

**MICHIGAN DOMESTIC AND SEXUAL VIOLENCE
PREVENTION AND TREATMENT BOARD
MEETING MINUTES
October 6, 2023**

***** Approved *****

Members Present:

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

Members Absent with Notice:

Dr. NiCole Buchanan
Kristen Howard
Rebecca Shiemke

Staff Present:

Jess Averill
Michael Bobbitt, Board Secretary
Emily Ely
Gail Krieger
Tiffany Martinez
Beth Nagel
Angela Povilaitis

Guests:

Rachel Carr Shunk - Uniting Three Fires Against Violence
Taesha Foster – Community Health Worker and Domestic Violence Advocate.
Danielle Hagaman-Clark – Attorney General’s Office
Johana Kononen - Michigan Coalition to End Domestic and Sexual Violence
Heath Lowry - Michigan Coalition to End Domestic and Sexual Violence
Anna Nichols - Michigan Advance
Mary Ottinot – Virginia Behavioral Health Advisory Council
Merkeb Yohannes - Michigan Coalition to End Domestic and Sexual Violence
Melissa Werkman - Children's Advocacy Centers of Michigan

WELCOME AND INTRODUCTIONS

E. Hines convened the October 6, 2023, Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the Grand Tower Building, Dempsey Room in Lansing, Michigan at 1:07 p.m.

BOARD CONSENT

Review of October 6, 2023, agenda and approval of August 18, 2023, meeting minutes.

MOTION: Moved by K. Williams to approve the October 6, 2023, agenda. Motion seconded by M. Wiese. Motion carried.

MOTION: Moved by K. Williams to approve the August 18, 2023, meeting minutes with corrections. Motion seconded by M. Pope. Motion carried.

CHAIR REPORT

E. Hines thanked J. Averill and L. Rogers for assisting her in better understanding the address confidentiality program before she met with A. Nichols, a reporter from Michigan Advance. She said J. Averill has been involved with the address confidentiality program (ACP) for years and has done a lot of work, along with L. Rogers, to work on the implementation of the ACP program. Karen Hall, the manager of ACP was invited to attend the Board meeting next month to discuss the program.

E. Hines said A. Nichols, a reporter from Michigan Advance, wrote a detailed article about the address confidentiality program. She said the reporter did a lot of research and interviewed Michigan Attorney General Nessel. E Hines said she believes the program will save lives and it is important that it receive publicity so people are aware of and can access it.

E. Hines commended A. Povilaitis on her interview with Michigan Radio Stateside, noting it was not done in in her role with the Board or Division but that she touched eloquently on many important issues that are very relevant to the Board.

E. Hines recognized M. Pope for the Unsung Hero Award she received. The award recognizes people who have made significant contributions to the legal profession and have demonstrated a commitment to ensuring justice for all. The award focused on M. Pope's work to raise awareness of violence against indigenous women and the Missing and Murdered Indigenous Women's movement.

STAFF REPORT

G. Krieger provided an update on the Improving Criminal Justice Response to Domestic Violence, Sexual Assault and Stalking (ICJR) grant. The Division of Victim Services had received this grant for about twenty years and has always partnered with the Attorney General's office when applying. Last year it was decided that the application might be more competitive if it came directly from the Attorney General's office, and they were awarded the grant this year. The project will continue to support and fund the Cold Case Sexual Assault prosecutor at the Attorney General's office that focuses on cases involving domestic violence, sexual assault, and stalking.

T. Martinez spoke about the Improving Outcomes for Child and Youth Victims of Human Trafficking grant from the Office of Victims of Crime. The Division of Victim Services was awarded the \$1.5 million human trafficking grant. It was one of only three awarded in the country. Michigan is working to coordinate at the statewide level efforts to reduce human trafficking. Core partners of the project include Uniting Three Fires Against Violence, Children's Services Administration, Michigan Victim Advocacy Network, University of Michigan Human Trafficking Law Clinic, and the Department of Attorney General. The first goal of the project is to gain a better understanding of the nature and prevalence of sex and labor trafficking of children and youth in Michigan. Second, the next goal is to improve the statewide systemic response to children and youth victims of labor and trafficking. The last goal is to promote an anti-trafficking movement in Michigan grounded in best practice, including being empowerment based, survivor centered, culturally responsive, and trauma informed. There will be a planning phase of the project and an implementation phase.

