



MANPOWER AND  
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## OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

1500 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1500

January 21, 2025

**Chairman Matthew Ruby**  
**Chair, House Human Services Committee**

**Remarks of**  
**Michelle Richart**  
**Midwest Region Liaison**  
**United States Department of Defense-State Liaison Office**

**Support of: HB1338 – Relating to a determination by the department of health and human services of an individual’s military status in child abuse and neglect allegations.**

### **Testimony**

Chairman Ruby and honorable members of the House Human Services Committee, the Department of Defense is grateful for the opportunity to support the policies reflected in HB1338, an act relating to child abuse and neglect, and hopes that North Dakota will join the 35 other states that have passed similar legislation on this issue. Even one child’s life is worth this effort.

My name is Michelle Richart. I am the Midwest Regional Liaison at the DoD-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 leaders across the country who are concerned for troops and their families’ welfare by harmonizing state and federal law and regulation on policy problems of national significance. These 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.

The DoD relies on working in collaboration with state and local governments to fulfill its statutory obligation to address child abuse and neglect.

Particularly for those that do not know the military way of life, unlike civilian employers, the military services have the obligation to know what is happening with our service members and families. Being a service member is not a nine to five job. Information sharing between the Department of Defense and local authorities must be accomplished at the start of a child abuse or neglect investigation, not after adjudication.

HB1338 allows the reporting of child abuse to the appropriate military installation when the child is a military family member. This law ensures efforts to determine the military status of parents subject to abuse or neglect allegation, assists families as they seek medical and counseling services through the military installation, and sets forth minimum requirements for information sharing between DoD and state and local authorities.

The Secretary of Defense is required under Section 1787 of Title 10 of the US Code to coordinate with civilian child welfare to obtain information on allegations of child abuse and neglect involving children in military families. To meet this statutory obligation the Department of Defense established the Family Advocacy Program, or “FAP”, to address prevention of and response to child abuse and neglect involving children in military families.

The military’s FAP is formally created by Department of Defense Instruction (DoDI) 6400.01, wherein section 3, the FAP incorporates prevention, education, and training efforts to make all personnel aware of the scope of child abuse and neglect, domestic abuse, and problematic sexual behavior in children and youth, as well as to facilitate collaborative and cooperative efforts. The federal Child Abuse Prevention and Treatment Act, or “CAPTA” designates the FAP as a federal entity subject to the requirement to protect children from abuse and neglect.

CAPTA further requires that a state such as North Dakota has in effect, and is enforcing a State law, or has in effect and is operating a statewide program relating to child abuse and neglect that includes “*provisions to require a State to disclose confidential information to any Federal, State, or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibilities under law to protect children from child abuse and neglect*”, and “*the cooperation of State law enforcement officials, court of competent jurisdiction, and appropriate State agencies providing human services in the investigation, assessment, prosecution, and treatment of child abuse and neglect.*”

To effectuate these state-federal information sharing mandates, DoDI 6400.01 directs the military services to establish memoranda of understanding with state and local child welfare services to collaborate on the oversight of cases involving military families.

Currently in North Dakota, the present framework relies on individualized, local MOUs to guarantee communication between Child and Family Services and the military community.

DoD respectfully submits North Dakota can assist the DoD mission to protect military children and other youth from abuse and neglect by enacting the policies set forth in HB1388, which will require (1) child welfare case workers to ask clients if they are associated with the military, and (2) provide them the authority to share this information with the appropriate military authorities, which facilitates a more consistent and authoritative approach to collaborative oversight.

Seventy percent of military families live off a military installation and in our communities and so are likely to fall under the jurisdiction of state and local agencies. The military services have investigative, intervention, and rehabilitative support resources that can assist local child welfare system in addressing allegations and provide follow-up family counseling when they have knowledge of an allegation.

Mr. Chairman, the Department of Defense appreciates your recognition of the important relationship between the state and local child protective services and the associated military FAP offices in responding and providing support and services to address child abuse in military families.

This is not a military law enforcement matter. This is a victim advocacy measure to protect our most vulnerable.

In closing, let me say that we are grateful for the tremendous effort that North Dakota has historically given in supporting our service members and their families. On behalf of the Department of Defense, we urge a Do Pass recommendation on HB1338.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Michelle Richart". The signature is written in a cursive, flowing style.

**MICHELLE RICHART**  
Midwest Regional Liaison  
Defense-State Liaison Office