
Committee Meeting

of

ASSEMBLY MILITARY AND VETERANS' AFFAIRS COMMITTEE

Assembly Bill 5784

“Creates sexual assault prevention and response program and coordinator in DMVA”

LOCATION: Wildwood Convention Center
Wildwood, New Jersey

DATE: June 17, 2021
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblywoman Cleopatra G. Tucker, Chair
Assemblyman Wayne P. DeAngelo, Vice Chair
Assemblyman John P. Armato
Assemblywoman DiAnne C. Gove
Assemblyman Antwan L. McClellan



ALSO PRESENT:

Tracey F. Pino Murphy
Office of Legislative Services
Committee Aide

Sherwood Goodenough
Assembly Majority Office
Committee Aide

Robert Geist
Assembly Republican Office
Committee Aide

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

Cleopatra G. Tucker
Chair

Wayne P. DeAngelo
Vice Chair

John Armato
Joe Danielsen
Ronald S. Dancer
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NEW JERSEY STATE LEGISLATURE

ASSEMBLY MILITARY AND VETERANS' AFFAIRS COMMITTEE

STATE HOUSE ANNEX • P.O. BOX 068 • TRENTON, NJ 08625-0068
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COMMITTEE NOTICE

TO: MEMBERS OF THE ASSEMBLY MILITARY AND VETERANS' AFFAIRS COMMITTEE

FROM: ASSEMBLYWOMAN CLEOPATRA G. TUCKER, CHAIRWOMAN

SUBJECT: COMMITTEE MEETING - JUNE 17, 2021

The public may address comments and questions to Tracey F. Pino Murphy, Committee Aide, or make bill status and scheduling inquiries to Sophia Love, Secretary, at (609)847-3890, fax (609)777-2998, or e-mail: OLSAideAMV@njleg.org. Written and electronic comments, questions and testimony submitted to the committee by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request.

The Assembly Military and Veterans' Affairs Committee will meet on Thursday, June 17, 2021 at 10:00 AM in Wildwood Convention Center, 4501 Boardwalk, Wildwood, NJ.

The following bill(s) will be considered:

A-5784 Creates sexual assault prevention and response program and
Tucker/Gove/Chaparro coordinator in DMVA.

Those individuals presenting written testimony are asked to provide 10 copies to the committee aide prior to the start of the meeting.

Issued 6/11/21

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ASSEMBLY, No. 5784

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 1, 2021

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblywoman DIANNE C. GOVE

District 9 (Atlantic, Burlington and Ocean)

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Co-Sponsored by:

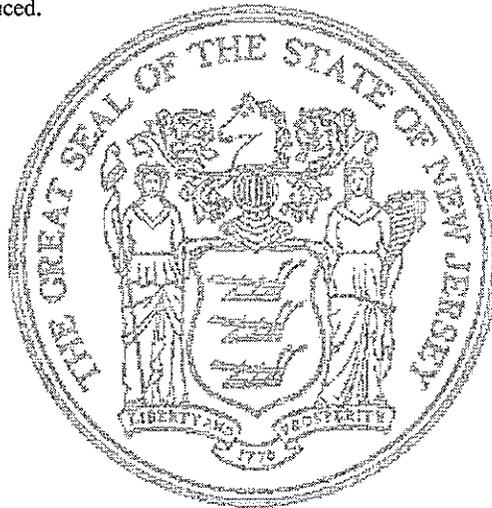
Assemblywoman Dunn

SYNOPSIS

Creates sexual assault prevention and response program and coordinator in DMVA.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/9/2021)

1 AN ACT creating a sexual assault prevention and response program
2 and response coordinator in the Department of Military and
3 Veterans Affairs, and supplementing Title 38A of the New Jersey
4 Statutes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. a. The Adjutant General of the Department of Military and
10 Veterans Affairs shall establish a sexual assault prevention and
11 response program and shall appoint a sexual assault response
12 coordinator. The program and coordinator shall be in, but not of, the
13 department and shall exercise the authority granted under this section
14 independently from the chain of command within the department.

15 The program shall apply to alleged sexual assaults committed by
16 a service member against another service member, regardless of
17 whether or not either person was on or off duty at the time of the
18 alleged assault.

19 The coordinator shall provide victim advocacy services, including
20 ensuring that victims of sexual assault receive appropriate responsive
21 care and understand the available reporting options. The coordinator
22 shall notify the person who is a victim of sexual assault of their
23 eligibility for compensation from the Victims of Crime
24 Compensation Office established pursuant to P.L.2007, c.95
25 (C.52:4B-3.2 et al.).

26 b. The program shall permit the victim of a sexual assault as that
27 offense is defined in Title 2C of the New Jersey Statutes to file a
28 complaint with the coordinator alleging that a service member who
29 is a member of the United States Armed Forces, or a Reserve
30 component thereof, including the New Jersey National Guard,
31 committed the offense. A complaint may be filed if the alleged
32 offense took place while the accused was a service member and
33 subsequently retired or was discharged from service prior to the filing
34 of the complaint.

35 The program shall permit a victim of sexual harassment to:

36 (1) file a confidential complaint of sexual harassment with the
37 coordinator alleging that a service member committed the offense;

38 (2) participate in the United States Department of Defense Catch
39 a Serial Offender Program;

40 (3) receive notice if the accused is subsequently accused of an
41 offense of sexual assault by a service member or any other person;
42 and

43 (4) convert a confidential complaint to a formal complaint at any
44 time.

