

Campus Sexual Assault Conference

First Lady Sue Snyder's Campus Sexual Assault Conference is coming up on September 30 in Ann Arbor. Register for it [here](#). Likely we are going to hear from some of the recipients of \$500,000 in grants to Michigan colleges and universities. See the list [here](#).

Mandatory Joint Custody

On Wednesday, September 21, the House Families, Children and Seniors Committee will hold a hearing at 9 a.m. in Room 327, House Office Building, Lansing, MI on the following bills.

[HR 327](#) (Rep. Runestad) A resolution to encourage awareness and sensitivity to the concept of parental alienation.

[HB 4141](#) (Rep. Runestad) Family law; child custody; joint custody in every custody dispute between parents; mandate except in certain circumstances.

Background – On September 14, the House Families Committee held a hearing the main feature of which was a presentation on Parental Alienation apparently organized by State Rep. Runestad, a member of the Committee. The Michigan Coalition Against Domestic and Sexual Violence submitted [testimony](#) on Parental Alienation Syndrome debunking it. Michigan National Organization for Women [testified](#) against PAS, providing an [article](#) about it and a DOJ [research study](#) by the same U of M professor. Mentioned several times by various pro-witnesses were the desire for mandatory joint custody or “shared parenting” or “parallel parenting” that would automatically give mothers and fathers equal standing in physical, legal, medical custody of the children and diminish the role of judges and court personnel in determining custody arrangements.

Father's rights organizations have been working for at least 20 years to replace best interest of the child/11 factors for judges to consider when deciding high-conflict, contested child custody disputes. What they want is to take judges and court personnel mostly out of the picture and replace them with a policy of **mandatory (presumed) joint custody**. Younger children typically bond with the caretaker parent first, usually the mother. The court then usually awards the mother physical custody and the father with some visitation on a prescribed basis. Some fathers do not like this arrangement and want to change the law to give themselves a more equal footing. Mandatory joint custody splits the child's physical and legal custody equally between the parents. A child may spend half the week with one parent and half with the other; or one week with one and then the next week with the other.

Protective mothers without assets have depended on the courts for protection of themselves and the children from aggressive fathers with resources who challenge the mother's physical custody. Custody and visitation disputes are often about reducing child support to the mother, or are used as a bargaining chip in financial asset distribution between the divorcing parents. Children can be put in harm's way in these high-conflict custody battles if there is a history of abuse or neglect by either parent and the court does not detect it. The best interest of the child/11 factors administered by the Friend of the Court staff usually picks up on these situations and make decisions accordingly. But these cases are very time-consuming, expensive and often harmful to the children.

National AAUW does not have policy on mandatory joint custody so we need to study the issue and come up with our own position. Perhaps the hearing tomorrow will surface testimony from the Michigan Bar Association, the Friend of the Court Administrator, or others. AAUW President Penny Larsen and Public Policy Director Amanda Phillips have agreed for me to put in a card opposing HB 4141 as presented. Certainly more than one hearing is required before passage.

Third Grade Reading Bill

The Conference Committee on HB 4822 has come up with a report with a hearing scheduled for 5:30 today. The AAUW of Michigan supported the Senate version of the bill. Here is a story about it from Gongwer News Service today.

Third Grade Reading Deal Keeps Parent Appeal Option

House and Senate negotiators have reached an agreement on legislation designed to improve the number of students reading at grade level by the end of the third grade with a conference committee scheduled for today to take up the deal.

Sources familiar with the agreement, speaking on condition they not be named, said the new version of HB 4822 will look similar to the Senate-passed version with its various potential exemptions enabling a student to advance to the fourth grade even if they were not at third grade reading level – but with one big change.

The compromise drops the exemption that would have allowed a student's principal and reading teacher to advance the student if they agree other evaluations of the pupil's skills demonstrate he or she is academically prepared.

A provision allowing a parent to apply for a "good cause" exemption to the school district's superintendent will remain in the bill as would another mechanism allowing the student to show third grade reading level on an alternative assessment approved by the superintendent of public instruction or demonstrating that reading level through a portfolio.

The conference committee is scheduled to meet at 5:30 p.m.

The House and Senate had been divided on how tough a line to take on retaining students in the third grade with the Senate bill creating more exemptions with the House taking a stricter approach.

Breast Milk Sale

I attended the Michigan House Health Policy Committee hearing on September 6 on bills that would provide consumer protection and regulation of commercial human breast milk sales, especially over the Internet. The bills are sponsored by Michigan State Representatives Erika Geiss and George Darany. It appears that the bills will have another hearing and possibly a vote in lame duck session. AAUW does not have national policy on regulating breast milk. Testimony from Michigan Department of Agriculture reveals it approached the issue from its experience testing cow milk. There are public health and safety issues.

Michigan Breastfeeding Network testified in support of the bills so that breast milk is collected safely and ethically. CDC recommends breast milk for the first year of a baby's life to reduce infant mortality.

Some Republicans on the Committee expressed skepticism about regulating breast milk when there are no known statistics regarding deaths or disease from contaminated breast milk sold over the Internet. These sales bypass milk banks, which do test breast milk before its distribution. Expectant mothers and bodybuilders are buying unregulated breast milk on Craig's List and through Facebook groups.

A bioscience testing company testified in favor, saying it would protect the human milk supply. Viruses and diseases can be passed. No data is available because it is an unregulated industry. They test donors' blood and DNA before supplying it to hospitals to feed preemies.

[HB 4206](#) (Rep. Geiss) Health; other; human breast milk banks, companies, and cooperatives; regulate.

[HB 4691](#) (Rep. Geiss) Health; other; Internet sale of human breast milk; prohibit.

[HB 5547](#) (Rep. Darany) Criminal procedure; sentencing guidelines; sentencing guidelines for crimes involving the provision of raw human milk for human consumption; provide for.

Human Trafficking

I attended the Senate Judiciary Committee hearing on September 6 to consider three human trafficking bills. These would allow an opportunity for victims of human trafficking convicted under local ordinances of prostitution who are minors to have those convictions set aside. HB 5544 would also increase the penalty for those trafficking others in the sex trade to 15 years in prison and \$15,000. Rep. Nancy Jenkins (R-Clayton) said prior legislation had reduced that to the current 10 years/\$10,000. All the bills were reported out with recommendation for immediate effect. They now go to the full Michigan Senate for consideration. They passed the House unanimously.

[HB 5542](#) Rep. Cox Criminal procedure; expunction; setting aside certain convictions for victims of human trafficking violations; provide for.

[HB 5543](#) Rep. Howell Juveniles; crimes; set-aside juvenile adjudication for certain prostitution-related offenses; provide for.

[HB 5544](#) Rep. Jenkins Crimes; penalties; penalties for bodily injury to or commercial sexual activity involving a minor; provide for.

The House Criminal Justice Committee on September 13 reported [HB 5838](#) and [HB 5839](#), which would create a new crime of knowingly selling or offering to sell travel services for the purpose of prostitution or human trafficking.

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