

**JUDICIAL PROCEEDINGS PANEL
REQUEST FOR INFORMATION SET # 6**

113. Services: How do the Services provide oversight of multidisciplinary SVIP personnel to ensure appropriate coordination and collaboration on sexual assault cases?

<p>USA</p>	<p>CID: For CID, the required coordination and collaboration is a matter of policy that is checked for compliance by local supervisors, checked by battalion and group supervisors during staff assistance visits and inspections, and checked by the CID Command Inspector General during office inspections. Additionally, the CID Headquarters Deputy Investigative Operations Officer participates in monthly teleconferences with Army SARC's worldwide to identify and resolve conflicts and problems. Further, he participates in weekly meetings with representatives from Army SHARP and OTJAG to identify and resolve issues.</p> <p>OTJAG: Staff Judge Advocates, Special Agents in Charge, TCAP, the Office of The Judge Advocate General (OTJAG), and the CID all provide oversight to ensure appropriate coordination and collaboration among the SVIP personnel on sexual assault cases.</p> <p>As a preliminary matter, in order to maximize coordination and collaboration, three of the members of the SVIP team are co-located at every installation as the Special Victim Prosecutor (SVP) serves as the direct supervisor of the Special Victim Non-Commissioned Officer (SVNCO) and the Special Victim Witness Liaison (SVWL). The Sexual Assault Investigator is co-located with the legal team at several installations or else has daily contact or regular meetings with the legal team. SVIP personnel additionally meet formally each month in advance of the Sexual Assault Review Board to prepare updates on every case for the senior installation commander.</p> <p>Locally, Staff Judge Advocates and Special Agents in Charge regularly assess the coordination and collaboration among SVIP personnel and the Chief of Military Justice. At the Department of the Army level, The Army's Trial Counsel Assistance Program (TCAP) conducts annual Outreaches at nearly every Army installation where SVP Teams are located. Outreaches include instruction by TCAP and by the SVP, special victim case evaluations, and meetings with the local OSJA leadership. During these meetings, TCAP inquires as to the quality and quantity of support the OSJA receives from the SVP Teams. The Chief, TCAP, counsels each SVP quarterly and when possible, conducts a site visit with each SVP once per fiscal year. SVPs are required to assist TCAP with instruction to trial counsel in order to assess their ability to train junior prosecutors and paralegals on general advocacy skills, as well as the investigation, charging, and prosecution of special victim crimes.</p> <p>Additionally, The Judge Advocate General and other senior leaders conduct visits to installations pursuant to Article 6, UCMJ that assess all activities at an installation, including the prosecution of special victim offenses. Finally, OTJAG and CID work jointly at the Department of the Army level to develop policy and training to ensure efficient and effective investigation and prosecution of all special victim offenses. OTJAG, SHARP and CID conduct a weekly meeting to identify and resolve issues.</p>
<p>USAF</p>	<p>Each base has its own SVIP capability. SVIP-capable judge advocates, paralegals, and victim liaisons partner with AFOSI investigators to provide victims information, assistance, and access to services during the investigative and military justice processes.</p>

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	<p>SVIP personnel also collaborate with SARCs and victim advocates (VA), Family Advocacy Program Managers (FAPM) and medical personnel, and domestic abuse victim advocates (DAVA) so that victims are offered an integrated support capability. SVIP judge advocates, paralegals, and victim liaisons comply with the requirements described in AFI 51-201, Section 13P. The SVIP judge advocate and AFOSI agent assigned to a case consult with each other at least monthly to assess progress in the investigation and ensure any matter raised by the victim or the victim’s representative (SARC, VA, or SVC) is properly addressed. Furthermore, SVIP personnel coordinate with the following:</p> <ul style="list-style-type: none"> - Local civilian law enforcement agencies and district attorneys’ offices - Local civilian victim advocacy and VWAP organizations - Military chaplain offices - Medical and mental health care providers - Commanders and first sergeants <p>At the case level, investigators and judge advocates work together from the start of the case through final disposition. The SJA develops local procedures with the AFOSI detachment commander or special agent in charge. The SARC, AFOSI case agent, or both notify the legal office when an alleged victim makes an unrestricted report and the case is opened, at which point the SJA designates a judge advocate to coordinate with the AFOSI case agent.</p> <p>Once the legal office and AFOSI detachment have identified the personnel working the particular case as the SVIP capability, they collaborate on all aspects of the investigation, including the investigation plan. The legal office personnel assist AFOSI agents with identifying potential criminal offenses for investigation and assessing evidence. They work together on victim, witness, and subject interviews. Legal office personnel may attend AFOSI staff meetings and vice versa. After the conclusion of trial, legal office and AFOSI personnel conduct a joint “hot wash” to review case lessons learned and identify areas for improvement.</p> <p>In addition, the Air Force has developed a special reach-back capability, physically located at Joint Base Andrews, Maryland. This capability consists of AFOSI’s Sexual Assault Investigation and Operations Consultant and the SVU-STC Chief of Policy and Coordination. These two individuals partner to ensure productive integration between AFOSI and legal personnel at the installation level.</p> <p>At the installation level, there is also the CMG. The CMG addresses emotional, physical, and spiritual care of a victim in a collaborative environment with the collective goal of supporting the victim’s well-being. The CMG convenes monthly to review each case, direct system coordination, and assess victim access to services and tracks the case until final disposition. The installation command or vice commander co-chairs the CMG with the installation SARC. In attendance are representatives from Mental Health, the chaplain, and the legal office along with all full-time VAs and the victim’s commander.</p>
USN	<p>The Navy Trial Counsel Assistance Program Director coordinates with Region Legal Service Office (RLSO) Commanding Officers to monitor the relative experience levels of trial counsel through on-site, periodic observations of Navy</p>