45 c. Upon the filing of a complaint with the coordinator and with
46 the consent of the victim, the coordinator shall refer the case or
47 allegation of sexual assault as defined in Title 2C of the New Jersey
48 Statutes to the Office of the Attorney General for investigation. The

1 Attorney General shall designate an employee of the Department of
2 Law and Public Safety to investigate the case or allegation.

3 If the investigation demonstrates a reasonable suspicion that the
4 offense was committed by a service member, the investigator shall
5 refer the matter to the prosecutor with the appropriate jurisdiction.

6 d. (1) Notwithstanding any provision of law to the contrary, the
7 coordinator may file an application with the consent of a person who
8 is a victim for a protective order under Title 2C of the New Jersey
9 Statutes on behalf of the victim of a sexual assault alleged to have
10 been committed by a service member.

11 (2) In addition to the person having standing to file the application
12 under paragraph (1) of this subsection, the coordinator may file an
13 application with the consent of a person who is a victim for a military
14 protective order under the Uniform Code of Military Justice on behalf
15 of the victim of a sexual assault alleged to have been committed by a
16 service member.

17 e. For the purposes of this act, P.L. , c. (pending before the
18 Legislature as this bill), a protective order issued to a person because
19 the person was a reported victim of a sexual assault, as defined in
20 Title 2C of the New Jersey Statutes, constitutes reasonable grounds to
21 believe that the applicant of the protective order is the victim of a
22 sexual assault.

23 f. The Adjutant General or the coordinator shall annually submit
24 a report to the Governor and the Legislature pursuant to section 2 of
25 P.L.1991, c.164 (C.52:14-19.1) on the activities of the program and
26 the activities of the department relating to sexual assault.

27 The report shall include:

28 (1) the policies and procedures implemented by the coordinator
29 and the Adjutant General in response to incidents of sexual assault;

30 (2) an assessment of the implementation and effectiveness of the
31 program and the policies and procedures on the prevention and
32 oversight of and response to sexual assaults within the department,
33 including an assessment of the department's efforts to execute the
34 priorities of the United States Department of Defense Sexual Assault
35 Prevention and Response Office and the department's sexual assault
36 prevention program;

37 (3) an analysis of the number of sexual assaults involving
38 members of the New Jersey National Guard;

39 (4) deficiencies in the department's sexual assault prevention
40 training; and

41 (5) the department's plans for preventing and responding to sexual
42 assault, including plans relating to: advocacy for sexual assault
43 victims; health care provider and medical response; mental health
44 and counseling response; investigative and legal services; and
45 chaplain response.

46 g. The information provided in the report required pursuant to
47 subsection f. of this section for restricted cases, as determined by the
48 coordinator, is limited to aggregated statistical data to protect victim

1 privacy and for unrestricted cases, as determined by the coordinator,
2 is limited to aggregated statistical data that at a minimum includes:

3 (1) statistics relating to the types of offenses investigated under
4 this act;

5 (2) statistics relating to victims and accused persons;

6 (3) status of investigations under this act, P.L. , c. (pending
7 before the Legislature as this bill);

8 (4) status of prosecutions under this act, P.L. , c. (pending before
9 the Legislature as this bill); and

10 (5) status of administrative actions taken by the Department of
11 Military and Veterans Affairs.

12 h. If any subsection, clause, sentence, paragraph, or part of this
13 act or the application thereof to any person or circumstance, shall, for
14 any reason, be adjudged by a court of competent jurisdiction to be
15 invalid, such judgment shall not affect, impair, or invalidate the
16 remainder of this act.

17
18 2. This act shall take effect on the first day of the ninth month
19 next following enactment, except the Department of Military and
20 Veterans Affairs and the Department of Law and Public Safety may
21 take any anticipatory administrative action in advance as shall be
22 necessary for the implementation of this act.

23
24
25 STATEMENT

26
27 This bill establishes in the Department of Military and Veterans
28 Affairs a sexual assault prevention and response program.

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

39 The program will permit a victim of sexual harassment to:

40 (1) file a confidential complaint of sexual harassment with the
41 coordinator alleging that a service member committed the offense;

42 (2) participate in the United States Department of Defense Catch
43 a Serial Offender Program;

44 (3) receive notice if the accused service member is subsequently
45 accused of an offense of sexual assault by a service member or
46 another person; and

47 (4) convert a confidential complaint to a formal complaint at any
48 time.

1 An annual report will be submitted to the Legislature and the
2 Governor on the activities of the program and the activities of the
3 Department of Military and Veterans Affairs relating to the
4 prevention of sexual assault. The report will include: (1) the policies
5 and procedures implemented by the coordinator and the Adjutant
6 General in response to incidents of sexual assault; (2) an assessment
7 of the implementation and effectiveness of the program and the
8 policies and procedures on the prevention and oversight of and
9 response to sexual assaults; (3) an analysis of the number of sexual
10 assaults involving members of the New Jersey National Guard; (4)
11 deficiencies in the department's sexual assault prevention training;
12 and (5) the department's plans for preventing and responding to
13 sexual assault.

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

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WILLIAM “BILL” THOMSON: What you heard, before we took the recess, and what you are about to hear next is all part of the COVID that we went through -- Colonel Hou and her team, and how they came in to take care of those hospitals and our veterans.

The people who were seated up here before the Assembly Committee sat, I can tell you -- because the communications went not through me, but we were all collectively texted together as to what the VFW action would be in relation to the situation in our homes, the families that lost loved ones in their homes-- Our State Commander earned that medal for the action that he took in representing the Veterans of Foreign Wars, on behalf of the veterans within our state.

Ken Hagemann earned that award, in relation to what he did.

Luddie Austin, Jay Boxwell, Jeff Walding -- a tremendous amount of hours working with families, doing press conferences, bringing attention to the public.

