

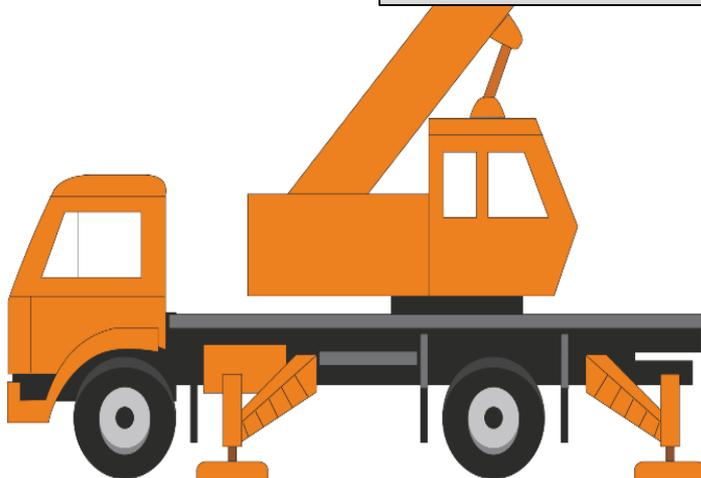


Victim Witness Assistance Program

"Compassion, Dignity, Respect"



**BUILDING AN EFFECTIVE
VICTIM WITNESS
ASSISTANCE PROGRAM**



**Presented by:
William Yables Jr.
Installation Victim Witness Liaison Officer
Marine Corps Air Station New River
(910) 449-7159
william.yables@usmc.mil**



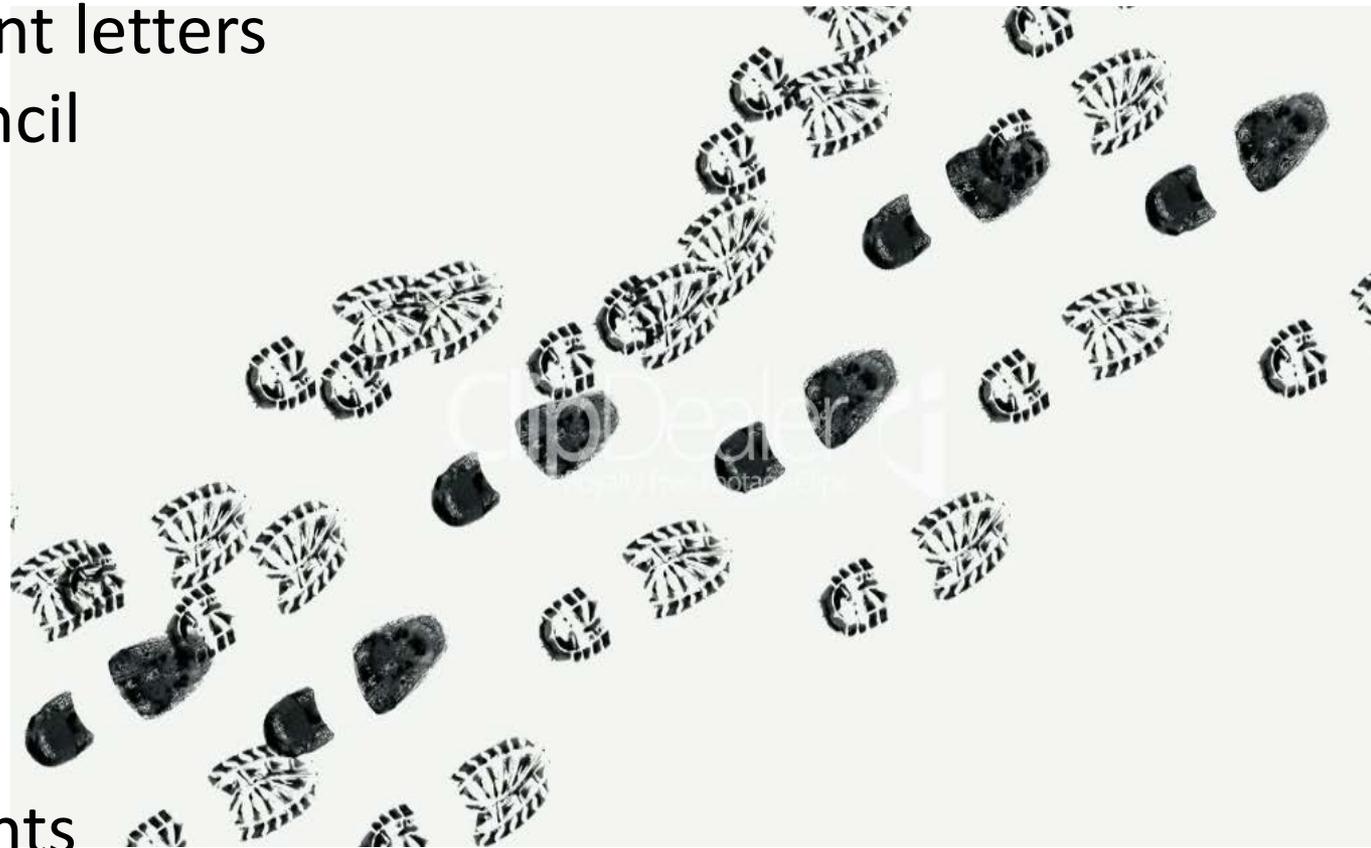
"I suppose you're all wondering why I've called you here. Oh, wait, there's an agenda. Never mind."



