Minutes of the
July 20, 2015 Meeting of the
Sexual Assault Evidence Kit Tracking and Reporting Commission

Members Present:
Claire Allard - Executive Office of the Governor
Amy Barkholz - Michigan Health and Hospital Association
Debi Cain - Michigan Domestic and Sexual Violence Prevention and Treatment Board
Representative Laura Cox - Michigan House
Colonel Kriste Etue - Michigan State Police
Kathy Hagenian - Michigan Coalition to End Domestic and Sexual Violence
Kimberly Hurst - Michigan Chapter of International Association of Forensic Nurses
Lore Rogers (staff to Commission) - Michigan Domestic and Sexual Violence Prevention and Treatment Board
Senator Tonya Schuitmaker - Michigan Senate
Chief Robert Stevenson (ret.) - Michigan Association of Chiefs of Police
Kym L. Worthy - Prosecuting Attorneys Association of Michigan

Members Participating By Telephone Conference Call:
Representative Stephanie Chang - Michigan House
Carol L. Isaacs - Department of Attorney General

Members Absent (with notice):
Catherine Garcia-Lindstrom - Michigan Crime Victim Services Commission
Senator Bert Johnson - Michigan Senate
Sheriff Terrance Jungel (ret.) - Michigan Sheriff's Association

Members Represented by Staff:
Shantee Jackson (for Senator Bert Johnson) - Michigan Senate
Laura Moody (for Carol L. Isaacs) - Department of Attorney General
James McCurtis, Jr. (for Catherine Garcia-Lindstrom) - Michigan Crime Victim Services Commission

Guests:
Michael Bobbitt - Michigan Domestic and Sexual Violence Prevention and Treatment Board
John Bowen - Michigan State Police
Scott Bruski - Michigan State Police
Becky Burtka - Staff for Representative Laura Cox
Rebecca Campbell - Michigan State University
Gary Daniels - Michigan State Police

Amy Dehner - Michigan State Police
Dave Greydanus - Michigan State Police
Gail Krieger - Michigan Domestic and Sexual Violence Prevention and Treatment Board
Greg Michaud - Michigan State Police
Jeff Nye - Michigan State Police
Lisa Ramos - Michigan State Police
Kristin Schelling - Michigan State Police
Derek Sova - Staff for Senator Tonya Schuitmaker
Herb Tanner - Prosecuting Attorneys Association of Michigan

Welcome and Introductions
Debi Cain convened the July 20, 2015 Sexual Assault Evidence Kit Tracking and Reporting Commission in the large conference room of the Michigan State Police Forensic Division at 1:35 p.m. Introductions were made and a welcome extended to guests.

MOTION: Moved by L. Cox, seconded by R. Stevenson, to approve the agenda as presented.
Roll Call vote: "Yes" votes - L. Cox, R. Stevnson, K. Hurst, K. Hagenian, T. Schuitmaker, S. Chang, A. Barkholz, D. Cain, K. Etue, K. Worthy, and C. Allard. "No" votes – none. Motion carried.

MOTION: Moved by T. Schuitmaker, seconded by K. Etue, to approve the following resolution:

> Whereas, the Sexual Assault Evidence Kit Tracking and Reporting Commission ("the Commission") is required to meet at least quarterly and to complete a full report with recommendations for implementation within 365 days of this first meeting;
>
> Whereas, a member may from time to time be unable to attend meetings of the Commission in person;
>
> It is hereby RESOLVED that, upon approval of the Chairperson of the Commission, a member of the Commission shall be considered present at a meeting when participating via video conference or phone conference, and that member may participate in discussion and vote on matters before the Commission, provided that a quorum is physically present at the meeting site and that all individuals attending the meeting can hear, and be heard by, the Commission member(s) attending via video or phone conferencing.

Roll Call Vote: "Yes" votes – T. Schuitmaker, K. Etue, K. Hurst, K. Hagenian, L. Cox, S. Chang, A. Barkholz, D. Cain, R. Stevenson, K. Worthy, and C. Allard. "No" votes – none. Motion carried.

MOTION: Moved by D. Cain, seconded by T. Schuitmaker, to nominate K. Etue as chair. Motion by K. Hurst to nominate D. Cain as co-chair. D. Cain withdrew her motion, with consent of T. Schuitmaker.

Moved by K. Hagenian, seconded by T. Schuitmaker, to elect K. Etue and D. Cain as co-chairs of the Commission.

Moved by L. Cox, seconded by R. Stevenson, to close the nominations.

Roll Call Vote on K. Hagenian motion: "Yes" votes - K. Hagenian, T. Schuitmaker, K. Hurst, L. Cox, S. Chang, A. Barkholz, D. Cain, K. Etue, R. Stevenson, K. Worthy, and C. Allard. "No" votes – none. Motion carried.