Barbara Kim-Hagemann, in her year, when we were told there would be nobody, because of COVID, to place flags on the graves of veterans at Brigadier General Doyle Cemetery-- And Barbara sent out a message; the response was overwhelming. And at the end of the day, there was a flag on every grave.

And then we took a picture, a video, and we sent it to the Governor: mission accomplished.

It doesn't end with our officers, though; and there are too many to name, but most of them are in this audience. VFW posts that went the extra mile to set up food pantries, to have meals, to have blood drives.

In our posts across this state, everybody in our veteran organization, called the *Veterans of Foreign Wars* stepped up and showed that we are still serving. And I applaud all of you.

We are about to do an award, our Legislator of the Year award, and it is COVID-related as well. Because along with the members you see here, and their counterparts in the Senate -- these are our go-to guys, these are our go-to women who are our champions. That when you tell us we need something, we carry that message up here. And they're the ones, through their legislative actions, who make it happen.

And I'm pleased to say, on behalf of the Legislative Committee, that in previous years, because of their commitment to you and their legislative drive and passion in taking care of veterans -- that we have, in fact, awarded the Legislator of the Year award to DiAnne Gove -- congratulations, Assemblywoman -- and Wayne DeAngelo.

And you can clap for that, because they deserve it. (applause)

This next guy deserves it, too.

And for the purpose of the presentation for Legislator of the Year, for the VFW year 2020-2021, I call on our Junior Vice Commander Jay Boxwell to make the presentation.

JAY "DOC" BOXWELL: I'd like to call up Senator Tom Kean.

Senator Kean was elected to the New Jersey Assembly, to our District, District 21, that includes part of Union, Morris, Somerset, and Essex counties.

In 2003, Senator Kean was elected to the New Jersey Senate, representing the same District. And in January 2008, he became the

Minority Leader of the New Jersey Senate, and has served in that position ever since.

Senator Kean was a former aide to Congressman Bob Franks, and a special assistant to the United States Environmental Protection Agency under the George H. Bush Administration. He has also been a volunteer firefighter and volunteer EMT. Presently, Senator Kean resides in Westfield with his wife, Rhonda, and their two daughters.

Senator Kean is receiving the VFW Legislator of the Year Award, as a result of his untiring support of veterans. Over the past years, as a member of the Assembly and Senate, Tom has always stood with the veteran community. He not only has stood with them on critical issues, but always as a supporting face at local veteran events and within his Legislative District.

Senator Kean was the first Legislator who we went to when COVID hit with our veteran homes in New Jersey. He was more than willing to meet with us and hear our concerns to protect our most disenfranchised veterans who are living in our State facilities.

He's been a very vocal advocate for all veterans in the chambers at the State House. He's not afraid to reach across the aisle when it comes to veterans' issues to get it done.

For these tireless activities, Senator Kean is receiving the Legislator of the Year Award. (applause)

S E N A T O R T H O M A S H. K E A N, Jr.: Thank you, thank you.

It's humbling to be here and to join with you.

As the grandson of a World War I veteran and the nephew of three World War II veterans, I've heard stories and know of your sacrifices.

I know your families' sacrifices, the people who wrote home from overseas every day, and the families at home who were there and wrote back.

I know the auxiliaries that were so strong throughout the communities, and had such resiliency and such strength as well.

And I know that it is our responsibility, as legislators -- and every one up here on this panel shares this vision -- whether it's in the veterans' homes, whether it's in the educational institutions, whether it's on healthcare issues, whether it's in the workforce, we need to have your back. It's our responsibility each and every day, because you were the ones who sacrificed so much to make our country the great nation and the inspiration for the world that is. And it is because of your sacrifice that we have the opportunity to be here today.

And I want to thank you so much for everything you've done for all of our neighbors, our families, and the people in the greatest state in the greatest country in the history of the world.

Thank you. (applause)

MR. THOMSON: There is one other recipient of the Legislator of the Year Award in the past. And I didn't forget her, I just -- we've got something special for her later.

But Cleopatra Tucker, the Chairwoman, has also been a past recipient.

And I would tell you that this woman, who is probably about 90 pounds soaking wet (laughter), has the heart of a lion and she is not afraid to take on anyone. And it is because of her that we enjoy the many benefits that we have in the State of New Jersey.

And so, now, Madam Chairwoman, it is your meeting, and you can gavel.

ASSEMBLYWOMAN CLEOPATRA G. TUCKER (Chair):

Thank you so much.

Good morning.

ALL: Good morning.

ASSEMBLYWOMAN TUCKER: I'd like to call this meeting to order, and we are first going to start with the pledge. (all recite the Pledge of Allegiance)

Good morning. We're here today to start our meeting.

And before we get started with our meeting, I'd just like to say it's an honor and pleasure for me to come down every year that I'm able to make it to spend time with you and share information that we've been doing in our Military and Veterans' Affairs Committee, and hear from you to see what issues that you have that we may not have gotten around to yet. But we're willing to hear whatever complaints, whatever issues that you think are necessary, or what we can do together to create bills and laws that will successfully help maneuver whatever issues that you have.

We've always been an open Committee, and willing to listen to your concerns and willing to act on them so we can make things a better place for our veterans here in the State of New Jersey.

So at this time, we have one Bill today. And I guess you're lucky, because we only have one. (laughter)

And we're going to do the Bill; and then after we finish our Bill, we're going to open it up for some comments, or if you need to discuss

anything, or want to add to the comments for this particular Bill -- we're going to open it up.

I don't know if anybody signed up to speak. (confers with staff)

So we have two people; but then, after they speak, we'll open it up to everybody, because you might have some concerns that we haven't heard yet, or you want to make some comments on how we can do things better.

