

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

**126. (Update to JPP RFI 20) DoD and Services:** Have DoD and Service doctrinal publications (regulations, directives, instructions, manuals, and training materials) for SAPR, MCIOs, IG, officers and NCOs, been updated to reflect FY14 NDAA §1716, *Designation and availability of Special Victims’ Counsel for victims of sex-related offenses*?

**a. If updated, please provide copies of the changes (or links to electronic copies).**

<b>DoD</b>	<p>Yes, DoDI 6495.01, “Sexual Assault Prevention and Response Program, sets forth the requirement. It provides in pertinent part that: “<i>l. Victims must be informed of the availability of legal assistance and the right to consult with a Special Victims’ Counsel (SVC)/Victims’ Legal Counsel (VLC) in accordance with section 1716 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law (P.L.) 113-66) (Reference (k)).</i>” Additionally, the DoDI 6495.02, Sexual Assault Prevention and Response Procedures” sets forth the requirements to notify victims of the availability of the SVC. The Directive and Instruction are retrievable at the DoD Issuances website: <a href="http://dsearch.dtic.mil/search">http://dsearch.dtic.mil/search</a> .</p>
<b>USA</b>	<p>Army policy has not been updated to reflect the FY14 NDAA mandates. However, the SHARP Office added information concerning the availability of Special Victims Counsel for all Department of the Army Civilians in our Mandatory Annual Refresher Training. The training is under legal review and we expect to post it on the Army Knowledge Center (Army Training Network) once this process is complete. Army Directive 2014-09, Reserve Component Eligibility for the Special Victims’ Counsel Program, dated 7 May 14 states members of the Army National Guard and U.S. Army Reserve are eligible for the Special Victims’ Counsel Program. Draft AR 600-20, with anticipated publication by the end of FY 16, states OTJAG will implement the SVC Program in support of sexual assault victims.</p> <p>Army SHARP is currently reviewing the update to Annual Refresher Training, which will be released upon completion of legal review. Army SHARP is also exploring the ability to add this information to the Company Commander/First Sergeant Course and the Pre-Command Course for future Brigade/Battalion Commanders and Command Sergeants Majors. No date has been determined at this time for implementation into these two courses.</p> <p><b>ENCLOSURE:</b></p> <p>CID Regulation 195-1, excerpt (15.6)</p>
<b>USAF</b>	<p>Air Force regulations and training materials reflect the current availability of SVCs and eligibility of victims for SVC services. SVC eligibility, services, and processes are briefed at the Air Force’s SARC and Victim Advocate (VA) training, AFOSI’s SCITP, FAP training, Senior Officer Leadership Orientation (SOLO), and Senior Enlisted Leaders Orientation (SELO). The SVC Program is also briefed at basic and advanced judge advocate and paralegal courses and conferences, including the Reserve Component’s Annual Survey of the Law course and the JAG Corps’ Horizons conference.</p> <p>Air Force Instruction 90-6001, <i>Sexual Assault Prevention and Response (SAPR) Program</i> (Atch 126.1)</p>

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

	<p>Air Force Policy Directive 90-60, <i>Sexual Assault Prevention and Response (SAPR) Program</i> (Atch 126.2)</p> <p><b>ENCLOSURES:</b></p> <ol style="list-style-type: none"> <li>1. Air Force Instruction 90-6001, <i>Sexual Assault Prevention and Response (SAPR) Program</i></li> <li>2. AF SVC Program Update Training Slides</li> <li>3. Air Force Policy Directive 90-60, <i>Sexual Assault Prevention and Response (SAPR) Program</i></li> <li>4. SVC Program SCITP Training Slides</li> <li>5. SOLO Training Slides</li> </ol>
<p><b>USN</b></p>	<p>Navy’s doctrinal publications (regulations, directives, instructions, manuals, and training materials) for SAPR, MCIOs, IG, officers and NCOs, have been updated to reflect designation and availability of attorneys for victims of sex-related offenses. An electronic copy of OPNAVINST 1752.1C, the Navy 21<sup>st</sup> Century Sailor Office’s (N17) current guidance concerning the designation and availability of Navy’s victims’ legal counsels for victims of sex-related offenses is annotated and attached as requested.</p> <p>The Navy Victims’ Legal Counsel Program Manual (JAGINST 5810.3) was promulgated on 10 July 2015 by the Judge Advocate General (see enclosure (10)) from Question 125). Updates to OPNAVINST 1752.1C (Navy SAPR Program) and JAGINST 5800.7F (The Manual of the Judge Advocate General (JAGMAN) were provided by the Victim Legal Counsel Program. Draft work product is not available for release.</p> <p>SAPR VA and SARC training includes ensuring victims are aware of the services of VLC. DD Form 2910, Victim Reporting Preference Statement, includes a statement on the eligibility for Special Victims Counsel. DD Form 2910 is available at: <a href="http://www.dtic.mil/whs/directives/forms/eforms/dd2910.pdf">http://www.dtic.mil/whs/directives/forms/eforms/dd2910.pdf</a></p> <p>Current NAVINSGEN Inspector training directs that any potential victim of sex-related offense be referred to NCIS and their command Sexual Assault Prevention and Response (SAPR) program, as NAVINSGEN does not handle criminal cases. Those programs are tasked with ensuring that victims have a VLC. If there is a follow-on IG complaint not entailing criminal allegations, current training highlights that the VLC may be included in communications with the complainant.</p> <p>NCIS policy was updated. The following excerpt is from the NCIS policy on sexual assault investigations: Notification of available services. During their initial interview, investigators shall notify victims of their right to obtain legal assistance from any DoD legal assistance office, as well as their right to obtain private legal assistance on their own, pursuant to reference (a). Investigators must notify the victim of available SARC/SAPR victim advocate services and advise that legal assistance and SARC and/or SAPR victim advocate services may be declined, in whole or in part, at any time. Military and adult dependent victims must also be informed of available representation by VLC. All notifications must be documented in the Case Activity Record and Report</p>

