



MANPOWER AND
RESERVE AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

January 31, 2024

Maine State Legislature
Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333

Senator Joseph Baldacci, Chair
Representative Michele Meyer, Vice-Chair

Remarks of
Melissa J. Willette
New England Region Liaison
United States Department of Defense-State Liaison Office

RE: LD 2095, An Act To Require Reporting of Child Abuse and Neglect to Military Family Advocacy Programs

Senator Baldacci, Representative Meyer and honorable members of the Joint Standing Committee on Health and Human Services; the Department of Defense is grateful for the opportunity to support the policies reflected in LD 2095, An Act To Require Reporting of Child Abuse and Neglect to Military Family Advocacy Programs, and hopes Maine will join the 34 other states that have passed similar legislation on this issue. Even one child's life is worth this effort.

My name is Melissa Willette. I am the New England Region Liaison at the Defense-State Liaison Office, operating under the direction of the Under Secretary of Defense for Personnel and Readiness.

We represent the Department and establish relationships with state leaders across the country who are concerned for troops and their families' welfare by harmonizing state and federal law and regulation on policy problems of national significance. These are identified by the Office of the Secretary of Defense, the Military Departments, and the National Guard Bureau as areas where states can play a crucial role.

LD 2095 allows the reporting of child abuse to the appropriate military authority when the child is a military family member and ensures efforts to determine the military status of parents subject to abuse or neglect allegations.

Under DoD policy required by federal law, each military installation and/or unit with 500 or more personnel must establish a family advocacy program and enter into a memorandum of understanding with the local child welfare agency for reporting cases, providing services, and defining responsibilities when responding to child abuse and neglect, domestic abuse, and problematic sexual behavior in children and youth. To meet this statutory obligation, DoD, in

accordance with Section 1787 of Title 10 of the United States Code, established the Family Advocacy Program, or "FAP", to address prevention of and response to child abuse and neglect involving children in military families.¹

DoD respectfully submits the State of Maine can assist the DoD mission to protect military children and other youth from abuse and neglect by enacting the policies set forth in LD 2095, which will require (1) identifying as military personnel a parent or legal guardian alleged to have committed abuse or neglect of a child; (2) reporting to a military family advocacy program when a child abuse and neglect investigation implicating military personnel has been initiated; and (3) maintaining confidentiality under state and federal law.

Simply put, the enactment of LD 2095 would amend current reporting criteria outlined in Title 22, Chapter 1071 of the Maine Revised Statutes, and states that if a report of child abuse and neglect is accepted as valid, the Department of Health and Human Services shall collect the military status of the parent or guardian of the child who is the subject of the report, and shall share that information with the appropriate military authorities.

Seventy percent of military families live off military installations and in our communities, and so are likely to fall under the jurisdiction of state and local agencies. The military services have investigative, intervention, and rehabilitative support resources that can assist the child welfare system in addressing allegations and provide follow-up family counseling when they have knowledge of an allegation.

An issue specifically relating to military families is frequent moves. The Family Advocacy Program may have information regarding incidents of allegations that occurred in other states where the service member was stationed that DHHS would not otherwise have access to during their investigation. Because military families move frequently across state lines, not sharing information could result in a family falling through the cracks.

FAP multidisciplinary personnel teams, military commanders, commanding officers and other military department leaders have an official need to know regarding data germane to incidents of suspected child abuse or neglect in order to fulfill their respective duties and responsibilities to take actions regarding military personnel and their dependents on such matters.

This is not a military law enforcement matter. This is a victim advocacy measure to protect our most vulnerable.

¹ See *supra* at 1.

"The Secretary of Defense shall request each state to provide for the reporting to the Secretary of any report the state receives of known or suspected instances of child abuse and neglect in which the person having care of the child is a member of the armed forces (or the spouse of the member)." (10 U.S.C. § 1787)

In closing, let me say that we are grateful for the tremendous efforts Maine has historically given in supporting our service members and their families; and want to particularly thank the bill sponsor, Senate President Jackson for his advocacy on this issue. The Department of Defense would also like to thank you, Mr. Chair, for your historic support on quality of life issues affecting our military families here in the Pine Tree State.

On behalf of the Department of Defense, I thank you for your time and stand ready to answer any questions you may have.

Respectfully,

WILLETTE.MELISSA.J

ANICE.1538337591

Melissa J. Willette

New England Region Liaison

(CT, MA, ME, NH, RI, VT)

Defense-State Liaison Office

Digitally signed by
WILLETTE.MELISSA.JANICE.153833759
Date: 2024.01.30 10:14:18 -05'00'