So at this time we're going to start with our Bill.

We're going to do a roll call.

MS. PINO MURPHY (Committee Aide): Assemblyman McClellan.

ASSEMBLYMAN McCLELLAN: Here.

MS. PINO MURPHY: Assemblywoman Gove.

ASSEMBLYWOMAN GOVE: Here.

MS. PINO MURPHY: Assemblyman Armato.

ASSEMBLYMAN ARMATO: Here.

MS. PINO MURPHY: Assemblyman Danielsen is absent.

Vice Chairman DeAngelo.

ASSEMBLYMAN WAYNE P. DeANGELO (Vice Chair):
Here.

MS. PINO MURPHY: And Chairwoman Tucker.

ASSEMBLYWOMAN TUCKER: Here.

MS. PINO MURPHY: We have a quorum.

ASSEMBLYWOMAN TUCKER: Okay.

At this time, we're going to do our Bill, A-5784.

MS. PINO MURPHY: Bill A-5784: 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 file a confidential complaint of sexual harassment with the Coordinator alleging that a service member committed the offense; participate in the United States Department of Defense *Catch a Serial Offender Program*; receive notice if the accused service member is subsequently accused of an offense of sexual assault by a service member or any other person; and 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 the policies and procedures implemented by the Coordinator and the Adjutant General in response to incidents of sexual assault; 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; an analysis of the number of sexual assaults involving members of the New Jersey National Guard; deficiencies in the Department's sexual assault prevention training; and 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.

ASSEMBLYWOMAN TUCKER: Thank you.

We have two speakers who are in favor, so we're going to start with our speakers.

We have Barbara Hagemann, VFW, in favor.

BARBARA KIM - HAGEMANN: Thank you.

Good morning.

I am Barbara Kim-Hagemann, a U.S. Army Gulf War Veteran, and a Past State Commander of the Veterans of Foreign Wars.

Thank you, Chairwoman Tucker and Committee members, for allowing me to be here today.

I served during a time in the military when sexual harassment policies were either non-existent or ignored, rapes were hidden under the

carpet, and women veterans found the Veterans Administration wholly unprepared or unwilling to address women's medical issues.

Times have changed; and as a long-time veterans' advocate, I had a front row seat in seeing the vision of the women who served before me -- the pioneers of World War II, Korea, Vietnam, who paved the way for women in military service today -- become reality.

I have two personal stories that touch people right here in this room.

The first is a rape of a female Marine, which occurred on Camp Lejeune, North Carolina. She was so convinced that the authorities on the base would not investigate her complaint that she drove to New Jersey to report the crime to a local New Jersey police detective, also a Marine, who her family trusted. This detective, along with investigators from Earle Naval Station here in New Jersey, were able to successfully prosecute the fellow Marine who beat and raped her. That detective is in this room today.

The second tragic incident involves the cousin of one of our incoming Post Commanders, who is here with us today.

Selena Roth, a recently medically discharged veteran, was murdered on base at Schofield Barracks in Hawaii by her estranged husband. Her prior experience inspired her to fight for the rights of female active-duty members against domestic violence and military sexual trauma in the military. The military failed to protect her while on active duty, and failed to protect her while she was on the base.

The creation of a Sexual Assault Prevention and Response Program, along with the appointment a Sexual Assault Response Coordinator, is long overdue. It is important that the Program and

Coordinator shall exercise the authority granted under this section independently from the chain of command within the Department. This ensures command influence does not hinder the investigation or the protection of the victim.

I respectfully request that this Bill move out of this Committee with a unanimous “yes” vote.

Thank you.

ASSEMBLYWOMAN TUCKER: Our next speaker is Lucy Del Gaudio, New Jersey SOS Veteran Stakeholders, and the Minority Veterans of America.

Lucy del Gaudio.

LUCY DEL GAUDIO: Good morning.

Good morning, Chairwoman Tucker, Vice Chairman DeAngelo, and distinguished members of the Committee.

My name is Lucy Del Gaudio. I am a United States Army veteran, a prominent advocate in the military and veteran community, and a part of a coalition made up of thousands of women and gender-diverse veterans who are seeking equitable justice and systemic change.

I served honorably, from 1990 to 1998, in both active and Reserve components; and I continue to serve my siblings-in-arms through advocacy work primarily through my roles in the Minority Veterans of America, and as Co-Chair of the New Jersey SOS Veteran Stakeholders Women’s Subcommittee.

I advocate for survivors of military sexual crimes that predominately include those who experienced sexual harassment,

discrimination, assault during their military service, or while accessing due and necessary services within State and Federal VA systems.

Thank you for inviting me to contribute to this important and necessary work that we are doing to address sexual violence.

I was born and raised in Union City to Cuban-Puerto Rican parents. After my father passed away in 1989, my mother could not afford to send two daughters to college. Acutely aware of the strife my mother was going through, I followed my brother's footsteps and I joined the Army.

My intention in going in was not to attain an education through MOS training or the GI Bill; I wanted to be a career soldier. For a bulk of the minority veteran community, military service is a way to break that historic and systemic cycle of poverty. I am just one of many within my community who followed this similar path.

I am here today as a representative, with the knowledge that many of them have never, and will never have an opportunity to hold the space that I have today.

As was true as a young enlistee, the rose-colored glasses that I metaphorically wore to basic training were quickly knocked off. Racial slurs and sexual innuendos were tossed throughout the berthing and workspace as if they were fundamental training tools. And everyone around me seemed to be okay with it. When I shared my discomfort, I was either met with retaliatory, remedial training or told that my experience was just "part of the military culture," a cost of entry to join an elite and exclusive fraternity.