10 Steps to Success



- Appointment letters
- VWAP Council
- Training
- Website
- Report
- Tracking
- Forms
- Materials
- Inspections
- Requirements





Step 1: Appointment Letter



- Required to be an Officer, SNCO, or civilian member of the commander's staff of appropriate experience, temperament, and rank.
- Letter needs to have the following: Name, title (Legal Officer), duty address (include building), and telephone number.
- Forward a copy of the signed appointment letter and the receiving endorsement to the VWLO or RVWLO within 5 days.
- Maintain appointment letter for current year plus two years with your SOP / files.
- Remember that you can't be a UVA!



Step 2: VWAP Council



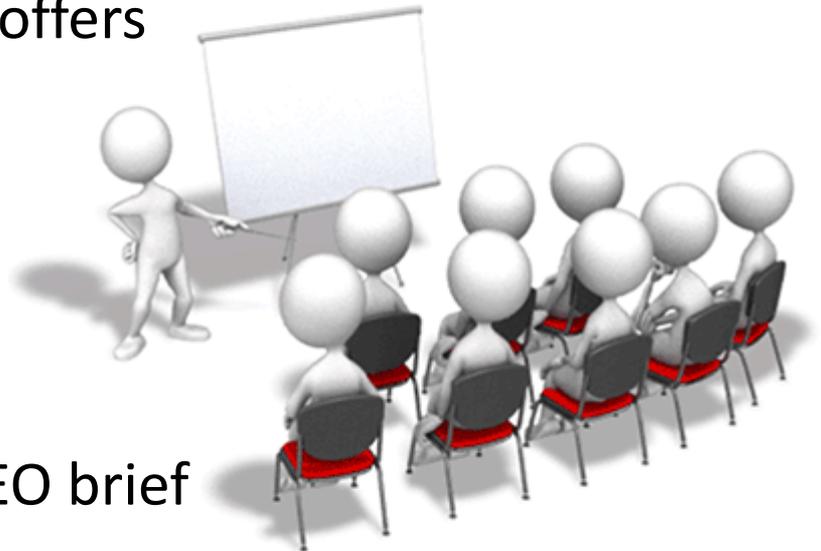
- Hold quarterly meetings and setup your meetings for an entire year in advance.
- Conduct training with your council meeting.
- Update VWAP Council roster as needed.
 - Publish the roster on your website.
 - Ensure all members of command and service providers have access to this roster.
 - Provide a copy with your annual training.
- Main focus of the council is on services and the manner in which they are provided.



