MICHIGAN DOMESTIC AND SEXUAL VIOLENCE PREVENTION AND TREATMENT BOARD MEETING MINUTES
May 5, 2017

*** Approved ***

Members Present:
Dr. Cris Sullivan, Chair
Yvonne Brantley
Jeffrie Cape
James Fink
Hon. Elizabeth Pollard Hines
Jacqueline Schafer

Members Absent:
Hon. Thomas Cameron

Staff Present:
Tonya Avery
Debi Cain
Debbie Felder-Smith
Julie Giddings
Carol Hackett Garagiola
Mary Lovik
Karen Porter
Lore Rogers
Michael Bobbitt, Board Secretary

Guests:
Rachel Carr - Uniting Three Fires Against Violence
Mary Pollock - American Association of University Women of Michigan

WELCOME AND INTRODUCTIONS

Chair C. Sullivan convened the May 5, 2017 Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the Michigan Historical Library – Lake Superior room in Lansing, Michigan at 2:00 p.m. Introductions were made and a welcome extended to guests.

BOARD CONSENT

Review of agenda and approval of March 2, 2017 and April 6, 2017 meeting minutes.

MOTION: Moved by J. Fink to approve the May 5, 2017 agenda and to approve the April 6, 2017 meeting minutes. Motion seconded by E. Pollard Hines.

MOTION: Moved by E. Pollard Hines to approve the March 2, 2017 minutes. Motion seconded by Y. Brantley. Motion carried.

CHAIR’S REPORT

C. Sullivan introduced P. Kaiser VanDam, Bureau Director of the Bureau of Community Services in the Michigan Department of Health and Human Services. P. Kaiser VanDam talked about the upcoming department merger of the Michigan Domestic and Sexual Violence Prevention and Treatment Board and the Crime Victim Services Commission. She said a Division Director will be hired to oversee the
consolidation of the two. The Division Director position will be posted in the next month and should be filled by mid to late summer. This merger will help to streamline interdepartmental efficiency and improve services to victims.

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

Guest presenter Mary Jo Garrett explained how Illinois requires domestic violence and sexual assault training whenever a cosmetologist renews their license. Mary Jo Garrett believes the Michigan State Board of Cosmetology should integrate similar domestic violence and sexual assault training into their curriculum. She pointed out that cosmetologists have an intimate relationship with their clients providing a great opportunity to assist domestic violence and sexual assault victims.

Aimee Nimeh has been hired part-time to provide back up for the Domestic Violence Fatality Review Teams in Flint and Detroit and to develop protocols for Fatality Review Teams.

D. Cain and L. O’Reilly have been working together to promote the advancement of Sexual Assault Nurse Examiner (SANE) programs across the state. Carla Blinkhorn, who was instrumental in setting up the first program for SANE services in Michigan, will now be working part-time for the Michigan Domestic and Sexual Violence Prevention and Treatment Board. She will help with the logistics of providing SANE service trainings across the state.

D. Cain and K. Porter attended the Annual Michigan Crime Victims Vigil held recently at the Capitol Rotunda in Lansing, Michigan. D. Cain said it was a very powerful and moving experience.

First Lady of Michigan Sue Snyder officially announced that the next summit entitled “Inform. Empower. Prevent. Let’s End Campus Sexual Assault” will be held on September 25, 2017 at Eastern Michigan University.

L. Rogers attended a press conference on behalf of the Board declaring April 2017 as Sexual Assault Awareness Month.

D. Cain and First Lady of Michigan Sue Snyder met with U.S. Secretary of Education Betsy DeVos and asked her to be a champion for change on sexual assault prevention. They recommended that U.S. Secretary of Education Betsy DeVos consult high level national campus and sexual assault experts if she is considering changes to sections of Title IX.

LEGISLATIVE REVIEW

M. Lovik reported on SB 337, which would make it a felony subject to 15 years imprisonment to perform female genital mutilation on a minor. M. Lovik presented a draft of a general principle regarding FGM for the Board’s consideration:

MOTIONS:  
Moved by E. Pollard Hines to amend the draft general principle to include children and vulnerable adults, and to require health care professionals to report to Children’s Protective Services if they treat a minor who has been subjected to FGM. Motion seconded by C. Sullivan. Motion carried.
Moved by J. Fink to adopt the following Board general principle: Motion seconded by C. Sullivan. Motion carried.