E. Ely reported on legislative changes to the Crime Victim Compensation program which provides financial assistance to victims who are injured as a direct result of a crime in the State of Michigan. She said the legislative changes creating many enhancements to the program went into effect on August 12, 2023. Staff have provided in depth trainings around the state to victims' advocates about these legislative changes.

G. Krieger said tribal listening sessions will begin on October 25, 2023, in coordination with a tribal summit that Uniting Three Fires Against Violence hosts on Mackinac Island. G. Krieger, Elizabeth Nagel, and Lorna

Elliott-Egan, a MDHHS tribal liaison, will attend.

G. Krieger announced that the Governor issued a proclamation that October is Domestic Violence Awareness Month.

G. Krieger gave an update on the domestic violence funding formula conversation that the Board was notified about in the spring of 2023. More detailed plans will be discussed at the November meeting.

A. Povilaitis and J. Averill said the PPO subcommittee members who volunteered, E. Hines, M. Pope and R. Shiemke, will be contacted soon to schedule a meeting.

LEGISLATIVE REVIEW

A. Povilaitis discussed HB 4718 which would amend the Code of Criminal Procedure to prohibit what is commonly referred to as the “gay/trans panic” defense. This does not create a new criminal defense within the criminal code. It amends the code of criminal procedure to create a new section of law that would prohibit the use of facts to support the “gay/trans panic” defense. This defense is used to partially or completely excuse murder, assault and other types of criminal behavior on the grounds that a victim’s sexual orientation or gender identity is to blame for the offender’s violent reaction. These defenses play on judicial, juror, and societal biases regarding sexual orientation and gender identity and have been used in many high-profile cases.

The bill would create three separate sections dealing with the defenses of provocation, insanity or justification and prohibit the use of those types of facts to mitigate the criminal behavior. The American Bar Association adopted a resolution in 2013 advocating for the prohibition of this defense. Within that resolution are case facts, case law, and statistics about the horrific violence that is suffered by the LGBTQ+ community. One in two transgender individuals are predicted to be sexually abused or assaulted in their lifetime. The prevalence of sexual assault and domestic violence within the LGBTQ+ community is higher than in the general public and often goes unreported. It is tragic that the “gay/trans panic” defense causes victims to be revictimized.

MOTION: Moved by M. Pope to support HB 4718. Motion seconded by K. Williams. Motion carried.

A. Povilaitis and J. Averill gave an update on bills that the Board has given positions and recommendations on that are moving through the legislative process. The Board packet included all the letters that were sent on behalf of the board regarding legislation.

J. Averill mentioned the House and Senate bill logs introduced since the August 18th Board meeting and asked Board members if they would like to request analysis of any bills.

MOTION: Moved by K. Williams 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 August 18, 2023 meeting. Motion seconded by M. Wiese. Motion carried.

BOARD ANNOUNCEMENTS

No announcements.

PUBLIC COMMENT

M. Ottinot, a registered nurse, stated that she serves on the Virginia Behavioral Health Advisory Council (BHAC) and shared her story of being a survivor of human trafficking in another state. She stated that human trafficking and exploitation training must be geared for all forms of human trafficking.

T. Foster provided a public comment and spoke about her experiences with various Michigan systems, including DHHS, CPS, and FOC, as a domestic violence survivor. She expressed concerns about how her good cause exception and custody case was handled by FOC and CPS. She said she did not know who to turn to and is looking for direction.

M. Werkman, President and CEO of Children's Advocacy Centers of Michigan said there are presently 32 CACs across the state, and they work very closely with child victims of sexual abuse and trafficking as well as their families, in a multidisciplinary team approach.

The staff did respond to the concerns raised and offered to follow up with issues raised by one of the speakers during the public comment portion of the meeting.

ADJOURNMENT

MOTION: Moved by K. Williams adjourn the meeting. Motion seconded by M. Wiese. Motion carried. The meeting ended at 3:02 p.m.

Respectfully submitted by
Michael Bobbitt
Board Secretary