Step 3: Training



- Annually train on the following:
 - What are victim and witnesses rights
 - State compensation program
 - Article 139 complaints
 - Personal Claims Act
 - Transitional Compensation for Abused Family Members
 - What each service provider offers
- At council meetings:
 - VWAC 101
 - Military Justice 101
 - Military Protection Order
 - Inspection
 - Service providers brief and EO brief





Step 4: Website



- Ensure you have all required documents.
 - At a minimum, a current directory of installation VWAP personnel, military and civilian programs and services providing counseling, treatment, crime victim compensation funds and other victim support services within the geographic area of the installation
- Update as needed.
- Encourage everyone to use it.
- SharePoint is another great option as well.

Website



Step 5: Reports



- Prepare DD Form 2706 and submit within 5 days after the end of the quarter.
- Maintain tracker, report and email for current year plus two years with your SOP or files.
- R/VWLO's – maintain your tracker, plus all reports submitted to you.





Step 6: Tracker



- Have a written process on how you are going to track who received DD Forms 2701-2703 and elect notification via DD Form 2704.
- *Key for 2701: “...if one has not already been provided.”*

| Week ending | 2701 | | 2702 | | 2703 | | 2704 | |
|---|---------------|-----------|---------------|-----------|---------------|-----------|---------------|-----------|
| | Crime Victims | Witnesses |
| 10/13/18 | | | | | | | | |
| 10/20/18 | | | | | | | | |
| 10/27/18 | | | | | | | | |
| 11/3/18 | | | | | | | | |
| 11/10/18 | | | | | | | | |
| 11/17/18 | | | | | | | | |
| 11/24/18 | | | | | | | | |
| 12/1/18 | | | | | | | | |
| 12/1/18 | | | | | | | | |
| 12/8/18 | | | | | | | | |
| 12/15/18 | | | | | | | | |
| 12/22/18 | | | | | | | | |
| 12/29/18 | | | | | | | | |
| Submit 4th Qtr report to VWLO by 4 Jan 2019 | | | | | | | | |



Step 7: FORMS



- Forms need to be completely filled out and ready to be handed out at any moment.
- Forms do not replace genuine service and support.

DEPARTMENT OF DEFENSE



INITIAL INFORMATION FOR VICTIMS AND WITNESSES OF CRIME

DD FORM 2701, MAR 2016

Previous edition is obsolete. Addre Professional X

DEPARTMENT OF DEFENSE



COURT-MARTIAL INFORMATION FOR VICTIMS AND WITNESSES OF CRIME

DD FORM 2702, MAR 2016

Previous edition is obsolete. Addre Professional X

DEPARTMENT OF DEFENSE



POST-TRIAL INFORMATION FOR VICTIMS AND WITNESSES OF CRIME

DD FORM 2704, MAR 2013

Previous edition is obsolete. Addre Professional X

VICTIMWITNESS CERTIFICATION AND ELECTION CONCERNING PRISONER STATUS

PRIVACY ACT STATEMENT

AUTHORITY: 42 U.S.C. 10007 et seq.; 18 U.S.C. 1512 et seq.; DoD 1325.07; DoD 1030.2; and DoD 1030.1

PRINCIPAL PURPOSE(S): To inform victims and witnesses of their position rights; to determine whether the victim or witness of a crime wishes to be notified of changes in the confinement status of a convicted criminal offender; and to record the election by the victim or witness of their desire to be notified about subsequent changes in prisoner status.

ROUTINE USES: None.

DISCLOSURE: Security Reviewers: Agree to provide identifying information will prevent the operational facility from notifying victim or witness of changes in a criminal offender's status.

