

**MICHIGAN DOMESTIC AND SEXUAL VIOLENCE
PREVENTION AND TREATMENT BOARD
MEETING MINUTES
April 12, 2024**

***** Approved *****

Members Present:

Dr. NiCole Buchanan - conference line (AG Opinion No. 7318). Will be counted as quorum.
Hon. Elizabeth Pollard Hines - Chairperson
Hon. Melissa Pope
Rebecca Shiemke
Hon. Matt Wiese
Dr. Kyla Williams

Staff Present:

Jess Averill
Tonya Avery
Michael Bobbitt, Board Secretary
Cathy Brown
Twanisha Glass
Kathy Hagenian
Gail Krieger
Tiffany Martinez
Lynelle Morgan
Beth Nagel
Angela Povilaitis
Lore Rogers
Nora Williams

Guests:

Debi Cain
LaKema Covington - Avalon Healing Center
Kimberly Hurst - Avalon Healing Center
Kalimah Johnson - SASHA Center
Johanna Kononen - Michigan Coalition to End Domestic and Sexual Violence
Heath Lowry - Michigan Coalition to End Domestic and Sexual Violence
Sandra Pilgrim - Lewis - Uniting Three Fires Against Violence
Karen Porter
Merkeb Yohannes - Michigan Coalition to End Domestic and Sexual Violence

WELCOME AND INTRODUCTIONS

E. Hines convened the April 12, 2024 Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the Avalon Healing Center in Detroit, Michigan at 1:12 p.m.

BOARD CONSENT

Review of April 12, 2024 agenda and approval of March 8, 2024 meeting minutes.

MOTION: Moved by M. Pope to approve the April 12, 2024 agenda. Motion seconded by K. Williams. Motion carried.

MOTION: Moved by K. Williams to approve the March 8, 2024 meeting minutes as amended. Motion

seconded by R. Shiemke. Motion carried.

CHAIR REPORT

L. Hines expressed her gratitude to the Avalon team for hosting the April 12, 2024, MDSVPT Board meeting. As April is Sexual Assault Awareness Month, she said the Board wished to recognize the strength and courage of the survivors of sexual assault, and continue to raise public awareness about the impact of sexual violence and educate communities on prevention methods. The timing was right to celebrate the 2024 Debi Cain Champion of Justice Award recipients, K. Hurst (Avalon Healing Center, Founder and CEO) and K. Johnson (SASHA Center, Founder and Executive Director).

L. Hines thanked Governor Whitmer on behalf of the Board for signing the April 2024 Sexual Assault Awareness Month Proclamation.

M. Pope presented a recommendation to the Board to support a proclamation making May 5th Missing and Murdered Indigenous Women and Relatives Awareness Day. She said the purpose is to bring awareness of the issue of indigenous people not being counted as missing. Tribal advocates and elder women were recognized for helping to increase acknowledgement of the situation. She stressed the need for allyship with Alaskan and Hawaiian native people. The United States Supreme Court ruled that Alaskan native villages and Hawaiian indigenous communities are not part of "Indian country" and are not covered by law covering Indian country. This has caused tremendous strife within those communities due to lack of resources and lack of access to justice. She said it is important in the laws and proclamations to specifically recognize and integrate Alaskan and Hawaiian natives to help protect indigenous women better.

M. Pope said Indian boarding schools caused intergenerational trauma from children being separated from their families and tribes. Rampant sexual and physical abuse occurred in these institutions. It is important to support proclamations recognizing May 5th as Missing and Murdered Indigenous Women and Relatives Day. She thanked the Board and staff for their work in promoting the proclamations. She said that staff did an excellent job putting together a fact sheet, which showed an increase in the murder rate for indigenous women.

MOTION: Moved by M. Pope to support the proclamation making May 5th a Day for Awareness of Missing and Murdered Indigenous Women and Indigenous Relatives and support distributing it according to the policies and procedures of the Michigan Department of Health and Human Services and the Michigan Domestic and Sexual Violence Prevention and Treatment Board. Motion seconded by K. Williams. Motion carried.

A Missing and Murdered Indigenous Persons March and Rally will be held in Grand Rapids on May 3rd at noon. S. Pilgrim Lewis will be a speaker at the rally.

L. Hines said the PPO subcommittee has been continuing to meet and is revising some draft legislation on the effort to have law enforcement serve PPOs at no cost to the petitioners. They have sent what they hope will be the last round of amendments to the legislative services bureau before sharing the draft with stakeholders.

The medical mandated reporting subcommittee held its first meeting. They have scheduled a meeting with a health care provider for more insight into this issue and will keep the Board updated on the work being done.

