

Good afternoon [Senator William C. Smith, Jr.](#) and members of the Judicial Proceedings committee. My name is Jessica Irwin; I live in Owings, MD. I have been a resident of Maryland for the past 2 years. Before that time, I spent 14 years moving around the country as a spouse of an active-duty member of our nation's military.

Today I am asking you to pass Senate Bill 0129, to repeal spousal defense in sex crimes, to better serve and protect the over 14,000 military spouses, the 29,000 active duty military members, and the nearly 30,000 children of active duty members who live in the state of Maryland. (“Maryland Military Legislation & Policies | Military State Policy”)

As a military spouse, I experienced the many ups and downs that military life creates.

I made deep and lasting friendships, searched for work and community in each new place, and moved more times than most people do in their entire lives.

This constant relocation, over which we had minimal choice and nearly zero control, was challenging in more ways than just packing and unpacking belongings.

From personal experience, being a military spouse makes anything you do slightly more challenging. There is pressure and fear placed on military members and their spouses regarding any action you make in terms of long-term implications for both your spouse's career and how your actions might ripple through the community.

The laws of each state we were told to relocate to could drastically affect our lives and potentially have long-term, lifetime-long implications regardless of whether we were legal residents and voting members of that state.

Sexual violence in any situation is incredibly challenging to overcome. It's difficult for the victims to report, it's difficult to prove, and it's difficult to get authorities to take you seriously. Couple this with the challenge of navigating the military judicial system, getting any protection or action taken in the case of sexual violence, and the lack of faith that many have in that system. You can understand why this is such a pressing issue.

While there is a Bill of Rights for Dependents of Active Duty Military Sexual Violence Victims, it places all of its faith in the military investigation system. The only recourse, if this fails, is the civilian authorities. According to the military times, In 2021, the armed services started court martial proceedings on only 42% of reported cases of sexual violence; 27% of those cases only resulted in administrative action, and 31% in nonjudicial punishments. The faith in this system is incredibly low. It's fraught with conflict of interest, personal opinions, and feelings (“Rights For Dependents of Active Duty Military Sexual Violence Victims”).

Military spouses are twice as likely as their civilian counterparts to experience sexual victimization (Farmer 10). But the lack of action by the DOD in these situations means that rather than approach the command with which you're associated or the military installation,

people turn to local law enforcement and intern local lawmakers to protect them and prosecute accordingly.

Imagining summing up all of that courage and disregarding all of the fear that you have of the implications, reporting your spouse and the violence that they've committed against you, only to find that the state in which you've been told you must reside in will ultimately not protect you because your spouse cannot be convicted of the crime they've committed against you. And because you're not a resident or voting member in the state, you're discouraged from speaking up or totally disregarded.

So many acts of sexual violence go unreported; in fact, as an 18-year-old, I did not report the act of sexual violence that was committed against me. At that time, I didn't have the strength or the courage or the words or the tools to be able to report what had happened to me. My attacker was not my spouse, and yet there was still enough stigma and fear that I was not able to act.

I have tremendous admiration for the individuals who are able to report the crimes committed against them, especially when those crimes are committed by the person that you have put so much trust into. Especially, when these victims have additional stigmas and bias to overcome simply due to their spouses profession.

Marriages in the military can be isolating, military spouses who have sacrificed so much, who have left everyone and everything they've known, to move to a new place with this one person. When bringing up an issue as sensitive as sexual violence that you experience from your partner, you may not know who to trust or who to turn to protect yourself or your family.

A place that you should be able to turn, and count on the fact that they will protect you and defend you, is the system of government and the state in which you are required to live.

Today I urge you to vote in favor of the repeal of spousal defense because while the 50,000 military members and their partners may not be able to vote in your District, it is still your responsibility to represent them to protect them and to ensure that then when they receive military orders to the state of Maryland, they do not have to fear not being protected if one of the worst things that will ever happen in their life were to occur while they were here.

Thank you.