SECTION 1 - ADMINISTRATIVE INFORMATION

Incident Number: _____

Location: MCAS NEW RIVER, City JACKSONVILLE, State NC, ZIP Code 28345

Court-martial case of United States v. _____ (Print Name of Accused (Last, First, Middle Initial)) Social Security Number (last 4 digits) _____

Composed by: _____ (Print Name of Trial Counsel or Designee) Court-martial Concerning Other Number, Date, and Issuing Command: _____

SECTION 2 - CERTIFICATION OF NO VICTIM(S) OR WITNESSES

I certify that this case does not involve a victim or witness entitled to receive information about the confinement status of the defendant as required by 42 U.S.C. 10007 et seq., and U.S.C. 3771 et seq.

Date (YYYYMMDD): _____ Signature of Trial Counsel or Designee: _____ Type Name (Last, First, Middle Initial): _____

Grade and Title: _____ Telephone Number (include area code): _____

IF THERE ARE NO VICTIM(S) OR WITNESSES, STOP HERE AND SKIP TO SECTION 4.

SECTION 3 - CERTIFICATION OF ADVICE TO VICTIM(S) AND WITNESSES

I certify that on this date I personally notified the victim(s) and witness(es) in the above-named court-martial case that included a sentence to confinement, of their right under 42 U.S.C. 10007 et seq., and U.S.C. 3771 et seq., to receive information about the status of the prisoner named in Section 1 of this form, to include length of sentence, anticipated earliest release date, likely place of confinement, the possibility of transfer, and the right to receive notification of a new place of confinement. I advised of the possibility of parole or clemency with an explanation of these terms. Additionally, I advised of the right to prior notification of the prisoner's parole hearings, release from confinement, escape and death. I advised the victim(s) and witness(es) that to receive notification of the prisoner's transfer, parole hearings, and release confinement, the victim or witness MUST PROVIDE THE INFORMATION REQUIRED ON PAGE 2 OF THIS FORM. I advise all victim(s) and witness(es) that if they elect to terminate or reinitiate notifications, or if they change their address, they must contact the Military Service Center Repository listed in Section 4. When a Victim or Witness is not present to initial box 4 (on page 2 of this form) the Trial Counsel or Designee shall contact the Victim or Witness in order to determine their election choice (Yes or No). Once verified, the Trial Counsel or Designee shall initial box 4 indicating and explaining the Victim's or Witness's election choice.

Date (YYYYMMDD): _____ Signature of Trial Counsel or Designee: _____ Type Name (Last, First, Middle Initial): _____

Grade and Title: _____ Telephone Number (include area code): _____

SECTION 4 - DISTRIBUTION

| | | |
|---|--|--|
| 1. MILITARY SERVICE CENTRAL REPOSITORY CNC-BQ 1310C 2 NAVY ADDRESS (PIL CORRECTIONS) RM 3113 WASHINGTON, DC 20366-1715 CONSN (703) 814-1491 | 2. LAW ENFORCEMENT/SPECIAL INVESTIGATION | 3. CORRECTIONAL FACILITY BREG COMPANY (BQPSTN) PSC BOX 20149 CAND LEVINE, NC 28543 COMM (910) 471-1338 |
|---|--|--|

DD FORM 2704, MAR 2013

PREVIOUS EDITION IS OBSOLETE. Page 1 of 3 Pages

ANNUAL REPORT ON VICTIM AND WITNESS ASSISTANCE

REPORT CONTROL SYMBOL: DD-FAR(A)1952

This report summarizes delivery of services to victims and witnesses as prescribed by the Victim and Witness Protection Act of 1982 (18 USC 1512) and the Victim's Rights and Restitution Act of 1990 (42 USC 10051-10057). It is submitted annually in accordance with DoD Instruction 1030.2.

