

**MICHIGAN DOMESTIC AND SEXUAL VIOLENCE
PREVENTION AND TREATMENT BOARD
MEETING MINUTES
April 21, 2023**

Members Present:

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

Staff Present:

Jess Averill
Tonya Avery
Michael Bobbitt, Board Secretary
Rachel Farley
Gail Krieger
Tiffany Martinez
Beth Nagel
Angela Povilaitis

Guests:

China Aquino - Michigan Coalition to End Domestic and Sexual Violence
Stephanie Beyersdorf - State Court Administrative Office
Sarah Doboyn - Turning Point
Johana Kononen - Michigan Coalition to End Domestic and Sexual Violence
Linda Cunningham
Preston Van Vliet
Rachel Carr-Shunk - Uniting Three Fires Against Violence
Cheree Thomas - Michigan Coalition to End Domestic and Sexual Violence
Merkeb Yohannes - Michigan Coalition to End Domestic and Sexual Violence

WELCOME AND INTRODUCTIONS

E. Hines convened the April 21st, 2023, Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the Grand Tower Building, Dempsey Room in Lansing, Michigan at 1:34 p.m.

BOARD CONSENT

Review of April 21, 2023 agenda and approval of March 10, 2023, meeting minutes.

MOTION: Moved by M. Pope to approve the April 21, 2023 agenda. Motion seconded by K. Howard.

Motion carried.

MOTION: Moved by M. Wiese to approve the March 10, 2023 meeting minutes. Motion seconded by R. Shiemke. N. Buchanan abstained. Motion carried.

CHAIR REPORT

E. Hines thanked the staff for writing clear, easy to read legislative summaries in the March 10th minutes that captured the main points of the discussion. She also thanked everyone who was able to attend the legislative dessert reception and the Annual Crime Victims' Rights Vigil at the Capitol on Wednesday, April 19th. Four board members were able to attend. B. Nagel provided the opening remarks for the Victims' Rights Vigil and introduced the Attorney General. Survivors provided very impactful statements. M. Wiese did an excellent job presenting D. Cain with the Victim Advocate of the Year Award.

E. Hines invited M. Pope to give a presentation on Missing and Murdered Indigenous Women and Indigenous Relatives (MMIW&IR).

M. Pope provided a presentation on Missing and Murdered Indigenous Women and Indigenous Relatives. She reviewed a draft of a proposed Board Resolution recognizing May 5th as the Day for Awareness of Missing and Murdered Indigenous Women and Indigenous Relatives (MMIWIR) and reviewed Murdered Indigenous Women and Indigenous Relatives Fact Sheet that is intended to accompany the resolution.

The proposed resolution provides:

May 5, 2023: Missing & Murdered Indigenous Women and Indigenous Relatives Awareness Day

The Michigan Domestic and Sexual Violence Prevention and Treatment Board is honored to recognize May 5 as a day to raise awareness of missing and murdered Indigenous Women and Indigenous Relatives. To recognize and pay tribute to the lives and legacies of murdered and missing Indigenous Women and Indigenous Relatives, the Board issued the following proclamation:

WHEREAS, the Michigan Domestic and Sexual Violence Prevention and Treatment Board (the Board) is an independent, legislatively created, seven-member Governor appointed Board housed in the Division of Victim Services of the Michigan Department of Health and Human Services that is charged with funding sexual assault and domestic violence services for Victims and providing policy recommendations on the issues of domestic violence and sexual assault;

WHEREAS, countless under-reported, under-investigated, and unsolved cases of missing and murdered Indigenous Women and Girls continue to swell in the United States with little federal or state effort or financial resources dedicated to resolving the systemic failures surrounding the disproportionate violence against Indigenous Women and Girls;

WHEREAS, investigation into cases of missing and murdered Indigenous Women and Girls is made difficult for Tribal Law Enforcement Agencies due to a lack of resources and the complex jurisdictional scheme that exists in Indian Country;

WHEREAS, four out of five American Indian and Alaska Native Women have experienced violence in their life, and ninety percent of these Victims report being victimized by a non-Indian perpetrator; WHEREAS, murder is the third leading cause of death for Native American Women on Tribal lands;

WHEREAS, gender-based violence, including sexual assault and physical violence, is committed against 78% -85% of Indigenous Two Spirit individuals;

WHEREAS, murdered and missing Indigenous Women are undercounted in urban areas where most Native Women live as a result of long-standing U.S. policies, including those directed with the purpose of assimilation;

WHEREAS, greater resources must be committed to providing Traditional culturally honoring programs, services, support, advocacy, and care that Indigenous Survivors – whether living on Tribal lands, in urban areas, or other locations – have stated are necessary for their safety, healing and empowerment;

WHEREAS, the Michigan Domestic and Sexual Violence Prevention and Treatment Board remembers these Indigenous Relatives whose cases remain unsolved or inequitably handled and seeks to elevate their voices and promote healing throughout Native Nations and Communities;

