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**LD 1783 “An Act to Implement the Recommendations of the Governor's Advisory Council
on Military Sexual Trauma”**

Joint Standing Committee on Veterans and Legal Affairs

May 1, 2023

Senator Hickman, Representative Supica, and honorable members of the Veterans and Legal Affairs Committee, I am Doug Farnham, Commissioner of the Department of Defense, Veterans and Emergency Management. Today I offer testimony neither for nor against LD 1783, rather I would simply like to highlight a few important points for the committee. To be clear, there is no room for sexual assault and harassment in the military. It is simply incompatible with military service. It not compatible with the values of the Maine National Guard.

As you have read in our annual report, and as we spoke about earlier this session, there has been a consistent evolution of federal prevention and response programs including exponential growth in the past 3-5 years. Budgeting for and following through on the 80-plus recommendations of the 2021 Independent Review Commission will take the Dept of Defense some time to accomplish. The newly established Integrated Primary Prevention Program, IP3, is the most proactive step to date. In the past year we hosted inspectors from the National Guard Bureau who found our program in compliance with policies and guidance; and found our hiring of a full time provost marshal to be a “best practice.” The Governor’s Advisory Council effort was a tremendous opportunity that will continue to bring stakeholders together from various fields adding to the understanding of our roles and responsibilities. Many other policies and procedures from federal guidance and last sessions LD 2029 were also implemented as described in our annual report.

However, programs do need time to take shape and show results. We believe it is important that in the case of the National Guard, in Maine or any other state, that both federal and state authorities allow new programs time to work and to resist duplicating or confusing efforts before a good idea has had a chance to take hold. It is critical we maximize the amount of time that our federally funded prevention and response professionals are actively engaged in their primary mission - supporting Soldiers and Airmen.

LD 1783 discusses paid leave for survivors and respondents with regards to state active duty status. We appreciate the recent amendment to make this section more clear. Since state active duty represents a very small amount of the time we spend in uniform, I want the committee to know that we do currently do this for Title 32 active and drill status members, tailoring both

leave and alternate drill schedules to meet the requests of survivors. Pay and benefits are significantly greater in Title 32 status vs. state active duty, so it is our intention to continue to provide any paid leave in that capacity whenever possible. State active duty is helpful, however, with regards to compensating a former National Guard member for time and travel to administrative hearings or court proceedings.

Thank you for your consistent concern for the well-being of Maine's Soldiers and Airmen. I remain proud of the efforts the National Guard is making to prevent harmful behaviors, support victims, and hold members accountable for their actions. I consider the Governor and Legislature partners in these efforts. My staff and I remain available to you as you continue to have discussions surrounding this bill.