| | |
|---------------------|-----------------------------------|
| 1. REPORTING OFFICE | 2. REPORTING PERIOD |
| | FROM: January 1, TO: December 31, |

| | | |
|---|-----------------------------|-------------------------|
| 3. DURING THE REPORTING PERIOD, OUR LAW ENFORCEMENT, SPECIAL INVESTIGATION, TRIAL COUNSEL, AND RELATED OFFICERS ASSISTED: | (1) NUMBER OF CRIME VICTIMS | (2) NUMBER OF WITNESSES |
| | | |

| | | |
|--|--|--|
| 4. DD FORM 2701 UPON INITIAL CONTACT (Number of crime victims and witnesses informed of their rights to assistance.) | | |
| | | |

| | | |
|--|--|--|
| 5. DD FORM 2702 UPON REFERRAL TO COURT-MARTIAL (Crime victims informed of their consultation rights in court-martial.) | | |
| | | |

| | | |
|--|--|--|
| 6. DD FORM 2703 UPON SENTENCING TO CONFINEMENT (Number of crime victims and witnesses informed of their right to be notified of changes in the prisoner's status in confinement (i.e., release, transfer, escape, parole, death).) | | |
| | | |

| | | |
|---|---------------------------------------|------------------------------------|
| 7. DD FORM 2704 (NUMBER OF VICTIMS WHO TO BE NOTIFIED OF CHANGES IN THE PRISONER'S STATUS (Number of crime victims and witnesses who elected to be notified of prisoner status changes).) | (1) NUMBER OF PRISONER STATUS CHANGES | (2) NUMBER OF NOTIFICATION LETTERS |
| | | |

| | | | | | |
|---|--|--|--|--|--|
| 8. DURING THIS REPORTING PERIOD, NOTIFICATION LETTERS WERE SENT FROM OUR CORRECTIONAL FACILITIES: | | | | | |
| DD FORM 2705 UPON STATUS CHANGE (Number of status changes that require notification items): | | | | | |

| | | | | | | |
|---|----------|----------|---------------|-------------|-----------------|-----------|
| 9. AS OF DECEMBER 31, OUR CORRECTIONAL FACILITIES CUMULATIVE REPORT OF TOTAL SERVICE PRISONERS THAT REQUIRE VICTIM AND WITNESS NOTIFICATIONS: | (1) ARMY | (2) NAVY | (3) AIR FORCE | (4) MARINES | (5) COAST GUARD | (6) OTHER |
| | | | | | | |

| | | |
|--|---------------|----------------------------|
| 10. DOD COMPONENT RESPONSIBLE OFFICIAL | 11. SIGNATURE | 12. DATE SIGNED (YYYYMMDD) |
| | | |

DD FORM 2706, MAR 2013

PREVIOUS EDITION IS OBSOLETE. Addre Professional X



Victim Witness Program

Four Phases of Assistance



| <i>Initial Contact</i> | <i>Investigation</i> | <i>Prosecution</i> | <i>Incarceration</i> |
|-------------------------------|-------------------------|--------------------------------------|---|
| Identify victim | Keep victim informed | Consult & provide notice proceedings | Provide confinement information |
| Provide information on rights | Protect from harassment | Secure waiting areas if desired | Provide notice of parole hearings/release |

DD Form 2701

Ensure that V/W have received and if not issue it!

DD Forms 2702/2703

TC will pass out 2702-4

DD Forms 2704/2705

Brig does the 2705



Pretrial / DD Form 2701



- DD Form 2701 provides initial rights advisement, discusses impact of various crimes, explains basic services and notifies V/W where to get further assistance.
- PMO, CID, or NCIS normally provide V/Ws with DD Form 2701.
 - Always double check to ensure they received it!
 - Trial Counsel, Victim Advocates, UVAs, VLC, Medical, Chaplain, VWACs and VWLO also issue 2701's.
 - Must ask who gave it to them and when (VWAP Intake Form and for LSSS's Case Management System)
- Add to VWAP tracker if necessary.





