

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

**114. DoD and Services: Are there inspections or internal reviews to ensure compliance with SVIP capability requirements? If so, what specific areas are assessed?**

<b>DoD</b>	<p>OSD has tasked the Military Departments with the primary responsibility for collecting statistics, developing, and reviewing measures of performance and effectiveness (DoDI 5505.18, DoDI 5505.19, and DTM 14-003, as well as the pending DoDI 1030.02). The Office of the Inspector General also maintains responsibility for assessing MCIO effectiveness (per paragraph 4.a., DoDI 5505.18, and paragraph 4.a., of DoDI 5505.19).</p> <p><b>ENCLOSURES:</b></p> <ol style="list-style-type: none"> <li>1. DoDI 5505.19, Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOs)</li> <li>2. DTM 14-003, “DoD Implementation of Special Victim Capability (SVC) Prosecution and Legal Support”</li> </ol>
<b>USA</b>	<p>OTJAG: Inspections of installations pursuant to Article 6, UCMJ include, but are not limited to, assessments of caseload, case processing times, registration in attorney profile systems, use of resource libraries, participation in Additional Skill Identifier program, use of Military Justice Online (MJO), SVP/SVNCO/SVWL issues, MJO feedback, training, MOU with other organizations and authorities, and facilities and support.</p> <p>CID: For CID, the areas that are checked are: timeliness of notification to other SVIP team members, timeliness and attendance at required SVIP team meetings, and effectiveness of resolution of any problems.</p>
<b>USAF</b>	<p><a href="#">AFI 51-201, para 13.45</a> governs the SVIP program. AFLOA/JAJ is responsible for compiling review measures on a periodic basis. The review measures are as follows:</p> <ul style="list-style-type: none"> <li>- Percentage of all preferred court-martial cases that involve sexual assault offenses in each fiscal year</li> <li>- Percentage of courts-martial involving sexual assault offenses tried by, or with the direct advice and assistance of, an SVU-STC</li> <li>- Compliance with DoD VWAP reporting requirements</li> <li>- Percentage of SVU-STCs, judge advocates, paralegals, and victim liaisons who have received additional and advanced training in sexual assault topical areas</li> <li>- Victim feedback on effectiveness of investigation, prosecution, and support services</li> </ul> <p>Also, the legal office and AFOSI detachment regularly conduct self-inspections and undergo periodic inspection by higher headquarters. For the legal office, the inspection specifically covers VWAP, and there is a specific VWAP self-inspection checklist. All personnel involved in the military justice process and those responsible for providing services to victims and witnesses of crime must be familiar with VWAP. The installation commander is the Local Responsible Official (LRO) responsible for developing and implementing a VWAP at the installation. The LRO is also responsible for ensuring the accomplishment of required annual training by all local agencies. Additionally, per <a href="#">AFI 51-201, Administration of Military Justice</a>, Section 7F, the LRO develops a system to assess the effectiveness of the installation VWAP. For each case</p>

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	<p>involving victims or witnesses covered by VWAP, the VWAP Coordinator and victim liaisons keep a record to document compliance with VWAP requirements. The record may include dates of notification, such as distribution of DD Forms 2701, 2702, and 2703. Legal office inspections also include a review of the process to certify trial counsel, an assessment of the processing of courts-martial, and an evaluation of the SVIP capability.</p>
<b>USN</b>	<p>Yes. The Navy Trial Counsel Assistance Program conducts Article 6 inspections for the Navy Legal Service Command Inspector General. All areas relevant to prosecution are assessed, including training, detailing, and compliance with Article 6(b) and the Victim Witness Assistance Program.</p> <p>NCIS HQ personnel review initial reports of sexual assault investigations in an oversight capacity to ensure compliance with sexual assault investigation policies and procedures. Additionally, a percentage of all open sexual assault investigations are reviewed by NCISHQ personnel on a monthly basis to ensure compliance with policies and procedures. Each NCIS field office adheres to the Management Internal Control Program by conducting periodic reviews of active and closed investigations. Review of SVIP requirements includes notifications, collaborations, monthly meetings and appraisal of victim services.</p>
<b>USMC</b>	<p>Yes. Inspections are conducted on each SVIP capability area to certify compliance with applicable requirements. Checklists include those used by the Inspector General of the Marine Corps to inspect SAPR, FAP, and VWAP capabilities and those used by Judge Advocate Division to inspect Trial Services. Specific areas assessed include: appointment of qualified personnel, completion of requisite training, required meetings/councils (participation, documentation, and procedures), implementing orders and/or standard operating procedures, completeness of required documentation/forms, and processes followed. Please see the Navy response for additional information regarding inspection of NCIS.</p>
<b>USCG</b>	<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>