I first became a survivor of sexual violence at the hands of a higher-ranking NCO within my chain of command after reporting to my first overseas duty. After gathering the necessary courage, I pursued the only

available remedy: reporting my assault to my chain of command. Nothing was done to hold my abuser and my attacker accountable. In fact, the response was centered on my attacker's career and *his* personal livelihood, with not even a glance towards how this experience has and continues to impact me and my life.

When looking to pursue alternative measures for recourse, I was gaslit and reminded that nobody would ever believe a soldier like me.

I was a highly motivated soldier. I was incredibly good at my job. However, this experience, understandably, subdued any desire I had to make a career out of my selfless service. I found that my disposition, both in and out of uniform, was no longer highlighting and prioritizing my identity as a soldier. I was silenced at best, and most criminalized by my identity and my experience.

The Army is a system that I voluntarily joined, believing that I was safe and that I was welcome. But because of one person, I am here today to speak up, finally, and reclaim my service and my identity. Because I have siblings-in-arms who are experiencing the same violence that I experienced and are navigating the same broken system that I did 20 years ago. This is shameful.

I want to applaud Chairwoman Tucker and Assemblywomen Gove, Chaparro, and Dunn's introduction of A-5784. The creation of a Sexual Assault Prevention and Response Program, and a designated Coordinator within the Department of Military and Veterans Affairs, are the first steps towards equitable justice and rebuilding the lost trust and confidence of our veteran survivors. Removing the only available reporting mechanism from the survivors' chain of command, and allowing for informed

confidentiality will help to ensure future survivors are heard, are not gaslit, and are free to advocate for themselves without fear of retaliation. This Bill creates a voice for thousands like me, and will serve to ensure accountability is maintained alongside a stronger and more comprehensive training and prevention development.

Supporting and protecting our in-state and veteran survivors should be a bipartisan concern. The State of New Jersey has long been a model for neighboring states of how to effectively advocate in our in-state military and veteran communities. We remain in the forefront, and are taking enormous steps in the right direction.

Thank you for the time. Thank you for all the work you're all doing, and I'm happy to answer any questions if anybody has any.

And thank you very much. (applause)

ASSEMBLYWOMAN TUCKER: And now I'm going to open up the floor for anyone else who has any comments or who would like to speak on this particular Bill.

You're perfectly welcome. Don't feel afraid or ashamed; it's open, and we hear -- we listen to what you have to say, so we can be better lawmakers to make sure that the things that you're interested in, and the things that you want to happen, can happen.

So if you have anything to say on this particular Bill, please step forward; and we're willing to listen to you because that's why we're here -- to listen to you.

L U D D I E H. A U S T I N: (off mike) Good morning.

Luddie Austin, Senior Vice Commander, Department of New Jersey; also the father of Corporal Amanda Austin, who is currently serving at (indiscernible).

Often I've told my daughter (indiscernible) she's going to be stationed at. And as a former police officer, (indiscernible).

But I'm proud to say (indiscernible), so thank you for presenting this Bill, and (indiscernible) and this Bill passes at the Federal level, she can say, "I'm from New Jersey, and we passed this Bill in New Jersey (indiscernible)."

Thank you. (applause)

ASSEMBLYWOMAN TUCKER: You're welcome.

Anyone else? (no response)

Now we're going to go to our Committee.

We're going to have Assemblywoman DiAnne Gove come up.

ASSEMBLYWOMAN GOVE: Thank you.

Can you all hear me? (affirmative responses) Okay? I taught high school for 37-some years, so I think I have a bellowing voice.

But anyhow, first of all, thank you all for your service to this country. You have given your -- well, not your life; you're here -- you've given yourselves to preserve democracy, freedoms. And I can't thank you enough. And as you know, some of your friends have given their ultimate.

So I thank you for serving; I thank your families for allowing you, for being supportive of you. And I can't thank you enough.

As a daughter of a World War II veteran, I know how important it is. I've been-- He was a VFW member; my dad served in the Pacific on a destroyer. And I'm very proud that he served, very proud; he was very proud

until the day he passed. And I'm proud that he instilled all this in both my two brothers and myself.

So thank you all for what you've done.

I want to also thank Barbara and Lucy who had the initiative, had the, really, strength to come up here and advocate for all those individuals who have been sexually abused. And hopefully we can prevent this. Thank you for your advocacy; thank you for your frankness, Lucy, for your personal experiences. It's not easy standing up here, sharing some very, very vulnerable instances.

And I'm very proud to be part of this Bill with Chairwoman Tucker.

And as women play a larger, increasingly active and more prominent role in our armed forces, it is incumbent on the State to ensure that comprehensive and effective policies are put into effect to prevent sexual assault and, equally important, protect victims of such unspeakable crimes.

The provisions of this legislation scheduled to be heard -- or, actually, have been heard today -- lay the foundation for prevention and protection services, with a clear understanding that sexual assault is a serious and pressing issue that requires an immediate policy response. This would be accomplished by, first, the appointing of a Sexual Assault Coordinator by the Adjunct General of the New Jersey Department of Military Affairs. And, I must note, I'm sure you know that the individual currently serving as the Adjutant General is a woman, Colonel Lisa J. Hou. (applause)

That's wonderful.

The Prevention and Response Program proposed under the legislation would offer victims an array of services which they would be

advised of by the Program Coordinator. And as you've heard from both Barbara and Lucy, somebody who they can go to. This includes, but is not limited to, receiving appropriate responsive care, having the option of filing a confidential complaint, and being notified of eligibility for compensation from the Victims of Crimes Compensation Office.

