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**Maryland General Assembly
Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401**

Senator William C. Smith, Jr., Chairperson

**Remarks of
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Support of: Senate Bill 273 – Peace Orders and Protective Orders – Military Protection Orders

Testimony

Chairman Smith and honorable members of the Committee, the Department of Defense is grateful for the opportunity to support the policies reflected in Senate Bill 273. Through the implementation of interpersonal violence policies, Maryland can empower victims, deter offenders, and create an environment for military families that enhances readiness.

My name is Christopher Arnold. I am the Mid-Atlantic Region Liaison at the United States Department of Defense-State Liaison Office, operating under the direction of Under Secretary of Defense for Personnel and Readiness. We represent the Department and establish relationships with state and local leaders on issues currently impacting our service members and their families. These policies 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.

In 2021, the 90-Day Independent Review Commission (IRC) to address sexual assault and harassment amongst the force made a series of recommendations to address interpersonal violence in the areas of accountability, prevention, climate, and culture.¹ Additionally, the IRC dedicated nearly one third of its recommendations to the expansion of services to victims.² Subsequently, state response to military interpersonal violence became a top priority for the Department.

Interpersonal violence can be defined as any behavior that asserts power or control over another person, and various forms of abuse to include psychological, emotional, verbal, physical, sexual

¹ U.S. Department of Defense (n.d.). *Independent Review Commission on Sexual Assault in the Military*. Retrieved December 12, 2023, from <https://www.defense.gov/Spotlights/Independent-Review-Commission-on-Sexual-Assault-in-the-Military/>

² U.S. Department of Defense. *Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military*. Arlington, VA. Government Printing Office; 2021.

or economic. Interpersonal violence extends well beyond an individual victim, as the effects of violence directly impact on our service members, their families, the units to which they are assigned, and our greater national security. The Department of Defense is committed to a coordinated community response regarding reports of violence.

Senate Bill 273 defines military protection orders, allowing them to be used as evidence when an individual is seeking a temporary order of protection in a civilian context.

A military protective order is an order issued by a commanding officer to protect a victim of alleged abuse, harassment, or threats, and that order restricts the actions and movements of the service member who is alleged to have committed these harmful behaviors. These orders are typically issued in situations involving domestic violence, sexual assault, harassment, or other threats to safety, and they are meant to prevent further harm and ensure the safety of victims.

Violating a military protective order is a serious offense and can lead to disciplinary actions under the Uniform Code of Military Justice, including non-judicial punishment, court-martial, or administrative separation.

Military protective orders are not recognized or enforced off installations, therefore, military commanders in the state have limited authority over service member actions that occur off an installation. Explicitly allowing Military Protective Orders to be introduced as evidence when a victim is seeking to obtain a temporary protection from abuse order will provide victims of interpersonal violence with greater access to protections, services, and victim advocacy efforts that would not have been available through a standard military protective order on installation.

Additionally, victims may not have to relive their trauma twice: once when obtaining a military protective order, and again with seeking to obtain a civilian protective order or restraining order.

Civilian law enforcement officers have no authority regarding the enforcement of MPOs off a military installation, however, there are ways to enhance communication between military and civilian law enforcement that will provide support to victims. Senate Bill 273 requires peace officers to contact a law enforcement agency which entered a military protective order into the National Crime Information Center database when responding to a violation of a Maryland protection order.

In conclusion, the above aforementioned policies offer a framework to combat various forms of abuse and harassment that the Department of Defense has worked to improve. Maryland's role in helping to ensure these changes can be implemented nationwide with some sense of uniformity for victims is critical to the enhancement of the safety, financial security, and physical and emotional well-being of military service members and their family members.

We thank the Committee for considering this important legislation, and are especially grateful for the tremendous efforts Maryland has historically made in supporting our service members and their families. We also thank the bill sponsors, Senator Jackson and Senator Brooks, as well as the members of the Maryland Senate Veterans Caucus, for their continued advocacy and support.

Yours etc.,

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