WHEREAS, the Michigan Domestic and Sexual Violence Prevention and Treatment Board honors the numerous Tribal Advocates who include the loved ones of Indigenous Women who are missing and Indigenous Women who have been murdered, including where killers have gone unpunished or not received equitable punishment, and allies who have made countless sacrifices over decades to raise awareness about the epidemic of violence against Indigenous Women along with those who have refused to be silenced in the face of the failures to even record the thousands of Missing and Murdered Indigenous Women throughout the U.S.;

WHEREAS, the Michigan Domestic and Sexual Violence Prevention and Treatment Board honors and includes all Indigenous Relatives – Girls, Boys, LGBTIQ and Two Spirit Relatives, Women, and Men – who are Missing and Murdered at epidemic proportions for whom we must advocate for inclusion in identifying these Missing Relatives and bringing to justice those who have murdered Indigenous Relatives;

WHEREAS, the Michigan Domestic and Sexual Violence Prevention and Treatment Board honors the Missing and Murdered Indigenous Women Movement and includes all Missing and Murdered Indigenous Relatives by using MMIW&IR for Missing and Murdered Indigenous Women and Indigenous Relatives;

WHEREAS, the Michigan Domestic and Sexual Violence Prevention and Treatment Board desires to raise awareness of this crisis with governments that have the power to partner with Tribal Governments, develop policies and procedures, and allocate proportional resources, to reduce, investigate, and justly adjudicate all incidents of violence perpetrated against Indigenous Women and Indigenous Relatives;

WHEREAS, the Michigan Domestic and Sexual Violence Prevention and Treatment Board unites in solidarity with Native Nations, regional, state, and national governments and organizations in support of educating about the epidemic of violence against Indigenous Women and Indigenous Relatives, engage in efforts to document all Missing Indigenous Women and Indigenous Relatives, and support Indigenous Survivors of domestic violence, sexual assault, stalking, and human trafficking through Traditional culturally honoring programs, services, and support;

NOW THEREFORE BE IT RESOLVED THAT the Michigan Domestic and Sexual Violence Prevention and Treatment Board supports May 5th as the Day for Awareness of Missing and Murdered Indigenous Women and Indigenous Relatives

MOTION: Moved by K. Howard to accept the proposed draft of a Board Resolution recognizing May 5th as a Day for Awareness of Missing and Murdered Indigenous Women and Indigenous Relatives (MMIWIR). Motion seconded by K. Williams. Motion carried.

E Hines discussed the Board Governance Process which is a policy adopted by the Board in 2000 and revised in 2005. Since the Board no longer has an Executive Director, the policy needs to be revised. She asked to create a subcommittee with B. Nagel and Board staff members. C. Sullivan from Michigan State University has agreed to be the facilitator and advisor on the subcommittee. K. Howard and R. Shiemke volunteered to join the subcommittee.

MOTION: Moved by M. Pope to support the creation of a subcommittee to revise the Board Governance Process. Motion seconded by R. Shiemke. Motion carried.

STAFF REPORT

T. Avery said the Domestic and Sexual Violence Grantee Leadership will be held on May 5th in Grand Rapids. The meeting ends at noon and staff will join in the Missing and Murdered Indigenous People march.

G. Krieger provided an overview of the Family Violence Prevention and Services Act (FVPSA) funding and how the funds are administered in Michigan. The Board is the designated administrator of FVPSA. G. Krieger reported that staff are developing a process to review current funding formula and priorities used for FVPSA funding.

C. Aquino from the Michigan Coalition to End Domestic and Sexual Violence (MCEDSV) presented on the FVPSA Needs Assessment Report, compiled and drafted by MCEDSV. FVPSA requires DV coalitions to conduct a statewide needs assessment every three to five years to identify service gaps and problems with access to domestic and sexual assault services. The intent of this needs assessment is to inform statewide planning process for FVPSA funds.

G. Krieger provided an update on the Sexual Assault Nurse Examiners (SANE) fund and the Child Advocacy Center which are both supported by criminal fines and fees. Both of these funds have seen significant decreases.

MOTION: Moved by M. Pope to support a motion that the Michigan Domestic and Sexual Violence Prevention and Treatment Board recognizes the vital importance of Sexual Assault Nurse Examiners for sexual assault victims and survivors across Michigan and the Child Advocacy Centers for victims of child sexual abuse and their families across Michigan. Both of these funds declined due to revenue shortfalls collected from fines and fees. The Board proposes and supports the allocation of funding to avoid the reduction in victim service in this area. Motion seconded by K. Williams. Motion carried.

G. Krieger said that two one-time appropriations of \$2 million in General Funds for Sexual Assault Comprehensive Services has been fully expended. She asked for support of a resolution that the Board recognizes the vital importance Sexual Assault Comprehensive Services has for sexual assault victims across Michigan.

MOTION: Moved by K. Howard to support a motion that the Board recognizes the vital importance

Sexual Assault Comprehensive Services has for sexual assault victims across Michigan. The Board proposes and supports the continued allocation of funding to avoid the reduction in victim services in this area. Motion seconded by K. Williams. Motion carried.

T. Avery provided an update on Quality Assurance Standards review process. The Board is statutorily required to develop standards for the provision of services to victims of domestic and sexual violence. The Quality Assurance Team recently began implementation of statewide listening sessions to engage in regular 5-year review of Quality Assurance Monitoring Standards. Listening sessions with five different comprehensive programs that are subject to the standards were completed recently. Three listening sessions were also conducted with Culturally Specific Underserved, Unserved and Tribal communities.