Consistent with the actions of this Committee, as led by Chairwoman Tucker, this legislation is a bipartisan effort, and I am very proud to be a prime sponsor.

I know that my fellow Committee members share my confidence in the New Jersey Department of Military and Veterans Affairs to carry out the responsibilities as provided under the legislation. Sexual assault prevention and caring for victims are consistent with the Department's long-standing and accomplished record of carrying out its core mission to serve our veterans and their families.

And, just a little note, a little celebration -- what's today? June 17? Well, June 12 was celebrated as Women Veterans Appreciation Day in New Jersey. Thank you all women who have served, or are currently serving. Thank you.

And thank you, Chairwoman Tucker, for asking me to be on this very, very significant bipartisan legislation. And I'm hoping we're going to be able to move forward with this.

So thank you. (applause)

ASSEMBLYWOMAN TUCKER: As we move forward, I'm going to ask my Assembly colleagues if they have any -- anything they would like to say on this particular Bill.

ASSEMBLYMAN ARMATO: Thank you, Chairwoman.

Good morning, everyone.

ALL: Good morning.

ASSEMBLYMAN ARMATO: And first and foremost, thank you for your service.

I am a proud veteran of the United States Air Force; a proud son of a father who served in World War II. Two of my uncles served in World War II, my cousin served in Korea. Both of my brothers-in-law were in the military, one of them serving in combat in Vietnam.

But first I'd like to thank the sponsors -- Chairwoman Tucker, Assemblywoman Gove, and Assemblywoman Chaparro -- for introducing this bipartisan Bill that we heard today.

We've heard of tragic cases, like this horrific death of Specialist Vanessa Guillén, that could possibly have been prevented with the Sexual Assault Prevention and Response Program in DMAVA. I am happy to see this step taken today, and that is the reason that I am voting "yes" on this Bill today.

Once again, thank you all for your service. (applause)

ASSEMBLYWOMAN TUCKER: Okay, so can I get a motion, please?

ASSEMBLYMAN DeANGELO: Madam Chair, I'd like to move to release Assembly Bill 5784.

ASSEMBLYWOMAN TUCKER: Can I get a second?

ASSEMBLYMAN McCLELLAN: Second.

ASSEMBLYWOMAN TUCKER: Can I get a roll call?

MS. PINO MURPHY: On the motion to release A-5784, Assemblyman McClellan.

ASSEMBLYMAN McCLELLAN: Yes.

MS. PINO MURPHY: Assemblywoman Gove.

ASSEMBLYWOMAN GOVE: Yes.

MS. PINO MURPHY: Assemblyman Armato.

ASSEMBLYMAN ARMATO: Yes.

MS. PINO MURPHY: Vice Chairman DeAngelo.

ASSEMBLYMAN DeANGELO: Yes.

MS. PINO MURPHY: Chairwoman Tucker.

ASSEMBLYWOMAN TUCKER: Yes.

MS. PINO MURPHY: The Bill passes.

Concerning the post-meeting reporting process for today's meeting, Assembly Rule 10:16 requires members to confirm their votes by signing the vote record for the bills or resolutions being reported by the Committee.

Because current circumstances do not allow members to sign these vote records, an authorized waiver of the rule has been obtained and a new procedure is being used.

The Office of Legislative Services Committee staff will transmit the vote records to each member and to the Majority and Minority Committee aides. OLS asks that the members review the vote records within 24 hours and notify the OLS Committee staff regarding any corrections that are required to the records. If OLS staff does not receive a notification for a vote correction from a member, OLS will conclude that no correction is required and the original recorded vote will remain in place.

ASSEMBLYWOMAN TUCKER: Thank you so much.

And I'd just like to say that the Military and Veterans' Affairs Committee -- though we might be Democrats or Republicans, we're nonpartisan when it comes to our veteran issues. And we always work together in concern and connection with all the military organizations. And we work with pride with what we do, in honor of this Committee.

And I just wanted to let you know that sometimes it may not seem like-- When you come to a meeting, it's short and brief. But it doesn't take all day and all night to figure out what we need to do for the veterans here in the State of New Jersey.

I've been on the Military and Veterans' Committee since 2008. I first came in as the Vice Chair, and then took the position of Chair. And it's never been such an honor for me to be a part of this Committee. Because when I was elected in 2008, I didn't know what committees I wanted to be on. And they give you a slip of paper when you come in, and they ask you to check off committees you'd like to be on. And I checked the Military and Veterans' Affairs and Human Services because I wanted to be of service to the people. And my husband was a veteran, and I had veterans who were in my family. And I just thought that, though I'm not a veteran, that I could still offer and do things in the community and in the State of New Jersey to help the veterans.

And this Bill today is just a statement of some of things that we've been doing in the Military and Veterans' Affairs Committee. We have a long list of accomplishments -- bills that came out of this Committee and were voted on. And the most recent bill that came out of this Committee that was voted on was to give all veterans the veterans' -- to amend the bill to say a vet is a vet in the State of New Jersey.

So I'd just like to say that we're honored to be a part of this Committee, we work hard in this Committee to serve our men and women, and we're going to continue to do so.

This Bill today just shows you that we're not picking and choosing the bills that we bring forth to you. Because these issues, with women and men who are being assaulted in our services -- it's just a horrific thing. And we had to step up to say we need an advocate to work hard to service our men and women because we know the process -- it sometimes doesn't-- You don't get the best attention that you should get when you file a complaint. So we just want to make sure that everything we do is above board, and to make sure that the State of New Jersey hears what our veterans are saying, and can file an issue without being afraid to step up and say, "Yes, I've had issues; yes, I've been abused; yes, I've been assaulted."