Military Trial Process / DD Form 2702



- Prosecution will provide DD Form 2702 upon first contact with victim or witness.
- DD Form 2702 explains military trial process, gives tips, and restates rights.
 - Includes rights regarding participating in trial process.
 - Also provides VWAP responsible official contact information and prosecutor contact information



Post Trial / DD Form 2703



- Prosecution provides victim or witness with DD Form 2703 upon the finding of guilty at a Special or General court-martial trial or VWAC/Summary court-martial officer for Summary court-martials.
 - Includes “Right to receive information about the conviction, sentencing, imprisonment, parole eligibility and release of the accused”
 - Provides Contact info for Service Central Repository (*CMC PSL (Corrections)*), Confinement Facility, Service Clemency and Parole Board and any other necessary agency/office
 - *From this point on, the V/Ws POC will be the confinement facility or the Service Central Repository listed on the back of this page.*



Post Trial / DD Form 2704



- At the conclusion of **every** court-martial wherein confinement is adjudged and approved, including SCM, the trial counsel shall complete a DD Form 2704 and provide copies to the confinement facility, victim and witnesses (if requested), and responsible VWAC.
 - Requires election by each V/W whether or not to receive information on confinement status.
 - Provided to victims and witnesses upon request (**redacted**)
- These forms (2701-4's) are **never included** in the ROT!
- The DD Form 2704 has personal info of victims and witnesses and **should not be shared!**

Incident number:

This is the blotter number, CID or NCIS case number.

Victim(s) or Witnesses certification

If CID or NCIS were involved in the case then you will need to add there address and phone number.

| VICTIM/WITNESS CERTIFICATION AND ELECTION CONCERNING PRISONER STATUS | | |
|--|---|---|
| PRIVACY ACT STATEMENT AUTHORITY: 42 U.S.C. 10607 et seq.; 18 U.S.C. 1512 et seq.; DoDI 1325.07; DoDI 1030.2; and DoDD 1030.1. PRINCIPAL PURPOSES: To inform victims and witnesses of their post-trial rights; to determine whether the victim or witness of a crime elects to be notified of changes in the confinement status of a convicted criminal offender; and to record the election by the victim or witness of their desire to be notified about subsequent changes in prisoner status. ROUTINE USES: None. DISCLOSURE: Voluntary; however, failure to provide identifying information will prevent the correctional facility from notifying victim or witness of changes in a criminal offender's status. | | |
| SECTION 1 - ADMINISTRATIVE INFORMATION | | |
| Incident Number _____ | | |
| Installation <u>MCAS NEW RIVER</u> City <u>JACKSONVILLE</u> State <u>NC</u> ZIP Code <u>28545</u> | | |
| Court-martial case of United States v. _____ <i>Print Name of Accused (Last, First, Middle Initial)</i> <i>Social Security Number (last 4 only)</i> | | |
| Convened by _____ <i>Court-Martial Convening Order Number, Date, and Issuing Command</i> | | |
| SECTION 2 - CERTIFICATION OF NO VICTIM(S) OR WITNESS(ES) | | |
| I certify that this case does not involve a victim or witness entitled to receive information about the confinement status of the defendant as required by 42 U.S.C. 10607 et seq., and U.S.C. 3771 et seq. | | |
| Date (YYYYMMDD) _____ Signature of Trial Counsel or Designee _____ Type Name (Last, First, Middle Initial) _____ | | |
| Grade and Title _____ Telephone Number (Include area code) _____ | | |
| IF THERE ARE NO VICTIM(S) OR WITNESS(ES), STOP HERE AND SKIP TO SECTION 4. | | |
| SECTION 3 - CERTIFICATION OF ADVICE TO VICTIM(S) AND WITNESS(ES) | | |
| I certify that on this date I personally notified the victim(s) and witness(es) in the above-named court-martial case that included a sentence to confinement, of their right under 42 U.S.C. 10607 et seq., and U.S.C. 3771 et seq., to receive information about the status of the prisoner named in Section 1 of this form, to include length of sentence, anticipated earliest release date, likely place of confinement, the possibility of transfer, and the right to receive notification of a new place of confinement. I advised of the possibility of parole or clemency with an explanation of these terms. Additionally, I advised of the right to prior notification of the prisoner's parole hearing, release from confinement, escape and death. I advised the victim(s) and witness(es) that to receive notification of the prisoner's transfer, parole hearings, and release confinement, the victim or witness MUST PROVIDE THE INFORMATION REQUIRED ON PAGE 2 OF THIS FORM. I advised all victim(s) and witness(es) that if they elect to terminate or reinstate notifications, or if they change their address, they must contact the Military Service Central Repository listed in Section 4. When a Victim or Witness is not present to initial box 4 (on page 2 of this form) the Trial Counsel or Designee shall contact the Victim or Witness in order to determine their election choice (Yes or No). Once verified, the Trial Counsel or Designee shall initial box 4 indicating and validating the Victim's or Witness's election choice. | | |
| Date (YYYYMMDD) _____ Signature of Trial Counsel or Designee _____ Type Name (Last, First, Middle Initial) _____ | | |
| Grade and Title _____ Telephone Number (Include area code) _____ | | |
| SECTION 4 - DISTRIBUTION | | |
| 1. MILITARY SERVICE CENTRAL REPOSITORY CMC HQ USMC 2 NAVY ANNEX (PSL CORRECTIONS RM 3312) WASHINGTON, DC 20380-1775 COMM: (703) 604-1480 | 2. LAW ENFORCEMENT/SPECIAL INVESTIGATION | 3. CORRECTIONAL FACILITY BRIG COMPANY HQSPTBN PSC BOX 20140 CAMP LEJEUNE, NC 28542 COMM (910) 451-1308 |



