

**MICHIGAN DOMESTIC AND SEXUAL VIOLENCE  
PREVENTION AND TREATMENT BOARD  
MEETING MINUTES  
February 26, 2020**

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

**Members Present:**

F/Lt. Yvonne Brantley  
Hon. Thomas Cameron  
Hon. Amy Ronayne Krause, Chair  
Sue Snyder  
Matt Wiese

**Members Present by Phone:**

Hon. Melissa Lopez Pope  
Hon. Elizabeth Pollard Hines

**Staff Present:**

Jess Averill  
Michael Bobbitt, Board Secretary  
Debi Cain, Executive Director  
Anissa Dagger  
Jordan Kennedy  
Gail Krieger  
Sandra Pilgrim-Lewis  
Angela Povilaitis  
Lore Rogers

**Guests:**

Stephanie Beyersdorf - State Court Administrative Office  
Anisa Dagher - Michigan Court of Appeals  
Kathy Hagenian - Michigan Coalition to End Domestic and Sexual Violence  
Charise Mitchell - YWCA West Central Michigan  
Sarah Seguin - Michigan Court of Appeals  
Adrienne Zaya - YWCA West Central Michigan  
Holly Wilson - Safe Haven  
Tara Aday - Safe Haven

**WELCOME AND INTRODUCTIONS**

A. Krause convened the February 26, 2020 Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the Michigan Hall of Justice in Lansing, Michigan at 11:00 a.m.

**BOARD CONSENT**

Review of February 26, 2020 agenda and approval of September 13, 2019 meeting minutes.

**MOTION: Moved by T. Cameron to approve the February 26, 2020 agenda. Motion seconded by Y. Brantley. Motion carried.**

**MOTION: Moved by Y. Brantley to approve the September 13, 2019 meeting minutes. Seconded by T. Cameron. Motion carried.**

## **CHAIR'S REPORT**

A. Krause is honored to be the new Chair of the Board. She has previously worked as Chair of the Board for eight years and was a member of the Board for nine years.

Dr. Rebecca Campbell was presented with the 2019 Champions of Justice Award by A. Krause. The award recognizes individuals whose work improves victims' access to justice and policy reforms in the area of sexual assault and intimate partner violence. The Board has a long history of working closely with Dr. Campbell on numerous training initiatives and projects and played a critical role in Michigan's response to the discovery of over 11,000 untested sexual assault evidence kits.

Dr. Campbell's research focuses on better understanding a victim's responses to trauma. Her groundbreaking research on the neurobiology of trauma has enabled her to provide countless trainings to police, prosecutors, advocates and other professionals on victim-centered, trauma informed services and offender-focused investigations. A. Krause noted that the Board supports trauma informed, victim-centered practices and is proud to have Dr. Campbell as a partner and colleague in their work to end sexual violence, improve victim access to justice, and promote victim healing.

A. Krause recognized previous Board members, Jeffrie Cape, Cris Sullivan and Jim Fink for their terrific work on the Board. They will all be missed, and a certificate will be sent to them for their great service. A. Krause also introduced all the Board members, including new members Matt Wiese and Judge Melissa Pope.

A. Krause pointed out that the Board members represent all victims in the State of Michigan, and as such must review legislation with the intention of what is best for all victims.

Dates and locations for upcoming MDSVPTB Board meetings were discussed. The following dates were decided, and locations will be determined at a later time:

March 26, 2020 at 11:00 a.m.

April 17, 2020 at 1:30

May 8, 2020 at 1:30

June 19, 2020 at 1:30

July 17, 2020 at 1:30

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

D. Cain welcomed A. Krause to the Board as the new Chair. She has worked for many years on domestic and sexual violence as a prosecutor and a judge and has a tremendous passion for her work.

J. Kennedy reported on the 5<sup>th</sup> annual Campus Sexual Assault Summit held in December 2019 at Eastern Michigan University. About 500 people attended, and it was a great success. Governor Gretchen Whitmer was the keynote speaker. Several student groups presented on what they have been doing with campus

sexual assault grant funding that they have received over the past few years. There was a panel on media coverage of sexual assault cases in marginalized communities, and participants on the panel included ESPN reporter Paula Lavigne, Wayne County Prosecutor Kym Worthy, national advocate and survivor Brenda Tracy, and student activist and survivor Venkayla Haynes. Former Detroit Free Press columnist Rochelle Riley moderated the panel.

The next summit is scheduled for October 16, 2020 at Grand Valley State University.

## **LEGISLATIVE REVIEW**

D. Cain asked the Board to approve a letter and a Statement of Revenues, Expenditures and Changes in Fund Balances for the Children's Advocacy Center Fund through year end September 30, 2019 to be sent to the legislature. The letter details that the Michigan Domestic and Sexual Violence Prevention and Treatment Board has met the terms of the Child Advocacy Center Act, Public Act 544 of 2008 requiring an annual audit report of incomes and expenditures.

**MOTION: Moved by Y. Brantley to approve the letter and Statement of Revenues, Expenditures and Changes in Fund Balances for the Children's Advocacy Center Fund to be sent to the legislature with the corrected date of September 30, 2019. Motion seconded by S. Snyder. Motion carried.**

A. Povilaitis reported on HB 4942 which would repeal a statutory defense to criminal sexual conduct charges if a defendant commits criminal sexual conduct while their spouse is mentally incapacitated.