The Michigan Crime Victim Vigil is scheduled for April 17, from 6:00 - 7:00p.m. at the State of Michigan Library and Historical Center.

L. Hines said she was invited on behalf of the Board to attend a round table discussion hosted in part by Attorney General Nessel regarding domestic violence. She thanked J. O'Shea, N. Beverly, and all the others who helped plan the afternoon, and for all the survivors and program representatives who provided remarks during the discussion. She said she believes some of the Board's top priorities will aid with some of the challenges that were presented, especially it's no-cost for service of PPO legislative initiative.

STAFF REPORT

G. Krieger thanked Avalon Healing Center for sharing their space to hold the April Board meeting.

G. Krieger introduced L. Morgan as the MDSVPTB's new staff attorney, replacing L. Rogers, who plans to retire at the end of June.

T. Martinez said E. Moon Carter was hired recently to help work on the OVC Improving Outcomes for Child and Youth Victims of Trafficking grant.

A. Povilaitis was invited to present as the closing plenary at the End Violence Against Women International Conference, a couple weeks ago in San Diego. The session was entitled "Criminal Justice Professionals CAN Start by Believing".

G. Krieger provided a domestic violence funding update. VOCA funding is continuing to decline which will influence sexual assault and domestic violence programs. Within the last few weeks, the federal office gave the award numbers for 2024 which is at \$22 million and is a 42% decline from last year. Last year, legislators stepped in to give General Funds to fill the gap, which was crucial. Without additional state funding these declines will soon be affecting grantees.

Another funding issue is a \$2 million shortfall in sexual assault funding. Thankfully, the Governor added it to her proposed budget this year. We continue to hope funding will pass to help offset these funding gaps.

The domestic violence funding formula will be reviewed and updated. A framing paper will be released explaining the complicated funding structures before conducting listening sessions around the state this June. The purpose of the listening sessions is to let people know about the formula and discuss it. After the listening sessions a working group will be formed to look at recommendations around the formula and DV funding in general. A. Nimeh is leading this project.

C. Brown and N. Williams from the Division of Victim Services presented on technical assistance work that is done with Tribes and culturally specific programs. Culturally specific and underserved (CSU) programs can competitively bid for most funding but there also is a specialized CSU application process that is greatly simplified and can be used for any compatible and available resources. CSU applications are available on the Division of Victim Services website.

C. Brown is a Project Manager for the Quality Assurance program and is also a Culturally Specific and Underserved Population Liaison. There is a difference between culturally specific and underserved populations. Culturally specific refers to groups that are ethnic and racial minorities. Underserved populations are populations that have little to no access to resources and services or have otherwise been disenfranchised. Populations can be both culturally specific and underserved. Currently there are 17 non-tribal culturally specific organizations including African American, Arab American, Latino, and Asian.

Underserved populations being served include supervised services to survivors of drunk driving, teens, young adults, LGBTQ, deaf and hard of hearing individuals.

N. Williams is a Project Manager and a Tribal Advocate Grantee Liaison for the Quality Assurance Program. She said the Division recognizes the importance of being able to reach out to individual programs that need services that are culturally specific or underserved populations. Interacting with Native American communities is often conducted a little differently compared to historically funded programs. In Native American communities it is important to use their traditional medicines in public spaces or shelters. Traditional medicines can include burning sage for cleansing and burning sweet grass for positive energy.

T. Avery said S. Pilgrim Lewis helped to look at how the Division is responding to and removing barriers for the most unserved, invisible, and oppressed. She wants to make sure they are welcome in the services that are being funded across the state.

G Krieger thanked E. Hines for doing an interview with Matt Mencarini of the Lansing State Journal on an article related to domestic violence and for spending a Saturday at an Attorney General round table on behalf of the Board.

G. Krieger acknowledge K. Johnson and the SASHA Center as one of the Divisions CSU funded organizations.

G. Krieger said the 2024 Standing Together Against Trafficking (STAT) Conference will be held on Tuesday, September 17th, at the Kensington Hotel in Ann Arbor. The conference is planned by T. Martinez, J. Kennedy and E. Moon Carter, with the support of the Human Trafficking Health Advisory Board. She said the registration link will be live soon and that it is a free conference with limited seating.

The annual Debi Cain Champion of Justice Award Ceremony was held. The Debi Cain Champion of Justice Awards was renamed in 2022 and each year the Board selects a recipient, or two, whose work improves victims' safety, healing, and access to justice, as well as systems change in the areas of sexual assault and intimate partner violence. The 2024 Awards were presented by E. Hines to Kalimah Johnson from SASHA Center and Kimberly Hurst from the Avalon Healing Center. The Board is very grateful for their efforts in creating places of healing for survivors.

