

**MICHIGAN DOMESTIC AND SEXUAL VIOLENCE
PREVENTION AND TREATMENT BOARD
MEETING MINUTES
April 14, 2022**

***** APPROVED *****

Members Present:

F/Lt. Yvonne Brantley

Hon. Thomas Cameron

Hon. Melissa Lopez Pope - conference line (per AG Opinion No. 7318. Will be counted toward quorum).

Hon. Elizabeth Pollard Hines - conference line (will not be counted toward quorum).

Hon. Amy Ronayne Krause, Chair

Members Absent with Notice:

Dr. NiCole Buchanan

Matt Wiese

Staff Present:

Jess Averill

Michael Bobbitt, Board Secretary

Debi Cain, Executive Director

Jordan Kennedy

Gail Krieger

Angela Povilaitis

Lore Rogers

Guests:

Stephanie Beyersdorf - State Court Administrative Office

Rachel Carr - Uniting Three Fires Against Violence

Heath Lowry - Michigan Coalition to End Domestic and Sexual Violence

WELCOME AND INTRODUCTIONS

Amy Krause convened the April 14, 2022, Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the Grand Tower Building, Dempsey Room in Lansing, Michigan at 10:05 a.m.

BOARD CONSENT Review of April 14, 2022, agenda and approval of March 11, 2022, meeting minutes.

MOTION: Moved by Y. Brantley to approve the April 14, 2022, agenda. Motion seconded by T. Cameron. Motion carried.

MOTION: Moved by Y. Brantley to approve the March 11, 2022, meeting minutes. Motion seconded by T. Cameron. Motion carried.

CHAIR'S REPORT

No report.

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

D. Cain announced several staffing changes for the Division. Gail Krieger was recently hired as the new Deputy Director. Twanisha Glass was hired as a Contract Director. Kathy Hagenian was hired part-time to work with the Quality Assurance and Monitoring team. Stepping into retirement, Karen Porter will still be doing some limited consulting work for the Division. Sandra Pilgrim Lewis has left the Division of Victim Services to accept a position with Uniting Three Fires Against Violence.

The Division has been heavily involved with aiding in the assistance effort after the Oxford shooting. The Division, as the state VOCA Administrator, has been working with the Department of Justice (DOJ) to see that the victims of this event are aided through victim compensation and counseling/therapy. A resiliency center is opening soon, led by existing Oakland County service provider Common Ground, to help victims and the community, and the federal government is committed to assisting the Oxford community for at least the next four years.

D. Cain represents MDHHS and Division of Victim Services on the Michigan Jail Reform Advisory Council, and she gave an update on the Council's work. Recently, DVS staff met with another Council member, Barb Hankey, Director of Public Services at Oakland Community Corrections. This meeting was to discuss the impact of criminal justice reform on domestic violence cases. The discussion prompted the idea of creating a multi-disciplinary workgroup to examine what is currently happening in district courts with misdemeanor domestic violence cases and the possibly identify and recommend best practices or standards that can be implemented throughout the state to better serve domestic violence victims. The group could examine such topics on the effectiveness of electronic monitoring/tethers, judicial training on intimate partner violence, and batterers intervention programming. The idea of using ARPA funds was discussed, both through B. Hankey's request to her County and DVS through state funds, to implement what the workgroup develops.

MOTION: Moved by Y. Brantley to give permission to Board staff to begin exploring options for improving the way domestic violence cases are being dealt with specifically by district and tribal courts. Motion seconded by T. Cameron. Motion carried.

LEGISLATIVE REVIEW

M. Pope asked the Board to support a resolution recognizing May 5th as Missing and Murdered Indigenous Women and Girls Day. This will help bring attention to the tremendous violence perpetrated against indigenous women and girls. Until recently, there has been no tracking of missing indigenous women and girls.

