



HOUSE OF REPRESENTATIVES

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Testimony of Representative Morgan Rielly introducing

LD 665, An Act Regarding the Use of Military Protective Orders in Protection from Abuse and Protection from Harassment Proceedings

before the Joint Standing Committee on Veterans and Legal Affairs

Good morning Senator Hickman, Representative Supica and fellow members of the Joint Standing Committee on Veterans and Legal Affairs. I am Morgan Rielly, and I represent House District 127, which includes part of Westbrook. Thank you for the opportunity to introduce **LD 665, “An Act Regarding the Use of Military Protective Orders in Protection from Abuse and Protection from Harassment Proceedings”** for your consideration.

LD 665 was brought to me by Melissa Willette, the U.S. Department of Defense’s New England Region Liaison. She is here today and will talk further about the Department of Defense’s work on this piece of legislation.

Military protective orders are issued by a service member’s command to prohibit said service member from contacting a protected person, including members of the protected person’s family.

During the 130th Legislature we passed legislation that adds the crime of harassment, as defined in the Maine Revised Statutes, Title 17-A, section 506-A, as a military offense for which discipline may be imposed under the Maine Code of Military Justice.

This bill will enhance support for survivors, by explicitly allowing the use of MPOs and/or recognizing MPOs as evidence when a survivor is seeking a temporary protection from abuse order. This will cover active-duty service members and reservists, which will support service members at the Portsmouth Naval Base in Kittery.

Thank you very much for your time and consideration.

Proposed Amendment

Current:

6. ~~Civil Court~~ rules apply. Unless otherwise indicated in this chapter, all proceedings must be in accordance with the Maine Rules of Civil Procedure. Appeals may be taken as provided by the Maine Rules of Civil Procedure. Appeals may be only for error of law or abuse of discretion. The court may take judicial notice of a military protective order pursuant to the Maine Rules of Evidence, Rule 201 in a proceeding under this chapter.

Proposed:

6. Civil rules apply. Unless otherwise indicated in this chapter, all proceedings must be in accordance with the Maine Rules of Civil Procedure. Appeals may be taken as provided by the Maine Rules of Civil Procedure. Appeals may be only for error of law or abuse of discretion. ~~The court may take judicial notice of a military protective order pursuant to the Maine Rules of Evidence, Rule 201 in a proceeding under this chapter.~~