

Statement of Jayson L. Spiegel
In Support of HB 0646
Child Abuse and Neglect – Memorandum of Understanding with
Military Family Advocacy Program
February 4, 2021

My name is Jayson Spiegel. I am a Gaithersburg resident and retired after 28 years commissioned service in the Army and Army Reserve. I am a former Executive Director of the Reserve Officers Association of America and Deputy Assistant Secretary of the Army for Manpower and Reserve Affairs. I am responsible for social media activities of the Maryland Democratic Party Veterans Leadership Council.

While working as a government contractor, I managed a contract providing world-wide family support to military personnel and advocates for victims of domestic abuse.

I am speaking in my personal capacity.

I urge the Senate to pass HB 0646, which requires local social services departments to enter into a memorandum of understanding with military family advocacy programs to provide for better coordination of local child welfare and military protective and rehabilitative services to support military children and families.

The substance of HB 0646 is one of the top ten priorities of the Military State Policy of the Department of Defense Military One Source program that supports military personnel and families. The Military State Policy program provides state policymakers “an expert, trusted resource for insight on issues that affect military families.”

<https://statepolicy.militaryonesource.mil/>

In accordance with Section 1787 of Title 10, the Department of Defense established the Family Advocacy Program to address prevention of and response to child abuse and neglect involving children in military families. Current data reflect that 70% of active duty military families reside in the civilian community.

DoD addresses child abuse and neglect by working in collaboration with state and local governments. State statutes directing the collection of military affiliation as part of the child abuse and neglect response process and sharing pertinent case file information with the appropriate military authorities can provide consistency and complement the statutory responsibility of the Department of Defense. This is a win-win for the state and the military child welfare systems and military families.

The Military State Policy program urges states to adopt legislation to increase collaboration between the DOD and state/local governments to fulfill the DOD’s statutory obligation to address child abuse and neglect. . Current DOD Policy, DOD Instruction 6400.01, requires the military to establish memoranda of understanding with state and local child welfare services to collaborate on the oversight of cases involving military families. States can help prevent child

abuse by requiring local jurisdictions to report child abuse among military families to service officials, improving their ability to support military children and their families.

The Military State Policy program identifies several “best practices” that are included in HB 0646. These include

- Establishing a memorandum of understanding between the Military Family Advocacy Program and the local jurisdiction in which military installation is located that:
 - Identifies those alleged to have committed abuse or neglect as military personnel; and
 - Establishes reporting procedures by a local jurisdiction to the Military Family Advocacy Program, consistent with federal and state confidentiality requirements.

HB 0646 is similar to statutes recently enacted in Washington State, Revised Code of Washington 26.44.030 (4), and South Carolina, Section 63-7-320, Code of Laws of South Carolina

As drafted, HB 0646 may not, however, cover all potential instances of abuse. The bill requires a MOU between the Military Family Advocacy Program and a “local department,” which is defined as having a “military installation within its jurisdiction.”

The term “local department” is defined too narrowly. For example, Fort Meade is located in Anne Arundel County, and HB 0646, as drafted, would only require the Fort Meade Military Family Advocacy Program to enter into an MOU with Anne Arundel County. It is likely, however, that military personnel assigned to Fort Meade may live in Howard, Prince George’s and other counties.

Accordingly, I recommend that Section 1 B be amended to read:

“A local department that has a United States Military Installation located within its jurisdiction or *is likely to have military personnel living within its jurisdiction who are assigned to the United States Military Installation.*”

I want to thank Delegate Valentino-Smith for her leadership on this issue and urge the passage of HB 0646.