MOTION: Moved by M. Pope to support the resolution recognizing May 5th as Missing and Murdered Indigenous Women and Girls Day. Motion seconded by Y. Brantley. Motion carried

L. Rogers discussed alternative language to two proposed bills, HB 5459 and 5460. These bills would create a presumption of equal parenting time in custody actions and require that any notices to parents involving a custody dispute be notified that there is a presumption of equal parenting time. The Board has

consistently reaffirmed its opposition to presumption for joint custody because of concerns about how it would affect domestic violence cases.

In anticipation of the introduction of HB 5459 and 5460, Board staff participated in a work group consisting of Michigan Poverty Law, The Coalition to End Domestic and Sexual Violence, and Family Law which created alternative language to amend the legislation. The amendment addresses two concerns historically articulated by the proponents of joint custody. First, it prohibits the consideration of a parent's gender in making temporary or permanent decisions regarding custody and parenting time. Second, it prohibits the use of pattern or standard parenting time schedules except when that standard or pattern schedule is consistent with the Michigan Parenting Time Guideline adopted by the State Court Administrative Office (SCAO).

MOTION: Moved by Y. Brantley to support the alternative proposal to presumption of equal parenting time bills, HB 5459-5460. Motion seconded by T. Cameron. Motion carried.

A. Povilaitis discussed HB 5482, 5483, 5484 and 5868 which are related to specialty treatment courts, specifically drug court and mental health treatment courts and whether violent offenders should be admitted into those courts. Currently, violent offenders are not eligible to be admitted into drug treatment or mental health treatment courts.

These bills would create a process by which a local judge and a local prosecutor, after consultation with a victim, may admit a violent offender into a drug or mental health treatment court. It appears that currently, misdemeanor domestic violence offenders, if they do not cause a serious bodily injury, are eligible for admission to these courts.

The Board gave permission that if the bill sponsors do not accept the Board's suggestion to exclude Criminal Sexual Conduct (CSC) and Intimate Partner Violence (IPV) offenders, then the court must, in addition to admittance into treatment court, also order batterer's intervention prevention for those offenders

MOTION: Moved by T. Cameron to oppose HB 5482, 5483 and 5868 unless amended to continue to exclude Criminal Sexual Conduct 1,2, 3 and 4 and "individuals charged with or have pled guilty to a crime where the victim is a current or former spouse, current or former dating relationship, current or former resident of same household, or person with whom they have a child in common." (Board asks for this additional language to be inserted.) Also, the Board recommends in HB 5482 and 5483, deleting "in the instant case" language and in HB 5482 and 5483 replacing "consent" with "agrees" as is in HB 5484. Motion seconded by Y. Brantley. Motion carried.

HB 5484 would amend the Revised Judicature Act by eliminating the automatic termination from the program when a drug treatment court offender is convicted of a post-participation felony offense, and instead allow the judge to continue the offender's participation, after consultation with the treatment team and the agreement of the prosecutor.

MOTION: Moved by T. Cameron to take no position on HB 5484. Motion seconded by Y. Brantley. Motion carried.

Board members discussed items on the bill logs. House Resolution L was highlighted with concern and staff agreed to notify and bring to the Board for a position if it appears to be moving in the future.

MOTION: Moved by Y. Brantley that Board members acknowledged they had an opportunity to review the House and Senate bills of interest to the Board's constituency that had been introduced since the March 11, 2022, meeting. Motion seconded by T. Cameron. Motion carried.

BOARD ANNOUNCEMENTS

Y. Brantley asked about the status of board member appointments. A request has been made to reinstate all board members whose terms have expired.

PUBLIC COMMENT

Stephanie Beyersdorf from the State Court Administrators Office brought attention to the Board of a proposed amendment to Court Rule 3.613 regarding no publication of hearing for requests of confidentiality in name change cases.

Rachel Carr from Uniting Three Fires Against Violence said a Missing and Murdered Indigenous Peoples March will be held from 12:00 – 3:00 on May 5th in Grand Rapids, Michigan.

ADJOURNMENT

MOTION: Moved by Y. Brantley to adjourn the meeting. Motion seconded by T. Cameron. Motion carried. The meeting ended at 12:46 p.m.

Respectfully submitted by
Michael Bobbitt
Board Secretary