

# Legislative Analysis

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## **OK2SAY: INCLUDE REPORTING SEXUAL ABUSE, ASSAULT, AND RAPE**

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5539 as reported from committee w/o amendment**  
**Sponsor: Rep. Kimberly LaSata**  
**Committee: Law and Justice**  
**Complete to 5-24-18**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 371 of 2018)*

### **SUMMARY:**

House Bill 5539 would amend the Student Safety Act to specifically include sexual abuse, assault, or rape among the potential harm or criminal acts regarding which the public can submit reports and information through the OK2SAY program.

The bill would take effect 90 days after enactment.

MCL 752.913

### **BACKGROUND INFORMATION:**

The OK2SAY program<sup>1</sup> was established under requirements of the 2013 Student Safety Act by the Department of Attorney General in collaboration with the Departments of State Police, Education, and Health and Human Services. The program receives confidential tips on criminal activities or potential harm directed at schools, school employees, or students. OK2SAY is available 24 hours a day, year round. The Department of State Police is the vendor, or partnering agency, that operates and staffs the hotline.

The hotline receives reports and information via mobile text, phone, email, and through its website and mobile app. Tips may be submitted by students, parents, teachers or any concerned citizen. Trained OK2SAY technicians receive, analyze, and forward tips to an appropriate agency (e.g., law enforcement, school officials, Child Protective Services, or mental health entities). Tips are confidential and exempt from the Freedom of Information Act. In general, a tip that does not lead to a referral or the investigation of a subject results in a determination that no action regarding the subject is warranted, and the subject's name is expunged from the records of all entities involved in the hotline program.

The OK2SAY Winter 2018 newsletter<sup>2</sup> reports that 10,734 tips have been received from September 1, 2014, when the hotline was first activated, to December 31, 2017. Of that total, 323 tips regarding sexting have been received, 227 for sexual misconduct, 91 for sexual assault, and 82 for dating violence. Bullying received the most reports (2,471), followed by suicide threats, self-harm, cyberbullying, and drugs.

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<sup>1</sup> <http://www.michigan.gov/ok2say/>

<sup>2</sup> [http://www.michigan.gov/documents/ok2say/OK2SAY\\_Newsletter\\_Winter\\_2018\\_final\\_610450\\_7.pdf](http://www.michigan.gov/documents/ok2say/OK2SAY_Newsletter_Winter_2018_final_610450_7.pdf)

HB 5539 would specifically include sexual abuse, assault, or rape among the potential harm or criminal acts about which the public can submit tips. Though such tips may be reported now, tips for sexting, sexual misconduct, and sexual assault made up less than 6% of the tips received by the end of 2017. Greater awareness that sexual abuse, assault, and rape are reportable incidents could lead to more victims getting the support services they need and more perpetrators being brought to justice.

**FISCAL IMPACT:**

The bill would not have fiscal implications for the Department of State Police or other state or local governmental units.

**POSITIONS:**

The following organizations indicated support for the bill:

- Michigan Domestic and Sexual Violence Prevention and Treatment Board (5-22-18)
- Michigan Catholic Conference (4-24-18)
- Michigan Association of School Boards (4-24-18)
- American Association of University Women (4-24-18)

Legislative Analyst: Susan Stutzky  
Fiscal Analysts: Kent Dell  
Michael Cnossen  
Bethany Wicksall  
Sam Christensen

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.