

ASSEMBLY MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 871

**STATE OF NEW JERSEY**

DATED: MARCH 10, 2022

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 871.

This bill establishes in the Department of Military and Veterans Affairs a sexual assault prevention and response program.

The Adjutant General of the Department of Military and Veterans Affairs will appoint an individual to serve as the sexual assault prevention coordinator. The coordinator will provide victim advocacy services, including ensuring that victims of sexual assault receive appropriate responsive care, understand available reporting options, and are notified of eligibility for compensation from the Victims of Crime Compensation Office. The coordinator may also file an application with the consent of the victim for a protective order on behalf of the victim. The protective order may be filed at the State level and with the military authorities.

The program will permit a victim of sexual harassment to:

- (1) file a confidential complaint of sexual harassment with the coordinator alleging that a service member committed the offense;
- (2) participate in the United States Department of Defense Catch a Serial Offender Program;
- (3) receive notice if the accused service member is subsequently accused of an offense of sexual assault by a service member or another person; and
- (4) convert a confidential complaint to a formal complaint at any time.

An annual report will be submitted to the Legislature and the Governor on the activities of the program and the activities of the Department of Military and Veterans Affairs relating to the prevention of sexual assault. The report will include: (1) the policies and procedures implemented by the coordinator and the Adjutant General in response to incidents of sexual assault; (2) an assessment of the implementation and effectiveness of the program and the policies and procedures on the prevention and oversight of and response to sexual assaults; (3) an analysis of the number of sexual assaults involving members of the New Jersey National Guard; (4) deficiencies in the department's sexual assault prevention

training; and (5) the department's plans for preventing and responding to sexual assault.

The program will apply to alleged sexual assaults committed by a service member against another service member, regardless of whether or not either person was on or off duty at the time of the alleged assault. A complaint may be filed if the alleged offense took place while the accused was a service member and retires or is discharged from service prior to the filing of the complaint. Under the bill, "service member" means a member of the United States Armed Forces, or a Reserve component thereof, including the New Jersey National Guard.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.