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

	of Investigation.
<b>USMC</b>	<p>The Marine Corps has updated several doctrinal publications and is in the process of updating others to incorporate Special Victims' Counsel/Victims' Legal Counsel, as detailed below.</p> <p>Please see the Navy's response for references/training specific to NCIS.</p> <p><b>ENCLOSURES:</b></p> <ol style="list-style-type: none"> <li>1. 8-Day Brief Report</li> <li>2. TCAP Annual Training Agenda &amp; Training Slides</li> <li>3. VWAP Annual Training Agenda &amp; Training Slides</li> </ol> <p><b>REFERENCES:</b></p> <ol style="list-style-type: none"> <li>1. MARADMIN 583/13, available at: <a href="http://www.marines.mil/News/Messages/MessagesDisplay/tabid/13286/Article/153620/establishment-of-the-marine-corps-victims-legal-counsel-organization-vlco.aspx">http://www.marines.mil/News/Messages/MessagesDisplay/tabid/13286/Article/153620/establishment-of-the-marine-corps-victims-legal-counsel-organization-vlco.aspx</a></li> <li>2. DD 2910, available at: <a href="http://www.sapr.mil/public/docs/miscellaneous/toolkit/dd2910.pdf">http://www.sapr.mil/public/docs/miscellaneous/toolkit/dd2910.pdf</a></li> <li>3. SAPR Victim Advocate (VA) training</li> <li>4. VLC Presentation from FY15 VWAP Annual Training, available at: <a href="http://www.hqmc.marines.mil/sja/Branches/VictimWitnessAssistanceProgram.aspx">http://www.hqmc.marines.mil/sja/Branches/VictimWitnessAssistanceProgram.aspx</a></li> <li>5. Navy and Marine Corps Trial Judiciary Uniform Rules of Practice, available at: <a href="http://www.jag.navy.mil/documents/NMCTJ_Uniform_Rules_of_Practice_30_July_2015.pdf">http://www.jag.navy.mil/documents/NMCTJ_Uniform_Rules_of_Practice_30_July_2015.pdf</a></li> <li>6. Navy and Marine Corps Trial Guide, available at: <a href="http://www.jag.navy.mil/documents/NMC_Trial_Guide.docx">http://www.jag.navy.mil/documents/NMC_Trial_Guide.docx</a></li> </ol>
<b>USCG</b>	N/A

**b. If not updated, what is the timeframe and process for revision of publications and training materials?**

<b>DoD</b>	<p>Yes, DoDI 6495.01, "Sexual Assault Prevention and Response Program, sets forth the requirement. It provides in pertinent part that: <i>"l. Victims must be informed of the availability of legal assistance and the right to consult with a Special Victims' Counsel (SVC)/Victims' Legal Counsel (VLC) in accordance with section 1716 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law (P.L.) 113-66) (Reference (k))."</i> Additionally, the DoDI 6495.02, Sexual Assault Prevention and Response Procedures" sets forth the requirements to notify victims of the availability of the SVC. The Directive and Instruction are retrievable at the DoD Issuances website: <a href="http://dsearch.dtic.mil/search">http://dsearch.dtic.mil/search</a> .</p>
<b>USA</b>	<p>The SVC Program is working on an update to the Second Edition to the SVC Handbook and Army Regulation 27-3, The Army Legal Assistance Program, is under revision.</p>
<b>USAF</b>	<p>AF/CVS has updated AFI 90-6001 with an interim change, which was published on 18 Mar 16.</p> <p>AFI 51-504, <i>Legal Assistance and Special Victims' Counsel Programs</i>, has been revised</p>

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

	<p>and is pending approval by TJAG.</p> <p><b>ENCLOSURES:</b></p> <ol style="list-style-type: none"> <li>1. SVC Program Overview</li> <li>2. SVC Brief SCITP</li> <li>3. SOLO Brief</li> </ol> <p><b>REFERENCES:</b></p> <ol style="list-style-type: none"> <li>1. <a href="#">AFI 90-6001, Sexual Assault Prevention and Response Program</a></li> <li>2. <a href="#">AFPD 90-60, Sexual Assault Prevention and Response Program</a></li> </ol>
<b>USN</b>	See above response.
<b>USMC</b>	<p>MCO 1752.5B (expected publication late 2016)</p> <p>MCO 5800.14A (expected publication spring 2016)</p> <p>Marine Corps Bulletin on Military Justice (expected publication spring 2016)</p> <p>Marine Corps VLC Manual (expected publication spring 2016)</p>
<b>USCG</b>	The service publications have not yet been updated to reflect § 1716 of FY14NDAA,