G. Krieger circulated a congratulatory card for Board members to sign for Senator Stephanie Chang who recently won the National Sexual Violence Resource Center Visionary Voice Award. She has been an advocate for sexual assault and domestic violence prevention.

LEGISLATIVE REVIEW

A. Povilaitis said in the Senate Committee and House Judiciary Committee there were several sexual assault related bills that have been introduced in previous iterations in other sessions and cards of support have been submitted.

She discussed SB 74 which is a sexual assault ombudsman bill the Board previously opposed for various reasons as it is currently written. It is geared toward campus sexual assault and there are privacy concerns and access to records concerns. As the bill is currently written, an investigative office would be placed within State Government in the Department of Civil Rights. This bill was pulled from the agenda at the time the rest of the package moved.

SB 236 would amend the criminal sexual conduct penal statute regarding mentally incapacitated and physically helpless. The Board's recommendations were not completely adopted, but it was voted out of committee. The House may be considering the Board and PAAM's changes to the bill. The Board's position is neutral and move to support if recommendations are adopted.

J. Averill talked about an updated memo that outlined the current state (as of April 20, 2023) of the legislation reforming firearm background checks, safe storage, and extreme risk protection orders (ERPO). Position letters were submitted to both chambers with very extensive notes from the Board's discussion. Staff did not submit position cards in the House committees because staff were not aware in most committee hearings what the substitutes looked like that were being passed out.

G. Krieger stated that B. Nagel has been a tremendous resource for the Division of Victim Services and staff throughout the recent restructuring, and that has been a great advocate for the work of the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

J. Averill mentioned the House and Senate bill logs have been updated since the last Board meeting.

MOTION: Moved by M. Wiese 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 10, 2023 meeting. Motion seconded by R. Shiemke. Motion carried.

A. Povilaitis said there has been some interest in the Open Meetings Act. There has been questions about livestreaming the MDSVPT Board meeting so people who are far away can view the meeting. It is something that staff are currently discussing.

J. Averill thanked the Board for completing a survey sent to Board members regarding feedback and input related to Board meetings and agendas. She said the survey results show that Board members are interested in presentations linked to legislation and topics discussed at Board meetings. Board member would also like to know more about projects that staff are working on. Hopefully there will be more interesting presentations presented to the Board in the future.

BOARD ANNOUNCEMENTS

M. Wiese said his Chief Assistant tried a campus sexual assault case recently and successfully obtained a CSC 1st conviction. He said the Title IX investigation was damaging to prosecutor's case because non lawyers were running hearings and asking questions that were not relevant. The accused was expelled from the university and received a unredacted copy of the Title IX report. When the prosecutors received a copy of the Title IX report it was full of redactions. This gave the defense ammunition to attack the case.

PUBLIC COMMENT

Stephanie Beyersdorf from the Michigan Supreme Court-State Court Administrative Office mentioned several court rule amendment proposals. She mentioned rules MCR 1.109 regarding personal pronouns. The comment period for MCR 1.109 expires on May 1, 2023. She also mentioned MCR 2.311 which allows for audio and visual recording of mental examinations. An amendment to MCR 6.425 which requires a trial court on the record before sentencing to address a defendant regarding their allocation rights and address any victim who is present and allow the victim to be reasonably heard.

Rachel Carr-Shunk from Uniting Three Fires Against Violence (UTFAV) thanked Judge Pope for her presentation. She said UTFAV will attend the MMIP march on May 5th and will be introducing a MMIWIR toolkit. She recommended a podcast called "This Land" by Rebecca Nagle who explains what the current attack on the Indian Child Welfare Act (ICWA) is about. She also thanked the Division of Victim Services for opening the Quality Assurance Standards listening sessions to the culturally specific groups and the tribes.

Johana Kononen from the Michigan Coalition to End Domestic and Sexual Violence said programs have been reaching out to legislators individually and inviting them to visit their shelters and talk with them. The Coalition and many of their member groups have testified in front of both the Senate and House Appropriations Committee that cover MDHHS asking them to prioritize stabilization of funding for service provision for survivors across the lifespan of victims from birth to death including CACs and domestic violence and sexual assault programs. She said there is a groundswell of support.

Merkeb Yohannes, Deputy Director at the Michigan Coalition to End Domestic and Sexual Violence (MCEDSV) wanted to acknowledge the work that C. Aquino and P. Siddapureddy did on the Statewide FVPSA Needs Assessment Report. She said it is not one singular listening session that will support survivors but the continued commitment to listening to survivors and programs. She said evaluating how we are funding and how we are creating formulas is beyond a recommendation, it is a call to action. It is because of relationships that the information was able to be gathered. There are great relationships being built within the coalition, with their sibling coalition, and the state.

ADJOURNMENT

MOTION: Moved by K. Howard adjourn the meeting. Motion seconded by K. Williams. Motion carried. The meeting ended at 4:42 p.m.

Respectfully submitted by
Michael Bobbitt
Board Secretary