



DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
200 ARMY PENTAGON
WASHINGTON DC 20310-0300

December 19, 2014

The Honorable Elizabeth Holtzman
Chair, Judicial Proceedings Panel
One Liberty Center
875 North Randolph Street, Suite 150
Arlington, VA 22203-1995

Dear Madam Chair:

Enclosed are the spreadsheets in response to data points 61 and 62 of your November 25, 2014 request for information concerning Special Victim Counsel (SVC) and Special Victim Investigation and Prosecution Capability.

With regard to the response to number 61 regarding the experience of the officers, I have directed Staff Judge Advocates (SJA) to strive to select SVC with military justice experience, and regardless of military justice experience, SVC must have maturity and good judgment to handle this important duty. Of the 78 currently-practicing SVC, approximately two thirds had been in the Judge Advocate General's Corps for more than two years prior to their appointment as an SVC. This is the same time in grade as most defense and trial counsel. As a result, SVC have equivalent experience to the other parties appearing in court.

Additionally, in my effort to ensure victims have ready access to SVC, I have required SVC to be present at all installations. As a result, some SJAs do not have a pool of company grade officers with trial experience or multiple years of service. To mitigate the risk associated with the selection of junior officers without trial experience, SJAs have selected SVC based, in part, on their prior civilian criminal or civil law experience, and because they possessed the requisite maturity and judgment to guide sexual assault victims through the complex military and administrative process. Additionally, to mitigate risk, I have placed the SVC under the supervision of their SJAs and Chiefs of Legal Assistance who possess many years of experience practicing law in the Army.

In addition, SVC have a robust electronic community of interest, monthly video coordination, and peer to peer contacts to ensure synchronization and the sharing of lessons learned and best practices. Most have attended a SVC Continuing Legal Education training session under the direction of the Special Victim Counsel Program Manager, who works on my staff. At all times, the Program Manager provides professional responsibility, technical oversight, and guidance to the Special Victim Counsel. These efforts ensure SVC have the tools necessary to succeed in this important duty.

Please let me know if I can provide additional information. Thank you for your support of our Army.

Sincerely,

A handwritten signature in black ink, appearing to read 'Flora D. Darpino', with a long horizontal flourish extending to the right.

Flora D. Darpino
Lieutenant General, U.S. Army
The Judge Advocate General

Enclosure