**MOTION: Moved by Y. Brantley to support HB 4942. Motion seconded by S. Snyder. Motion carried.**

A. Povilaitis reported on HB 4958 which would prohibit a licensed health care provider or student from performing a pelvic examination on anesthetized or unconscious patients unless certain requirements are met, including that the patient provides written, informed consent and the exam is necessary for a proper purpose.

**MOTION: Moved by S. Snyder to support HB 4958 as written and recommend including male patients. Motion seconded by Y. Brantley. Motion carried.**

A. Povilaitis reported on HB 4498 which would amend the current domestic violence (DV) personal protection order (PPO) law to require that a PPO entered after a hearing where the respondent received notice and had an opportunity to participate, must restrain and prohibit the respondent from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving or distributing a firearm or ammunition, regardless of whether the petitioner requested this prohibition.

M. Pope enquired if there is standardized firearm removal training available for law enforcement. Board staff stated they will report back on whether there is already a procedure in place for training police officers on how to safely remove firearms from DV PPO respondents.

**MOTION: Moved by Y. Brantley to support HB 4498. Motion seconded by T. Cameron. Motion carried.**

A. Povilaitis reported on SB 535 which is an amend the Crime Victim's Compensation statute to allow automobile theft victims and auto insurance companies to seek reimbursement from the fund for towing or

storage fees. Staff noted this expansion could impact funds available for domestic violence and sexual assault victims seeking compensation for medical and other expenses related to personal injury.

D. Cain said a white paper can be done and provided to the Board to explain how the Commission plans to utilize existing funding.

**MOTION: Moved by T. Cameron to oppose SB 535. Motion seconded by Y. Brantley. Motion carried.**

A. Povilaitis reported on HB 4980 – 4985 and 5120 which is a package of bills relating to expungements which would change Michigan law related to conviction set asides. Offenders currently undergo a petition process before a court in order to obtain an expungement. HB 4980 would add an automatic expungement if offenders meet certain criteria and would not require restitution payment.

**MOTION: Moved by T. Cameron to support HB 4981 - 4985 and 5120, and oppose HB 4980 unless restitution to be paid in full is required to receive an expungement, and a procedure is in place to assure accuracy before a conviction is automatically set aside. Motion seconded by Y. Brantley. Motion carried.**

J. Averill reported on HB 5054 – 5058 which amend the Sexual Assault Victim Access to Justice Act (SAVAJA), the domestic violence victim notification statute, and the William Van Regenmorter Crime Victim's Rights Act, to include provisions requiring that crime victims be informed about the opportunity to participate in the address confidentiality program (ACP) and that required notices are sent to the designated addresses of program participants.

**MOTION: Moved by Y. Brantley to support HB 5054 – 5058. Motion seconded by S. Snyder. Motion carried.**

J. Averill reported an update on HB 4003, 4004 and 4005 relating to child marriage bills which would modify current Michigan laws to prevent persons under the age of 18 from entering into a marriage contract. J. Averill relayed it is the bill's sponsor intention to resort back to the as introduced versions of the bills and no longer include amendments concerning emancipation. There is concern regarding the void/voidable language in HB 4005 which might leave some women unprotected.

**MOTION: Moved by T. Cameron to support HB 4003, 4004 and 4005 as introduced and encourage staff to make edits if possible. Motion seconded by Y. Brantley. Motion carried.**

A. Povilaitis reported on HB 5296 which would modify the public disclosure of divorce, requiring that a defendant be served with or receive notice of the complaint before the filing shall be made. L. Hines said language which says “. . . served with or received notice” is imprecise and needs clarification.

**MOTION: Moved by T. Cameron to support HB 5296 with a recommendation to clarify the bills by including language which says, “service with proper legal notice or proof of service.” Motion seconded by Y. Brantley. Motion carried.**

A. Povilaitis reported on SB 281 which would require the Licensing and Regulatory Affairs agency (LARA) to report misconduct by health professionals that violates Criminal Sexual Conduct laws to local law

enforcement. L. Hines also noted that the bill does not specify which law enforcement agency to report the complaint to.

**MOTION: Moved by Y. Brantley to remain neutral on SB 281 unless the significant changes are made that are outlined in the memo. Motion seconded by M. Wiese. Motion carried.**

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 September 13, 2019 meeting.

**MOTION: Moved by Y. Brantley that the Board has reviewed other bills of interest to the Board's constituency that had been introduced since the Board's September 13, 2019 meeting. Motion seconded by T. Cameron. Motion carried.**

A. Povilaitis provided a preview of the Michigan Task Force on Jail and Pretrial Incarceration. The task force was created to evaluate the justice system in Michigan and to provide recommendations for statewide policy and budgetary changes to increase justice-system efficiency and effectiveness. In October 2019, Board staff hosted two victim roundtables related to the task force's work. In January 2020, the task force released its recommendations. The Task Force is currently seeking legislation based upon its recommendations. Staff indicated concerns with the recommendations regarding the impact they would have on domestic and sexual violence victims.

#### **BOARD ANNOUNCEMENTS**

M. Pope said that United Three Fires of Michigan will hold a missing and murdered Native American women awareness event at the Capitol in Lansing on May 5, 2020.

J. Averill said the 31st Annual Crime Victims' Rights Vigil will take place at the Capitol Rotunda in Lansing on Wednesday, April 15, 2020 at 6:00 p.m.

#### **PUBLIC COMMENT**

No public comments.

#### **ADJOURNMENT**

**MOTION: Moved by Y. Brantley to adjourn the meeting. Motion seconded by S. Snyder. Motion carried. The meeting ended at 2:30 p.m.**

Respectfully submitted,  
Michael Bobbitt  
Board Secretary