

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DONSHA' JOHNTAYE
CRUTCHER, RENEE RENYL CRUTCHER,
SHANTE LEE CRUTCHER, DONTA'E J.
CRUTCHER, and JENEE DYAN SMITH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
August 24, 2004

v

MIA LAVERNA PERRY, a/k/a MIA LAVERN
PERRY, MIA LAVERNE PERRY, and MIA LA
VERNE PERRY,

No. 251251
Wayne Circuit Court
Family Division
LC No. 02-411599

Respondent-Appellant,

and

JOHN B. CRUTCHER,

Respondent.

Before: Hoekstra, P.J., and Cooper and Kelly, JJ.

MEMORANDUM.

Respondent-appellant appeals by delayed leave granted from the order of the trial court terminating her parental rights to her minor children pursuant to MCL 712A.19b(3)(g) and (j). We affirm.

Contrary to respondent-appellant's arguments, ample evidence existed on the record to support the trial court's decision. On two different occasions one of the children was diagnosed with sexually transmitted diseases. Respondent-appellant failed to pursue the necessary ongoing treatment for the child and failed to have the other children examined for possible similar conditions. When the infected child told respondent-appellant that respondent father had been sexually abusing her for two years, respondent-appellant failed to give any credence to the allegations. Regardless of the fact that the child later recanted the statements, respondent-appellant should have assured that the child received the necessary medical and psychological treatment.

Respondent-appellant took no steps to address these issues or to otherwise comply with the directives of the trial court. Instead, respondent-appellant continued to place the interests of respondent father above those of the children. When respondent father escaped from custody, respondent-appellant harbored him in the family home and also allowed drugs and guns to be brought into the home. In violation of court order, respondent-appellant repeatedly visited the children and took the children to visit respondent father in prison. The trial court, therefore, did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

The trial court also properly determined that termination was not contrary to the best interests of the children. While in respondent-appellant's care, the children were exposed to dangerous situations involving drugs, guns, and a fleeing felon. Respondent-appellant took no steps to rectify the situation in which the children were living and repeatedly violated that trial court's orders regarding contact with the children. Termination of respondent-appellant's parental rights was not contrary to the best interests of the children. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Joel P. Hoekstra
/s/ Jessica R. Cooper
/s/ Kirsten Frank Kelly