So as we close this session of the Military and Veterans' Affairs Committee, we're going to-- And I'm so thankful that we were able to come here today and vote on this particular Bill.

And now that we have this particular issue done, we're going to open it up and if you have any other issues that you'd like to address with our Committee today, you can come up to the mic. And we have someone taking notes, and maybe you might have something -- a bill that you'd like to see done out of this Committee.

So if you have any issues, or any complaints that you'd like to speak on today, you can come up to the mic and we'll gladly listen.

DAVID ROSENAK: I'm David Rosenak, Post Adjutant of 9503.

I know that this is not a State responsibility, but there are more veterans in Ocean County than in any other county in New Jersey, and there

is no medical center for us. We either have to go to Philadelphia or to East Orange. We have the clinic in Brick, and we're thankful for that. But I would encourage you, in whatever way you can, to work with Congressman Kim and others on this issue.

Thank you.

ASSEMBLYWOMAN TUCKER: Thank you so much.

We're making notes on everything, so we can address this at our next Committee hearing.

G E O R G H A M B A C H: I'm Georg Hambach. I'm the District Commander for District 19, which is Hunterdon County in the northwest part of the state; up in Warren also.

We also, as this last gentleman mentioned, do not have a veterans' center up there. And it's very difficult for our veterans to travel to East Orange or one of the vet facilities far away. So they have to arrange for rides. Sometimes they can't do it, especially in the winter.

So we need a veterans' center in northwest New Jersey, if you could help with that.

Thank you.

M I N N I E H I L L E R - C O U S I N S: Good morning.

I am the District Commander for District 1; and I am a proud member of Albert Lawson Post 10117 in Passaic, New Jersey.

First of all, I'd like to thank you for the Bill that was just passed. Being a veteran and serving for 33 years, I've seen more than my share of people who were closed down, and in the dark, and refusing to talk about what took place.

In order to arrive as a First Sergeant, it took me longer than it should. I had more college than my commander. I had a master's degree in counseling. But I refused to sleep with someone; I refused to bow down to someone. So it took me 10 years to get to the rank that I should have been. And that's okay, because I received that rank the honest way.

I stand here today because as the Deputy Mayor -- stepping into another hat -- for Passaic, under Veterans Affairs, I have no problem. But in my District, I've been told that there are mayors who will not let the poppies be outside the grocery stores. They will not let a veteran in, on Memorial Day; or for history -- which is part of what they're learning -- they won't let them into the schools.

I have been told by my colleagues that things are getting really tough in the towns in the northern part of New Jersey.

So I beg you today -- because I know you meet with the mayors in different and various towns -- when you meet, tell them to let our veterans serve as they've been serving for many, many years.

Thank you. (applause)

BILL DAVENPORT: Good morning.

My name is Bill Davenport. I'm the Senior Vice Commander of North Wildwood 5941, VFW.

I'm a veterans' advocate in the legal system. Currently, New Jersey has veterans' diversionary courts. I request that you look at and maybe consider upgrading to what most other states have -- that have a veterans' court. The big difference between veterans' diversionary courts and veterans' courts are, in diversionary courts the prosecutor is the key person. That's the person who originally brought the charges against the veteran.

In a veterans' court system, the judge is the overseer of the program; and that's the big difference. And there are many other differences.

I've been training as the veterans' diversionary court mentor. Of course, it's been over a year ago, and the State, being shut down, nothing's happened. The courts are shut down, DMAVA is kind of shut down. But we need to upgrade from diversionary court, which was passed several years ago. And it's a (indiscernible) version of what should happen. Veterans should get the full benefit of the courts. And the other big benefit is, with the veterans' court -- once the VA is brought into it, the Federal government picks up a lot of the charges and lessens them for the State. Now, with the veterans' diversionary court, the VA is called in, but they're not going to provide any money because New Jersey says, "We want to do it all." And I think the veterans' court, like in every other state that has it-- And nearby, in Philadelphia, there is a judge, Judge Dugan, who runs the veterans' court in the City of Philadelphia, who could give the State a lot of good advice on how to run a veterans' court. And it should really be upgraded to a veterans' court, and not just a diversionary program.

Thank you. (applause)

L E N N Y H E N N I G: Good morning.

My name is Lenny Hennig; I'm Commander of Teaneck Post 1429 in Teaneck, New Jersey.

I'm here to talk about the VA.

I go to the clinic in Hackensack, and I also go to East Orange. I belong to a group of 13 people who were in Vietnam, combat veterans, at the same time period, but we all did different jobs.

And we all came back, and we slithered back into society, and we still have PTSD.

We have not been able to meet for two years. We usually meet every Wednesday at 3 o'clock. We've not been able to get into the building. They have three computer systems in the conference room where we meet; nobody knows how to use them.

The only way that we've been meeting for the past year is that I got a Zoom account in my own name, and the 13 of us -- well, there's only 11 now, because two passed away, and we're putting them on the virtual wall down in Washington -- use my Zoom account to meet. The interesting part about that is, we invited the psychiatrist to come on, and she did; she wanted to. After we have a meeting with her, she puts the notes into the system, and it shows that we attended *their* meeting at *their* location. For a year we got postcards saying that we were invited to a meeting held by them that never materialized.

We need better service. I can't understand why I had to get a Zoom account so that 13 people could meet on my Zoom, and I couldn't do it through the VA.

We need your help.

Thank you. (applause)

ASSEMBLYWOMAN TUCKER: Is there anyone else? (no response)

Well, we want to thank everybody who came up and participated in the meeting today. We made a list of your concerns, and we'll be meeting to see what we can do to address some of your concerns.