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	<p>judge advocates in the performance of their prosecution functions and provides recommendations for improvement as well as resources recommendations to Chief of Staff – RLSO as necessary. See section 1502 of the Naval Legal Service Command Manual, 5800.1G, available here http://www.jag.navy.mil/library/instructions/5800_1G_NLSC_Manual.pdf.</p> <p>NCIS ensures appropriate coordination with the other members of the SVIP in compliance with the requirements outlined in DoDI 5505.19. Notification of the case initiation is made to all members of the SVIP within 24 hours and a collaborative meeting is conducted within 48 hours. During the pendency of the investigation, NCIS participates in Sexual Assault Case Management Group meetings on a monthly basis in an advisory capacity to the other SVIP members on the progress of the investigation. All notifications, collaborations, and monthly meetings are memorialized in investigative reporting, which is reviewed by first line supervisors.</p>
<p>USMC</p>	<p>Success of the Marine Corps SVIP capability is evaluated on whether all SVIP components are following pertinent regulations and procedures. This includes required SVIP notifications, Case Management Groups (CMG), Sexual Assault Response Teams, and Victim and Witness Assistance Councils.</p> <p>First, RTCs and STCs take an active role in overseeing this process by coordinating with NCIS, conducting regular training, monitoring daily interactions of counsel, and evaluating the performance of each trial counsel. RTCs and STCs meet regularly with their respective NCIS regional and installation leadership to coordinate efforts to implement SVIP procedures that will improve coordination and collaboration on special victim cases. Monthly training by STCs, quarterly training by RTCs, and Trial Counsel Assistance Program (TCAP) annual training also allow STCs and RTCs to instruct, direct, evaluate, and address concerns with SVIP trial counsel. The prosecution of SVIP cases is directly managed by supervisory counsel from notification of the offense through trial. SVIP trial counsel are directly supervised by their RTC in the performance of their duties and individual performance is documented annually in Marine Corps performance evaluations.</p> <p>Second, in an effort to maintain a collaborative approach with each victim, SVIP personnel meet monthly during the CMG to provide status updates and ensure continuity of services. Chaired by the Installation Commander, the CMG reviews all open unrestricted cases, directs system coordination, facilitates monthly updates and assesses victim services. Required CMG meeting attendees include installation SARC, command SARC, victim advocates and uniformed victim advocates (UVA/VA), command SJA, NCIS, law enforcement (to include the Provost Marshal Office (PMO) and Criminal Investigation Division (CID), healthcare personnel, mental health/counseling representatives, the victim’s commander or member of the command team (if applicable), and a command/unit chaplain. Installation SARCs monitor SAPR activities on their installations through IG inspections, site visits, command climate surveys, database management, victim support service, and regulatory compliance.</p> <p>Third, in addition to the monthly CMG, and no less than once a quarter, a Sexual Assault Response Team (SART) convenes to address any systematic concerns. The SART will include members from the CMG, but additional members may be needed to provide full coordination, i.e. civilian support services. SART minutes are</p>

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	<p>provided to HQMC SAPR. At the Headquarters level, a quarterly Sexual Assault Advisory Group (SAAG) is convened to review and address any SART concerns that were not mitigated at the installation level. The SAAG includes key stakeholders who can speak as subject matter experts for the programs involved. These meetings foster coordination within the programs and ensure that services are not being duplicated while providing a collaborative support system for the victims.</p> <p>Fourth, each installation conducts a quarterly Victim and Witness Assistance Council (VWAC). This is an installation-level council designed to make sure that local victim and witness service providers follow a multi-disciplinary approach. The VWAC combines the expertise and services of law enforcement, family advocacy personnel, victim advocates, medical professionals, legal service providers, corrections personnel, and others involved in the provision of services and support to victims. The Council does not discuss specific cases, victims, or witnesses, but focuses on victim and witness services and the manner in which those services are being provided locally. The Council provides the VWLO, and ultimately the installation commander, with information regarding the availability, use, and capability of victim and witness services aboard the local installation. The local council consists of the installation VWLO, tenant unit VWACs and representatives from SAPR, NCIS, CID, PMO, the installation SJA Office, legal service providers, chaplain, the brig (if there is a brig on the installation), and Marine and Family Programs. Additionally, each year the Marine Corps participates in the DoD Victim Assistance Leadership Council (VALC) to report on its efforts to coordinate the services provided to all victims, including victims of sexual assault.</p>
<p>USCG</p>	<p>The Coast Guard does not have policies concerning Special Victim Capability services. Section 573 of NDAA FY 13 mandates that each DoD military department establish a "special victim capability" to investigate and prosecute for specified criminal offenses. Section 573 of the NDAA 2013 does not expressly apply to Department of Homeland Security or the Coast Guard.</p>