Female genital mutilation (FGM) has no known health benefits, and causes serious physical and emotional harm to girls and women at all stages of life. This practice also increases women's risk of death or serious physical harm during childbirth, as well as the risk of death of or serious physical harm to babies born to mothers who have been subjected to this practice. The MDSVPTB believes that FGM is a violation of a woman's basic right to bodily integrity, a right which greatly outweighs any religious or cultural interests that are said to justify it. Accordingly, the Board supports policy measures that aim to end FGM of children and vulnerable adults. These include:

- Criminal penalties for performing, attempting to perform, conspiring to perform, or aiding and abetting the performance of FGM that are proportionate with penalties for similar crimes, such as assault with intent to maim, mayhem, and first- or second-degree criminal child abuse.
- Criminal penalties for transporting an individual into Michigan or within Michigan for purposes for undergoing FGM.
- Licensing sanctions for health care professionals who are involved in carrying out FGM.
- Training for health care professionals on the harm caused by FGM, and on care for individuals who have been subjected to it.
- Community outreach to provide education on the harm caused by FGM, and on care for individuals who have been subjected to it.
- Requiring health care professionals to report to Children’s Protective Services if they treat a minor who has been subjected to FGM.

M. Lovik reported on HB 4433, which would require a court to set aside juvenile adjudications for any of the following offenses without a hearing, as long as the applicant to set aside the adjudications otherwise meets statutory requirements:

- An offense that is not an assaultive crime. These offenses could include misdemeanor domestic assault under MCL 750.81, aggravated misdemeanor domestic assault under 750.81a, and misdemeanor stalking under MCL 750.411h(2)(a).
- An offense that did not involve the use or possession of a weapon. In addition to the offenses just described, these offenses could involve felony stalking under MCL 750.411i, or strangulation under MCL 750.84.
- An offense that does not carry a maximum penalty of 10 or more years’ imprisonment. In addition to misdemeanor domestic assault, aggravated misdemeanor domestic assault, misdemeanor stalking, and felony stalking against an adult, these offenses could include criminal sexual conduct in the 4th degree.

MOTION: Moved by J. Fink to oppose HB 4433. Motion seconded by Y. Brantley. Motion carried.

M. Lovik reported on HB 4427 which would create the Law Enforcement Body-worn Camera Privacy Act.
The Board decided to take no position at this time.

M. Lovik reported on HB 4536, which requires destruction and/or expungement of arrest records, biometric data, fingerprints, DNA samples or profiles, and statements of the arrested individual if the complaining witness recants his or her statement, affidavit, or testimony before trial and after the charge is dismissed. The Board opposed previous legislation (HB 4176’15) for two reasons:

- The prior bill required that charges be dismissed if the complaining witness recanted, unconstitutionally usurping the duties of the prosecuting attorney. This provision in the prior bill has been amended in HB 4536 to address the constitutional concerns.
- The prior bill’s provision for expunge ment and/or destruction of records could encourage witness tampering and incentivize the coercion of victims to recant.

The Board’s members expressed a desire to continue opposition to HB 4536 based on continued concerns about witness tampering and coercion.

Board members acknowledged that they had an opportunity to review other bills of interest to the Board’s constituency that had been introduced since the Board’s April 6, 2017 meeting.

**BOARD ANNOUNCEMENTS:**
C. Sullivan reiterated that D. Cain was critical in developing talking points for the First Lady of Michigan Sue Snyder and U.S. Secretary of Education Betsy DeVos’ discussion during their meeting.

**PUBLIC COMMENT:**
No comments.

**ADJOURNMENT:**

**MOTION:** Moved by Y. Brantley to adjourn the meeting. Motion seconded by J. Schafer. Motion carried. The meeting ended at 4:25 p.m.

Respectfully submitted,
Michael Bobbitt
Board Secretary