And at this time, I'd like to adjourn the meeting, and turn it back over to Bill Thomson.

Thank you very much for coming out. (applause)

MR. THOMSON: Hold in place.

Thank you.

For those of you here, we appreciate your attendance. I'm not sure sometimes, when you go through an event, you understand the historic nature of it.

This doesn't happen very often. In fact, the Assembly has-- This Committee has only met outside of Trenton on one other occasion, our 100th anniversary -- that Chairwoman Cleopatra Tucker and her Committee gave us the opportunity to be part of that historic event.

Madam Chairwoman, we also, as part of this historic event, have a first-time award to present to you. This award has never been awarded before by the Veterans of Foreign Wars, and so we are going to do it today.

And to do the presentation, I call Ken Hagemann.

K E N H A G E M A N N: Thank you, sir. (applause)

Good morning, comrades.

I'm privileged and honored to present the first-ever Veterans of Foreign Wars, Department of New Jersey, Distinguished Legislator Award.

Assemblywoman Cleopatra Tucker is a graduate of Miles College and Tennessee State University. She was elected to the New Jersey State Assembly in 2008; and is the Chair of the Military and Veterans' Affairs Committee, and a member of both the Appropriations and Human Services Committees.

As you well know, New Jersey is the only state that classifies veteran service into separate categories, thereby denying some veterans State benefits. For decades, the Veterans of Foreign Wars, and other veteran service organizations, fought for *a vet is a vet* legislation. I see a lot of people shaking their heads, because they're the ones who started it 20, 30 years ago.

There have been many hurdles and roadblocks along the way, mostly bureaucrats saying, "It's too expensive," or, "It will never happen, because we'd have to change the State Constitution."

As the fight dragged on in Trenton for many years, a lot of people quit. And in the end, there were only two left standing: the Veterans of Foreign Wars and Assemblywoman Tucker. And last year, working together, we changed the Constitution -- something that everybody said was impossible -- and we improved the lives of tens of thousands of veterans.

When it comes to veteran and troop suicide or family bereavement counseling, it is Assemblywoman Tucker who pushed VFW-sponsored legislation that will save lives and improve mental health.

When our comrades, their spouses, and Gold Star parents were dying in unprecedented numbers in our veteran memorial homes, it was Assemblywoman Tucker who first called us wanting to work with us to correct the situation. Subsequent investigations revealed that the State denied our comrades, and I quote from the U.S. Department of Health report, "a dignified existence."

We've worked together since then, sometimes against great odds and opposition. And her Committee has moved the legislation which will bring transparency, vastly improved management, and oversight to the

homes. I have to say we also worked with Colonel Hou on these issues, and she was instrumental in improving the lives of our fellow comrades.

Assemblywoman Tucker's hard work and legislation will definitely improve the wellbeing of our comrades in those homes and, more importantly, ensure them a dignified existence.

Her dedication to New Jersey's veterans is second to none and is deserving of our recognition and praise. And I'm honored, on behalf of the Commander and our members of our great organization, to present this first-ever Distinguished Legislator Award to our friend, Cleopatra Tucker. (applause)

ASSEMBLYWOMAN TUCKER: Thank you so much for the award.

You know, when you start working at your different positions and being part of the Military and Veterans' Affairs -- I was just so honored to have a position where I would be able to help. And I always try to do my very best to make sure that our Military and Veterans' Affairs Committee is always a number one Committee and stay on top of the issues.

And I'd just like to say thank you so much. I really appreciate it, and my Committee appreciates it as well, because we know that we want to do the best jobs we can do to service our veterans. And with your help, working with us, I'm sure that we're going to continue to work as hard as we can to make sure we can resolve not all the issues, but some of the issues that we addressed here today.

And I'd just like to thank Colonel Hou for her tremendous job on what she's doing in reference to the veterans' homes. This came as-- The pandemic was a shock to all of us. And she took over at a crucial time in this

particular situation. I just want to say thank you for working with us, and meeting, and giving us the right tools so we'll know what to do next. And this will, hopefully, not ever happen again because, you know, we're not used to things like what we had here in 2019, and still going on today.

So in order to be of better service to all the communities, we all have to work together to ensure that we can accomplish goals -- that things that we saw in the past won't happen in the future.

So I'd just like to thank the VFW for all their support; and Colonel Hou for her support, and all the efforts that she's been putting through since she's been in that position.

And I'd like to thank my Committee, because without this Committee we wouldn't be able to get anything done. And I'd just like to say I'm thankful for the Committee, as well as all of you who have served our country, whose families are still serving our country, because we appreciate you. Because without you serving our country, we wouldn't be here today. And we honor and salute all of the men and women who serve us in the military, past and present.

So thank you very much, and thank you again. (applause)

BRIAN WIENER: Again, I thank everybody for being here today.

This is a great experience -- for not only us, but for all of our members who attend this convention, to see how the wheels start rolling, and how they really work, and how things come to fruition here. I think it's important, and I'm very grateful, and I thank you all.

I would like to say that this will conclude the session of today's business session.

Tomorrow, I'd like to remind everybody, 0800 -- nominations and elections. Please be here, and be here on time.

Secondly, the VA van will be outside providing vaccinations, so please feel free to stop by.

Also, the Vet Center van-- When you exit here, please present yourself at the VA van and sign in. They need signatures from the veterans, from us.

And secondly, (Indiscernible) will be holding a barbecue at the Days Inn hotel. So please, you're all welcome to stop by, directly across the street, at the Days Inn, second floor.

Thank you all; the meeting is adjourned.

(MEETING CONCLUDED)