Post Trial Notifications & DD Form 2705



- Corrections personnel ensure notifications made to V or Ws listed on DD Form 2704 - **if requested.**
 - Clemency Eligibility
 - Parole Eligibility
 - Change in status – Parole/Clemency Approved, Released, Deceased, Escaped, Transferred, Work release

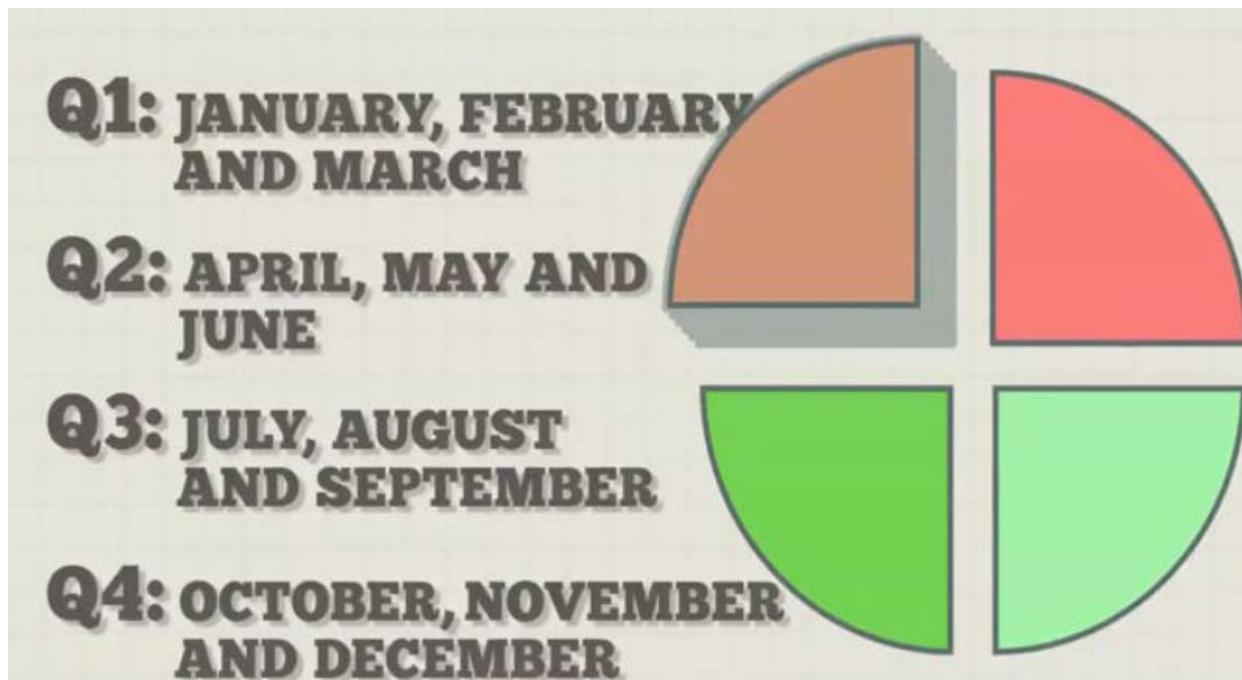




Reporting / DD Form 2706



- DoD has annual reporting; however, USMC requires quarterly reporting.
- Due by the 5th day following the each quarter





