

Approved

**Minutes of the
October 2, 2015 Meeting of the
Sexual Assault Evidence Kit Tracking and Reporting Commission**

Members Present:

Claire Khouri - Executive Office of the Governor
Amy Barkholz - Michigan Health and Hospital Association
Debi Cain - Michigan Domestic and Sexual Violence Prevention and Treatment Board
Representative Stephanie Chang - 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
Carol L. Isaacs - Department of Attorney General
Kym L. Worthy - Prosecuting Attorneys Association of Michigan

Members Participating By Telephone Conference Call:

Representative Laura Cox - Michigan House
Catherine Garcia-Lindstrom - Michigan Crime Victim Services Commission
Chief Robert Stevenson (ret.) - Michigan Association of Chiefs of Police

Members Absent (with notice):

Senator Tonya Schuitmaker - Michigan Senate
Sheriff Terrance Jungel (ret.) - Michigan Sheriff's Association

Members Absent:

Senator Bert Johnson - Michigan Senate

Staff:

Lore Rogers (staff to Commission) - Michigan Domestic and Sexual Violence Prevention and Treatment Board

Guests:

Richard Arnold - Michigan State Police
Michael Bobbitt - Michigan Domestic and Sexual Violence Prevention and Treatment Board
Keith Clark – Wayne County Prosecutor's Office
Chris Hawkins – Michigan State Police
Gail Krieger - Michigan Domestic and Sexual Violence Prevention and Treatment Board
Greg Michaud - Michigan State Police

Marla Mitchell-Cichon - WMU-Cooley Law School Innocence Project
Jeff Nye - Michigan State Police
Leslie O'Reilly - Crime Victim Services Commission
Kristin Schelling - Michigan State Police
Derek Sova - Staff for Senator Tonya Schuitmaker
Herb Tanner - Prosecuting Attorneys Association of Michigan
Amanda Tringl – Michigan State Appellate Defender Office

Welcome and Introductions

Debi Cain convened the October 2, 2015 Sexual Assault Evidence Kit Tracking and Reporting Commission in the 1st floor conference room of the Capitol View Building at 1:33 p.m. Introductions were made and a welcome extended to guests.

MOTION: Moved by C. Isaacs, seconded by K. Hurst, to approve the October 2, 2015 agenda as presented. Motion carried.

MOTION: Moved by C. Isaacs, seconded by C. Khouri, to approve the July 20, 2015 minutes. Motion carried.

Co-Chairs' report: C. Isaacs provided an update on the Attorney General's project to inventory unsubmitted sexual assault evidence kits. The legislature appropriated \$1.7 million to be used for three things. First, to eliminate all county sexual assault evidence kit backlogs outside of Wayne County. Second, to assist local prosecutors with investigation and prosecution of viable cases and third to provide victim services. The Attorney General sent a letter to county prosecutors directing them to have law enforcement in their counties to provide a count of unsubmitted kits in their possession, in order to determine how much of the \$1.7 million will be attributed to the cost of testing. C. Isaac stated that these kits will likely be sent to outside vendors with whom there are contracts for testing at good rates.

G. Michaud informed the Commission about the award of Bureau of Justice Assistance (BJA), Sexual Assault Kit Initiative (SAKI) Grants to Michigan applicants. The BJA SAKI grants are three year grants awarding \$41 million dollars across 20 jurisdictions nationwide to test approximately 13,500 sexual assault kits. The Michigan State Police was one of three agencies in the state of Michigan to receive a BJA SAKI grant, which will provide \$1.39 million in funding. The City of Flint and the Wayne County Prosecutor's Office were also awarded funding. MSP's grant objectives are to conduct a statewide inventory of unsubmitted sexual assault evidence kits, to deliver victim centered training to selected law enforcement agencies and victim advocacy/service agencies in Michigan, and to implement a sexual assault tracking system.

G. Michaud explained that MSP also was awarded a separate two year Manhattan District Attorney Grant of \$1.9 million to be used strictly for testing sexual assault evidence kits. This additional funding will likely be the primary source of funding for testing approximately 3,630 kits across the state. D. Cain noted that the MSP Forensic Science Division had recently been recognized for its work in his field, and at her request, G. Michaud informed the Commission that the International Association of Chiefs of Police in Chicago has recognized the Michigan State Police Forensic Science Division for its innovation in the use and application of forensic technology award in its efforts testing unsubmitted kits.

Presentation on pilot projects for electronic tracking of sexual assault evidence kits:

At the request of K. Worthy, Keith Clark, the Wayne County Sexual Assault Kit Task Force Coordinator from the Wayne County Prosecutor's Office, provided an overview of the UPS Sexual Assault Kit Tracking project that has been being piloted by the Wayne County Prosecutor with the partnership of Detroit Police Department and Wayne County SAFE.

At the request of K. Etue, G. Michaud provided an overview of a pilot project for an electronic tracking system that MSP will be launching using an existing vendor for the department, STACS-DNA.

Action Items: D. Cain asked L. Rogers to summarize the tasks of the commission, particularly regarding tracking. L. Rogers said that the commission must submit a report by July 20, 2016 that includes a plan and recommendation for a statewide tracking system, including electronic access to the system for victims, a plan for auditing untested sexual assault evidence kits that were collected prior to March 1, 2015, and a plan to audit sexual assault evidence kits that have continued to be collected since March 31, 2015.

D. Cain informed the members that the co-chairs are forming three working subcommittees, one for each of the areas outlined by L. Rogers, and are appointing chairpersons for these subcommittees. C. Isaacs said that subcommittees need to be cognizant that they are not making any final decisions, but just making recommendations. K. Hurst agreed to serve as co-chair of the subcommittee on the plan and recommendations for a statewide tracking system. D. Cain will ask T. Schuitmaker to serve as co-chair with K. Hurst. C. Isaacs agreed to serve as chair of the subcommittee for the plan to audit untested sexual assault evidence kits collected prior to March 1st. B. Stevenson agreed to serve as co-chair of the subcommittee to plan the audit of ongoing submission of kits collected since March 31, 2015, and the Commission co-chairs will ask T. Jungel to serve as co-chair with B. Stevenson.

Public comments: No comments.

COMMENTS FROM THE COMMISSION

D. Cain noted that the information in the presentation at the July 20 meeting of the Commission on a trauma-informed approach to testing stockpiled kits was not intended to leave attendees with the impression that all law enforcement are responding poorly to victims of sexual assault, and she expressed her appreciation for the good work and partnership on these cases from so many law enforcement officers throughout the state.

ADJOURNMENT

MOTION: Moved by C. Isaacs to adjourn, seconded by A. Barkholtz. Motion passed.

The meeting ended at 3:30 p.m.

Respectfully submitted,

Lore A. Rogers
Staff to the Commission