Prepared remarks for Kalimah Johnson

Kalimah Johnson is the Founder/CEO and Executive Director of SASHA Center in Detroit, a non-profit organization serving African American survivors of sexual assault and intimate partner violence. Kalimah is a licensed social worker and has earned several post-secondary degrees, including a Masters of Social Work. She is currently working on her doctorate.

Kalimah built The SASHA Center - with vision, unwavering determination, and hope - from an idea to a strong organization recognized through the country as a model for trauma-informed culturally specific services. The SASHA Center provides opportunities for victims/survivors to explore in a safe environment the impact of rape and sexual assault and encourage healthy ways of coping, managing, and navigating this experience into a life where their physical, emotional, social, and spiritual well-being is restored to them.

In addition to her 25 years of work as an advocate and counselor to survivors of sexual assault and intimate partner violence, Kalimah has established herself as an expert on topics related to culturally specific programming for sexual assault survivors, gender-based violence, gender equity, domestic violence, healthy relationships, emotional

intelligence, mental health and well-being She created the "SASHA Model: Black Women's Triangulation of Rape," to help service providers, funders, and our communities see and understand the barriers that Black Women face in seeking sexual assault services. Kalimah also has been a consultant to the National Basketball Association for several years, providing guidance on matters of relationship safety and management, advising on policies and practices, and meeting with and educating players on these issues.

Rooted in the Detroit community, Kalimah has encouraged so many others to partner with her to achieve her goal, to make "sure that every Black woman is sacred, safe, revered, honored and cherished in everything that she does."

You may not know this, but she is also an accomplished spoken word artist, creating a powerful connection and understanding in others through her voice and passion.

Kalimah has established a tremendous legacy, and she continues to build on that legacy every single day. Her passion and tenacity are marvels to behold, and what she does to help so many is truly astonishing.

For all these reasons, the Board is so very proud to present Kalimah Johnson with the 2024 Debi Cain Champion of Justice Award.

K. Johnson said she was proud to receive the Debi Cain Champion of Justice Award and that it was a full circle moment for her. She said she remembered when D. Cain came to the SASHA Center on McDougall Road and spent half a day inspiring and encouraging K. Johnson to keep applying for funding to do their work. K. Johnson said D. Cain's name deserves to be on the award because everyone coming after her are only able to do their work because of her efforts. She read a poem by Lucille Clifton called "Celebrate".

Prepared remarks for Kimberly Hurst

Kimberly Hurst is the Founder and Executive Director of what began as the Wayne County Sexual Assault Forensic Examiner Program, or Wayne County SAFE., now known as Avalon Healing Center. She is a Certified Physician Assistant and Forensic Examiner, who has specialized in emergency medicine, trauma and sexual violence for 20 years.

Kimberly has worked in Emergency Medicine in Detroit for over 20 years. She saw first-hand the lack of specialized and trauma-informed services for sexual assault patients, and she decided to do something about that. Kimberly took the Sexual Assault Forensic Examiner course, and – in addition to her work in hospital emergency rooms - began performing sexual assault medical forensic exams for service providers in Oakland and Macomb counties. But she didn't forget the need she saw for these services in the Detroit community. Kimberly saw the need and created the response.

In January of 2006, WC SAFE opened in one small clinic location in northeast Detroit, with only Kimberly and a handful of forensic nurses. Since then, under Kimberly's leadership, WCSAFE has grown to 6 clinic sites around Wayne County, providing advocacy, counseling, and other supportive services in addition to sexual assault exams and treatment. Rebranded as the Avalon Healing Center, it is the largest and busiest program in the state of Michigan and in the top 5% in the country for patient/client volume. These services have been provided at no cost to sexual violence survivors of all ages.

Kimberly played an integral role in addressing the issue of stockpiled untested kits found in the Detroit Police crime lab warehouse, participating in the task force and assisting with research on this issue, both in Detroit and across the country. Kimberly's contribution has been invaluable, helping develop best practice

approaches and guidelines to address stockpiled kits and provide meaningful support to sexual assault survivors whose kits languished untested on law enforcement shelves.

Kimberly has been a mentor, colleague, and friend to many of us. We are fortunate, proud, and forever grateful for all the work she has done over the years and continues to do every day to ensure there is a strong voice and place of healing for survivors.

For all these reasons, the Board is so very proud to present Kimberly Hurst with the 2024 Debi Cain Champion of Justice Award.

K. Hurst said the award means a lot to her and said Avalon would not exist without its amazing staff. She gave kudos to D. Cain and said their first funding came from the Board in 2007. In 2009 D. Cain offered funding for advocacy to handle unsubmitted sexual assault kits in Detroit which allowed the program to grow into the organization it is today. She said there were no sources of funding for sexual assault for organizations like Avalon until D. Cain stepped in and made it possible.

