

CRIME VICTIM SERVICES COMMISSION

Meeting – May 15, 2023

MINUTES

*****Approved*****

Cpl. Robin Hornbuckle, Chairperson, called the Crime Victim Services Commission meeting to order at 12:43 p.m. on May 15, 2023, in the Dempsey Room at the Grand Tower Building, 235 S. Grand Avenue, Lansing, MI 48933.

Present:

Commission Members:

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

Staff Members:

Jess Averill, Policy Analyst
Shalonna Banks, Departmental Analyst - conference line
Katherine Bennett, Assistant Attorney General
Michael Bobbitt, Administrative Assistant
Emily Ely, Compensation Claims Analyst
Gail Krieger, Director of Operations
Beth Nagel, Senior Deputy Director
Leslie O'Reilly - VOCA Program Specialist
Angela Povilaitis, Staff Attorney
Rob Spada, Staff Attorney
Janine Washburn, Compensation Manager
Jenifer Williamsen, Compensation Claims Analyst

Commission Members Absent with Notice:

Jeffrey S. Getting
Dr. Tolulope Sonuyi

Public Comment - None.

Approval of Meeting Agenda – Mr. Clement made a motion, supported by Ms. Gray Sheffield to approve the May 15, 2023, meeting agenda. Motion carried.

Approval of the Open Meeting Minutes – Mr. Clement made a motion, supported by Ms. Gray Sheffield to approve the March 20, 2023, open meeting minutes as written. Motion carried.

Approval of the Closed Meeting Minutes – Ms. Gray Sheffield made a motion, supported by Mr. Clement to approve the March 20, 2023, closed meeting minutes as written. Motion carried.

Chair Report

Chairperson Hornbuckle thanked those commission members who attended the DVS legislative reception and the Crime Victim Right's Vigil.

Staff Report

Ms. Ely provided a presentation on Compensation enhancement and legislative changes.

Ms. Washburn said Common Ground is the liaison for the Oxford shootings and it appears it also will be the liaison for the Michigan State University shooting response as well. Those who don't fall under the current statute's definition of physical injury will still be able to receive counseling services through Common Ground.

Ms. Povilaitis informed the Commission that the subcommittee on post-conviction assessments (which includes Commissioners Getting and Clement) met and discussed next steps. A letter will be drafted to SCAO requesting more information regarding assessments, especially requesting information as to whether those assessments are actually being ordered and collected by the court.

Ms. Povilaitis and Ms. Averill notified the Commission that a "Dear Colleague" letter was released from the U.S. Department of Justice. The letter is directed to courts regarding illegal and excessive fines and fees for youth and adult offenders. DOJ's goal is to work with state and local courts and juvenile justice agencies to ensure assessments of fines and fees are constitutional and nondiscriminatory. This letter does not specifically exempt the process of collecting fines or fees for the purpose to generate revenue for victim services, however, it does cite that there are "lawful" circumstances in the collection process and gives the example of revenue generated to support crime victim services. Staff will reach out to the Office for Victims of Crime (OVC) on behalf of the Division requesting their guidance on whether this Dear Colleague letter's intent was to include revenue generated for the purpose of victim service funding. Staff will provide an update at the July meeting.

Ms. Povilaitis provided a legislative update, including a brief update on the early budget proposals from both the House and Senate. She highlighted legislation that seeks to create a Sentencing Commission. Currently, these bills do not include a dedicated victim seat as part of this Commission. The Michigan Domestic and Sexual Violence Prevention and Treatment Board recently met and strongly recommends that additional dedicated victim seats be included as members of this commission. The Board encourages a designated position that includes a representative of the Michigan Domestic and Sexual Violence Prevention and Treatment Board representing crime victims. Additional crime victim advocate seats should be considered for the Coalition to End Domestic and Sexual Violence and Uniting Three Fires Against Violence.

A package of bills was introduced in April that included civil and criminal statute of limitations reform for criminal sexual conduct offenses. Also within that package is a bill that would make drastic changes to the Sexual Assault Evidence Kit tracking system and was opposed by the MDSVPT Board.

Commission Reviews

Mr. Clement made a motion, supported by Ms. Gray Sheffield to go into closed session at 1:47 p.m. Motion carried.

Mr. Clement made a motion, supported by Ms. Gray Sheffield to come out of closed session at 1:48 p.m. Motion carried.

Claim - 22R0702 - Issue: Claim was denied due to victim not having active auto insurance at the time of the fatal crash 7/31/22 (MCL 18.361). The auto insurance policy had lapsed on 7/19/22 and became active again on 8/1/22.

Motion: Ms. Gray Sheffield made a motion, supported by Mr. Clement to reverse the denial and award payment in full. Motion carried.

Claim - 23R0179 - Denial: The claim was denied due to the victim's injuries were caused by her jumping from a third story window and not by a direct, physical, criminal assault by the offender. (MCL 18.360).

Motion: Ms. Gray Sheffield made a motion, supported by Mr. Clement to reverse the denial and award payment in full if the victim provides the documentation. Motion carried.

Commission Reports:

The commission report for Claim 190568 is tabled because additional information has not been received.

Ms. Gray Sheffield made a motion to approve payment, supported by Mr. Clement for Claim 220565.

Report of the Members:

None.

Unfinished Business:

Ms. Bennett provided an update on Claim No. 19R033, a subrogation case for workers compensation. That workers compensation claim was denied, and no appeal has been filed.

New Business:

The next Commission meeting is scheduled for July 17, 2023.

Motion from Mr. Clement and seconded by Ms. Gray Sheffield to adjourn the meeting at 2:16 p.m.

Respectfully submitted,
Michael Bobbitt