that it would collect information on how courts address custody questions in personal protection order cases.

G. Krieger and L. Rogers gave a brief update on the status of our 2012 Task Force on sexual assault.

D. Cain provided Board members with a copy of the September 2011 Michigan Bar Journal. M. Lovik was instrumental in coordinating this all Domestic Violence issue.

D. Cain provided the Board with a copy of the Board-approved FY 2010/2011 MDVPTB budget and asked for a continuation budget until the December 9th Board Meeting. It is impossible to provide an accurate budget until all FY 2010/2011 expenses post during October and early November.

**MOTION: Moved by J. Fink for a continuation of the existing budget until a more accurate budget is provided at the December 9, 2011 meeting. Motion seconded by J. Cape. Motion carried.**

D. Cain and M. Lovik met with Senator Tonya Schuitmaker, who leads the Women's Legislative Caucus together with Representative Joan Bauer. They are sponsoring a lunch for legislators and representatives from MDVPTB-funded domestic violence advocacy programs and state partners on November 2, 2011.

### **Legislative Review**

M. Lovik reported on SB 463 [Mandatory reporting of financial exploitation of vulnerable or incapacitated adults, amending MCL 400.11, 400.11a].

**MOTION: Moved by A. Krause to support SB 463 with the addition of a definition to the term "incapacitated," and to adopt the following General Principle:**

**The MDVPTB is committed to follow its Ends Statement that: "There will be a significant emphasis on the rights of survivors ensuring their safety, confidentiality, and autonomy." However, the MDVPTB also recognizes that some adult survivors of domestic or sexual violence lack the understanding or capacity to make or communicate informed, autonomous decisions, or cannot protect themselves from abuse, neglect, or exploitation because of a mental or physical impairment**

or because of advanced age. In these cases, the MDVPTB supports reporting of incidents of domestic or sexual violence to protective agencies, and adopts the following guidance for those with a duty to report:

- An individual's advanced age or physical or mental limitations do not per se render the individual unable to make or communicate informed, autonomous decisions, or to take self-protective measures against abuse, neglect or exploitation.
- Where feasible and safe, a reporter should tell a vulnerable adult about his/her duties to report in advance of seeking information from the adult, and consult with the adult about the potential risks of the report.
- Where feasible and safe, vulnerable adults should be notified about the timing of reports and of the person or agency to whom the report was made.
- Reports should be made in a manner that minimizes intrusions into an individual's confidentiality and autonomy.
- Reporters should take steps to mitigate potential harm that may come to any individual as a result of a report.

**Motion seconded by E. Sosnick. Motion carried.**

M. Lovik reported on HB 4844 [Publicly accessible PPO registry on internet.]

**MOTION: Moved by C. Cowling to oppose the bill as drafted and to request that staff research legislation creating non-public registries in other states. Motion seconded by J. Fink. Motion carried**

L. Rogers presented information about laws in other states that permit trafficking victims convicted of prostitution to have these convictions expunged.

**MOTION: Moved by A. Krause to notify the Governor's office that the Board is interested in exploring similar legislation for Michigan. Motion seconded by J. Fink. Motion carried.**

M. Lovik reported on SB 633 [amend MCL 769.4a to provide non-public records of "diversion"] and SB 631, [similar amendment to MCL 750.350a].

**MOTION: Moved by J. Fink to oppose the bill as written, but to support the concept of keeping pending charges off the public record during a period of probation under the affected statutes. Further moved to request that staff explore language to achieve the bills' intended purpose, and to emphasize that SB 633 and SB 631 do not permit diversion. Motion seconded by A. Krause. Motion carried.**

G. Krieger reported on *People v Ring*, (unpublished Court of Appeals opinion in docket No. 298074, 9/15/11).

The Board noted in discussion that it was not a conflict of interest for A. Krause to vote on a motion because she was not a member of the panel who decided *People v Ring* at the Court of Appeals.

**MOTION: Moved by A. Krause to send a letter to the Livingston County Prosecutor's office supporting a request that the Court of Appeals publish the opinion. Motion seconded by J. Fink. Motion carried.**

K. Porter presented a PowerPoint slide show to the Board describing MDVPTB's quality assurance program. She explained the standards and contract review processes and discussed recent changes to MDVPTB quality assurance standards. K. Porter expressed that the overall goal of MDVPTB's quality assurance program is to ensure significant services for survivors of domestic violence and sexual assault by promoting excellence and strengthening programs. In addition to standards and contract reviews, the quality assurance program provides technical assistance and support for MDVPTB funded agencies. Feedback from Agency Directors and peers involved in the four pilot site visits conducted using the revised standards indicate that recent changes have been positive.

**COMMENT:**

C. Sullivan and J. Fink both commented on the excellent job K. Porter did updating the Quality Assurance (QA) Standards. They also recognized all of the hard work and time it took to do so and to elicit program feedback on the changes.

**PUBLIC COMMENT:**

R. Hacker from RAVE Clinton and Shiawassee Counties announced that they recently purchased property. RAVE will be having an Open House on October 20, 2011 and would like to invite everyone to come,

**PROCESS EVALUATION:**

None.

**ADJOURNMENT**

The meeting ended at 3:25 p.m.

**MOTION: Moved by C. Sullivan to adjourn the meeting. Motion seconded by J. Fink. Motion carried.**

Respectfully submitted,  
Michele Hanses