L. Rogers explained the history that precipitated the passage of the legislative package that included the creation of the Sexual Assault Evidence Kit Tracking and Reporting Commission

Hurst presentation: K. Hurst is a certified physician's assistant who has been performing sexual assault medical forensic examinations for over 15 years. She gave an overview of the contents of a sexual assault evidence kit. Each member of the Commission was given an expired sexual assault evidence kit to look at, and to keep if they chose, as K. Hurst explained what the contents of the kit are and how those contents are used. D. Cain noted that a multidisciplinary team including MSP, SANE nurses, victim advocates, PAAM, and the Board had partnered to update the sexual assault kit form and contents before the untested kits were discovered in the City of Detroit, and that a victim centered approach was used in that process.

Michaud presentation: Captain Michaud of the Michigan State Police Forensic Science Division, gave a brief summary of a sexual assault to which he responded in the early 1990's, in which a young woman had been run off the road, kidnapped, and brutally raped. G. Michaud played excerpts from a recording of the 911 call and of the transmissions between responding officers and dispatch from the night of the crime. G. Michaud explained that evidence gathered by the sexual assault evidence kits helps to convict criminals nationwide for not only for sexual assault, but a plethora of other crimes as well. The Michigan State Police currently purchases and distributes about 5,000 sexual assault evidence kits per year and they receive about 3,300 back for analysis. G. Michaud said that Michigan is a model of how to properly analyze sexual assault evidence kits and he is hopeful that the legislation and the work of the Commission will help find additional untested kits that have been stored so that they can be tested.

Campbell Presentation: Dr. Campbell gave a presentation on the importance of a trauma-informed approach to addressing untested sexual assault evidence kits, and the work of the NIJ SAK Action Research Project in addressing 1600 untested kits from the City of Detroit Police Department. Members were provided a copy of Dr. Campbell's powerpoint slides. Dr. Campbell's presentation noted, among other things, that:

- Rape is a primary cause of Post-Traumatic Stress Disorder ("PTSD") and that PTSD in sexual assault victims is neurologically indistinguishable from that of combat survivors.
- Sexual assault has long term physical health consequences on brain structure and the health of victims. Victims of sexual assault not only suffer from the trauma of the crime itself, but also the trauma of reporting the crime to law enforcement, and this trauma can be reactivated.
- It is important take into account the psychological impact that notification has on victims whose kits were shelved for years and now have been tested.
- In order to reduce trauma to victims, the NIJ Sexual Assault Kit Action Research Project required that all practitioners be trained on the current research on trauma prior to having any contact with victims, that if at all possible, the notification be made through in-person contact, and that confidential communication with an advocate was available.
- Data from the victim notifications in forty sexual assault cases in the NIJ SAK Action Research Project demonstrated Prosecutor Worthy's office was able to find 95% of the victims, and that by utilizing a trauma informed approach, 86% of victims agreed to participate with prosecution. Dr. Campbell's conclusion is that taking a trauma informed approach that recognizes and tried to meet the needs of victims not only helps victims, but helps the criminal case as well.

Commission meeting calendar: Co-Chair Etue noted that the Open Meetings Act requires that at its first meeting the Commission must set the schedule for its regular meetings. K. Etue presented date options for the second through fifth meetings to determine member availability and determined that the Commission will meet from 1:30 – 3:30 p.m. on October 2, 2015, January 15, 2016, April 15, 2016 and June 17, 2016.

Co-Chair Etue explained that she anticipated the Commission would create subcommittees or workgroups at the 2nd meeting to address the responsibilities of the Commission, and that the Commission would hear a presentation from K. Worthy on an electronic tracking system being piloted in Wayne County and a presentation from G. Michaud on an electronic tracking system being considered by MSP-FSD.

Motion: T. Schuitmaker moved, seconded by A. Barkholz, to adopt the following resolution:

Whereas the Sexual Assault Evidence Kit Tracking and Reporting Commission ("the Commission") is required by its enabling statute to comply with the Open Meetings Act, MCL 15.261 et seq., and the Open Meetings Act requires, among other things, that "a meeting of a public body shall not be held unless public notice is given as provided in this section by a person designated by the public body," MCL 15.265(1);

Whereas, the Commission by statute is created within the Michigan Domestic And Sexual Violence Prevention and Treatment Board ("the Board"), MCL 762.952, which Board is housed within the Michigan Department of Health and Human Services; and

Whereas, the Director of the Board has designated its staff person, Lore A. Rogers, to be staff to the Commission;

It is hereby RESOLVED that the Commission designates Lore A. Rogers, to carry out the posting of public notices required under the Open Meetings Act.

Roll Call Vote on T. Schuitmaker motion: "Yes" votes – T. Schuitmaker, A. Barkholz, K. Hurst, K. Hagenian, R. Cox, S. Chang, D. Cain, K. Etue, R. Stevenson, K. Worthy, and C. Allard

ADJOURNMENT

MOTION: Moved by K. Hurst to adjourn, seconded by K. Hagenian. Motion passed.

The meeting ended at 3:30 p.m.

Dated: October 2, 2015

Respectfully submitted,

Lore A. Rogers
Staff to the Commission