Step 8: Materials



Obtain and distribute relevant information?

- Information you receive from R/VWLO
- JAGALERT: Code 20 Sidebar
 - To subscribe, email: ojagmacrequest@navy.mil
- Create your own
 - VWAP Pamphlet



<http://www.newriver.marines.mil/Portals/17/Documents/VWAP%20Pamphlet%20FOR%20Installation.pptx>

- Keep your emails and attachments for inspection purposes.



Step 9: Inspections



- R/VWLO inspect your units and service providers yearly (*unofficial*)
- VWAC and service providers should request to be inspected from your VWLO (*unofficial*)
- Write processors for each and every question you are responsible for
- Maintain your inspection results for current year plus two years

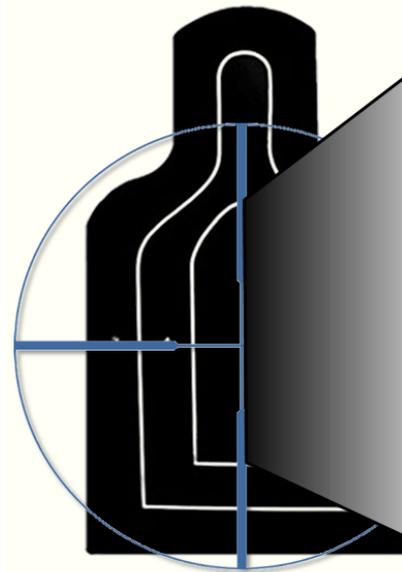


Inspections



- MCO 5800.14 Functional Area Checklist for VWAP
- The Marine Corps Standard for VWAP

The "Core"



Career Planning
Enlisted Promotion Process
Martial Arts Program
Performance Evaluation System
Military Awards
Request Mast
Hazing Prevention Response
Suicide Prevention Program
Voter Assistance Program
Sexual Assault Prevention & Response Program
Unit, Personal & Family Readiness Program
Separation and Retirement
Limited Duty
Unit Readiness
Casualty Affairs
Operations Security
Antiterrorism
Intel Oversight
Consumer Level Supply
Government Travel Charge Card Program
Defense Travel System
Marine Corps Safety Program
Postal Affairs
Records, Reports & Directives Management
Substance Abuse Program
Equal Opportunity Program
Information & Personal Security
Physical Security
Historical Program
Victim & Witness Assistance Program
Legal Administration
Health Service Support
Physical Fitness Program
Body Composition & Military Appearance Program



FILE MAINTAINS



- Recommendation:

- 6 Part folder/binder:

1. VWAP Tracker
2. Quarterly Reports (DD Form 2706)
3. Appointment letter
4. Annual Training with slides and rosters, emails and any materials that you obtain and distributed.
5. Copy of training certificates you have received
6. Inspection results



SSIC 5000-98 Administrative Records maintained in any agency office.
(VWAP)

OPEN 20190101
CLOSE 20191231

TEMP – 20230101 – DESTROY
SECNAV M-5210.1, CHAP. 5, PARA
5000-98 – Destroy when business use ceases. Per IVWLO retain for 3 years.



Step 10: Requirements



- Read the MCO 5800.14 and know your responsibilities.
- Know how to process an Article 139 claim and Personnel Claims Act (PCA).
- Know what your state Compensation Program offers.
- Know how (and for whom) to process a Transitional Compensation For Abused Family Members application



Questions

