

CRIME VICTIM SERVICES COMMISSION

Meeting – January 23, 2023

MINUTES

Cpl. Robin Hornbuckle, Chairperson, called the Crime Victim Services Commission meeting to order at 12:37 p.m. on January 23, 2023, in the Dempsey Room at the Grand Tower Building, 235 S. Grand Avenue, Lansing, MI 48933.

Present:

Commission Members:

Jeffrey S. Getting
Karen Gray Sheffield
Cpl. Robin Hornbuckle, Chairperson
Thomas P. Clement

Absent with notice

Dr. Tolulope Sonuyi

Staff Members:

Jess Averill, Policy Analyst
Angela Povilaitis, Staff Attorney
Shalonna Banks, Compensation Claims Analyst
Emily Ely, Compensation Claims Analyst
Tia Johnson, Departmental Tech
Janine Washburn, Compensation Manager
Gail Krieger, Deputy Director
Katherine Bennett, Assistant Attorney General
Alicia VanEyck, Compensation Claims Analyst –
conference line
Rob Spada, Staff Attorney
Tonya Avery, Director of Quality Assurance

Public Comment - None.

Approval of Meeting Agenda – Ms. Gray Sheffield made a motion, supported by Mr. Clement to approve the January 23, 2023, meeting agenda. Motion carried.

Approval of the Open Meeting Minutes – Mr. Clement made a motion, supported by Ms. Gray Sheffield to approve the October 17, 2022, open meeting minutes as written. Motion carried.

Approval of the Closed Meeting Minutes – Mr. Getting made a motion, supported by Mr. Clement to approve the October 17, 2022, closed meeting minutes as written. Motion carried.

Evidentiary Hearings:

Claim – 23R0011 – Issue: Crime Not Reported Before Age 19

Mr. Getting made a motion, supported by Ms. Gray Sheffield to go into closed session at 12:42 p.m. Motion carried.

Mr. Getting made a motion, supported by Mr. Clement to go come out of closed session at 12:55 p.m. Motion carried.

Commission Reviews:

Ms. Gray Sheffield made a motion, supported by Mr. Clement to approve the commission reports from the October 17, 2022, meeting.

Chair Report

Chairperson Hornbuckle introduced Prosecuting Attorney Association of Michigan to the meeting. Cheri Bruinsma, Executive Director of the Prosecuting Attorney Coordinating Council-PAAM, and DJ Hilson, Muskegon County Prosecutor presented a PowerPoint with information regarding the role of a crime victim advocate in the Prosecuting Attorney's office and the assistance they provide the victims. The importance of the victim advocate role and the impact on advocates have on assisting victims was discussed.

Staff Report

Ms. Krieger presented on an overview of the Crime Victim's Right's Fund and the Commission's duties to the Fund. The Commission has a statutory duty to (1) investigate and determine the amount of revenue needed to pay for crime victim's rights services (2) investigate and determine an appropriate assessment amount to be imposed against convicted criminal defendants to pay for crime victim's rights services (3) report to the governor and legislature its findings and recommendations.

The Crime Victim's Rights Fund is a state restricted fund that was created to support crime victim rights services in Michigan. Revenues into the fund are generated from post-conviction assessments (\$130/felony violation; \$75/misdemeanor or ordinance violation). The fund's primary purpose is to support crime victim rights services required by the Crime Victim's Rights Act and the Michigan Constitution, with excess funding directed to Crime Victim Compensation in Michigan.

Staff asked the Commission if they'd like to establish a workgroup to review current post-conviction assessments, explore causes of decreased revenue from assessment, review alternative funding models, and recommend potential solutions to the governor and the legislature.

Mr. Getting moved to establish a work group to review assessments; seconded by Ms. Gray Sheffield. Roll call, four members present, and four members voted in affirmative. Commissions Getting and Clement volunteers to participate in this workgroup.

Mr. Getting moved the commission to adopt the following statement; seconded by Ms. Gray Sheffield. Roll call, four members present, and four members voted in affirmative.

The Michigan Crime Victim Services Commission (the Commission) recognizes the inherent need to sustain the Crime Victim's Rights Fund (the fund) at sufficient levels to carry out its constitutional and statutory duties for crime victims of Michigan. The Commission supports securing this funding in whatever means necessary and possible, including receiving general funds appropriated from the state legislature and examining the potential of raising criminal assessment fees. Further, the Commission strongly opposes further or future diversion of funding from the fund for purposes other than serving direct victims of crime through crime victim rights services or compensation.

Ms. Krieger presented the VOCA funding.

The Michigan Department of Health and Human Services (MDHHS) is the State Administering Agency responsible for managing the federal Victims of Crime Act (VOCA) Victim Assistance formula grant funds from the Department of Justice. The Crime Victim Services Commission is legislatively required to provide “advice on the disbursement of federal funds available from the victims of crime act of 1984 . . . purposes of compensating and assisting crime victims.” The fund is financed by fines and penalties paid by convicted federal offenders. Funding levels for each state are based on a federal formula through the federal Office for Victims of Crime (OVC)

Mr. Clement moved the commission to adopt the following statement: seconded by Mr. Getting. Roll call, four members present, and four members voting in the affirmative.

The Crime Victim Services Commission recognizes the vital importance of VOCA Victim Assistance Funding for crime victims across Michigan. The Commission proposes and supports the allocation of state funding to avoid the reduction in victim services that will be caused by decreases in federal funding through VOCA. The Commission further proposes and supports efforts to advocate for additional federal money for the state of Michigan to meet the needs of crime victims.

Ms. Washburn reported that compensation team is welcoming a new in-house Navigator that will start in February.

Ms. Ely provided a MICA VS update – this is a huge asset for compensation team as well as for the victims we serve. This program is the portal that will be much more effective in processing claims. It will help with the barriers that we currently face. The go-live date was pushed out to December of 2023.

Ms. Povilaitis reported that the Legislature just began its new term, and it is in planning phase.

Ms. Averill provided an update regarding the Division of Victim Services (DVS) legislative reception. DVS is partnering with PAAM and prior to the Crime Victim Rights’ Vigil will hold a legislative reception on April 19, 2023, at 4:30 p.m. at Heritage Hall. Mr. Getting will be the moderator for the Vigil. An invitation will be sent out.

Chairperson Cpl. Hornbuckle thanked everyone for developing the 2023 schedule and noted to members that as meetings have been altered to bi-monthly, there is still a possibility for an emergency meeting to be called if necessary.

A motion to approve the 2023 CVSC meeting dates was moved by Mr. Clement and seconded by Ms. Gray Sheffield. Motion carried.

Report of the Members:

None.

Unfinished Business:

Ms. Katherine Bennett provided an update on Claim No. 19R0338, involving a worker's compensation claim. It is set to go to trial next month.

New Business:

The next Commission meeting is scheduled for March 20, 2023.

Motion from Ms. Gray Sheffield and seconded by Mr. Getting to adjourn the meeting at 2:30 p.m.

Respectfully submitted,
Tia Johnson