Avalon Healing Center was created to provide a one stop shop for survivors. Everything survivors need is provided, from medical to crisis support, to counseling to meeting with prosecutors or detectives. She said they are trying to make Avalon a model that may be replicated in other communities across the U.S. and abroad. She said she is excited to receive recognition not just for herself but also for the work they are doing and for the team that Avalon has.

LEGISLATIVE REVIEW

A. Povilaitis said Senator Shink asked that the Board review Draft 1 05165'23, which would amend the Revised Judicature Act, by adding a new section that addresses expiration dates for personal protection orders (PPOs). Staff believe the intent of the draft bill is laudable by seeking to put into statute mechanisms that would make survivors able to obtain a PPO for five years or longer or permanent protection orders. However, the draft presented does not accomplish what was understood to be the intent – to make PPOs more effective for petitioners. If the intent was to require that PPOs be effective for a minimum of five years, it does not do that. Instead, it limits the length of a PPO and removes existing judicial discretion to tailor the expiration date to meet the specific needs of each case.

Board members acknowledge and appreciate the desire to make it easier for survivors to obtain PPOs against their abusers. However, this bill does not appear to accomplish that.

The Board shared the following concerns:

- It is important to note that while the PPO statute and court rules require PPOs issued ex parte to have an expiration date no less than 182 days from issuance, nothing in the statute or court rule limits the life of a PPO - courts can set an expiration date for any length of time longer than 182 days. While anecdotal information indicates that courts may most often choose an expiration date of one year, they have the discretion to issue them for longer, and some have done so. The Board believes that more could be done to ensure judges are aware of the fact that there is no limit on the length of a PPO.
- Limits the life of a PPO and removes judicial discretion
 - This bill limits the maximum term of a PPO to 5 years, which means that survivors whose cases warrant a longer PPO would be unable to receive one (except for the limited exceptions in this bill for either a one-time renewal of a 5-year PPO or the issuance of a permanent PPO).

- Some members of the Board expressed having personal knowledge of courts issuing PPOs with an expiration date based on when the minor child turns 18 years old, or for 10 years, or for a lifetime.
- Restrictive permanent PPO eligibility
 - This restriction on court discretion is compounded by allowing a permanent PPO only when there has been either a criminal conviction for domestic violence or a court has determined on at least two occasions that a restrained individual has violated a PPO.
 - This limit on permanent PPOs fails to take into account cases where there is a substantial risk of serious harm to the petitioner and/or their minor children, but no convictions and no - or perhaps only one - court finding of a PPO violation. Some survivors may seek a permanent PPO after they report a crime to police, but that crime has not yet been charged, or the prosecution has not yet been concluded.
 - There may be indicators of high lethality risk, a history of relentless control and stalking, and other significant factors that would justify a “no expiration” PPO.
 - If this provision is retained, then consideration and clarification of the “two occasion” language is needed. Is the intent to require two different court decisions finding violation? One court finding of two or more violations? Can the two violations be for any PPO, or only the PPO which is being considered for permanent status?
- Limit to renewal
 - As drafted, the bill provides that a PPO can be renewed only once for an additional five years. Petitioners should not be limited to the number of renewals they are entitled to seek and receive. This limitation creates unnecessary barriers for petitioners that need a longer period of time to be covered by a PPO (who do not meet the proposed criteria in the bill for a permanent PPO).

MOTION: Moved by R. Shiemke to oppose Draft 1 05165'23 if introduced as drafted and provide comments and feedback to the sponsor as to why it is opposed. Motion seconded by K. Williams. Motion carried.

A. Povilaitis provided a legislative update on HB4556 - 4560 regarding second look legislation which would provide a second hearing and a potential for resentencing for almost every Michigan Department of Corrections prisoner. A hearing was held, and staff submitted opposition cards.

There was a committee hearing on HB 4718 which amends the code of criminal procedure (MCL 760.1 to 777.69) to prohibit “LGBTQ+ Panic Defense.” Staff submitted a support card and written testimony.

MOTION: Moved by M. Pope 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 previous Board meeting. Motion seconded by R. Shiemke. Motion carried.

BOARD ANNOUNCEMENTS

No board comments.

PUBLIC COMMENT

A. Povilaitis said S. Beyersdorf could not attend the Board meeting today, but she said the Supreme Court is accepting comments on the proposed court rules surrounding juvenile justice reform.

ADJOURNMENT

MOTION: Moved by M. Pope to adjourn the meeting. Motion seconded by M. Wiese. Motion carried. The meeting ended at 3:54 p.m.

Respectfully submitted by
Michael Bobbitt
Board Secretary