

VICTIMS' LEGAL COUNSEL ORGANIZATION

15 - 19 Feb 2016

- VLC Activity:

- Staffing

HQMC	2
RVLC	4
VLC	11
AVLC	3
IMA-Det	2

- Caseload

New Intakes	12
New Cases Detailed	13
Total Active Cases to Date	387
Total Detailed Cases to Date	283
Average Caseload NCR (34/2)	17
Average Caseload East (115/5)	23
Average Caseload West (159/5)	32
Average Caseload PAC (79/4)	20
Average Caseload Organization (387/16)	25

- Motions/Documents Filed With Court or Convening Authority

Case	VLC	Type
US v [REDACTED]	Capt [REDACTED]	RCM 306 Letter
US v [REDACTED]	Capt [REDACTED]	MRE 412 Motion
US v [REDACTED]	Capt [REDACTED]	Victim Pref Ltr
US v [REDACTED]	Capt [REDACTED]	Victim Pref Ltr

- Hearings/Trials Attended

Article 32	0
<ul style="list-style-type: none"> • n/a due to Symposium 	
Article 39a	2
<ul style="list-style-type: none"> • US v [REDACTED], Capt [REDACTED] argued a 412 Motion • US v [REDACTED], Maj [REDACTED] 	
SPCM	0
<ul style="list-style-type: none"> • none 	
GCM	0
<ul style="list-style-type: none"> • none 	
Other	2
<ul style="list-style-type: none"> • NCIS Interview at Yuma, Capt [REDACTED] • ADSEP at CamLej, Maj [REDACTED] 	

- VLC Travel:

None		
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• VLCO Action Items Completed

- Certification Packages. The VLCO submitted and the SJA to CMC approved the certification packages for 7 new VLC after their successful completion of the TJAGLCS 6th SVC Certification Course. Four of those VLC are now receiving clients and the other three are pending transfer to the billet this summer.

• VLCO Action Items Pending

- USMC VLC Manual. The USMC VLC Manual was submitted to Col Pigott on 9 Feb with a goal of electronically publishing it by the end of February.
- Major Harvey's Article. Major [REDACTED] has completed the research for her article that will be submitted to Col [REDACTED] and she plans to complete a first draft by Friday, 26 Feb 2016.
- FY16 NDAA 535(b) Tasker. At DoD's request, the SVC/VLC program managers met on 19 Feb and will be collaborating to develop a policy that would describe the following:
 - o the standards for SVC/VLC training,
 - o guiding principles on the provision of face-to-face communication,
 - o performance measures of SVC/VLC performance, and
 - o processes by which the Secretaries will evaluate and monitor the SVC/VLC programs.

The program managers will meet again on Monday, 22 Feb, at 1000 to review a draft policy. A completed product is expected by 3 March 2016.

- JPP RFI. The VLCO is collecting data from the field and drafting answers to the JPP's RFI due to JMP by 11 March 2016.
- JSC RFI. The VLCO is collecting data from the field and drafting answers to the JSC RFI due to JMP by 18 March 2016.
- Hiring the 8 Civilian Paralegals. Of the 8 paralegals to be hired for the field, 3 have reported (CamPen, NCR and 29 Palms), 2 are progressing through the offer process (CamLej and PISC), 1 is on hold (MCB Hawaii), 1 declined the offer (Miramar) and 1 selection was terminated (Oki). New hiring panels for the Miramar and Oki positions will be conducted by the LSSS.

• VLCO Event Participation

- Marine Corps Times Interview. OIC, VLCO, was interviewed over the phone by a Marine Corps Times reporter (in coordination with HQMC PAO). The OIC also responded to written questions over e-mail and coordinated another interview for the same reporter with the Regional VLC at Camp Lejeune and two of his VLC.

• Items of Good News and Concern

- VLCO Expansion. The VLCO grew by two Auxiliary VLCs (AVLCs) after two LSSS OICs (Pacific and Quantico) sent legal assistance attorneys to the January SVC/VLC Certification Course so that they could have AVLCs to provide services when VLCs had a conflict of interest or when additional VLCs were necessary due to high volume.
- Petition for a Writ of Mandamus on Okinawa. A USAF SVC, representing a USAF dependent victim alleging that a Marine sexually assaulted her, petitioned the NMCCA for a writ of mandamus on 19 Feb 2016. The petition argues that the military judge abused his discretion when he ordered production, conducted an *in camera* review, and ordered disclosure, of certain mental health records, in violation of MRE 513(e). The petition requests that the NMCCA stay the proceedings and set aside the MJ's ruling.

• Staffing

- OIC Leave. Col [REDACTED] will request leave during the week of 29 Feb-04 Mar 2016.
- Deputy Leave. LtCol [REDACTED] will request leave 28 March - 1 April 2016.
- Maternity Leave. Ms. [REDACTED] will continue until 29 Feb 2016.

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• VLC Activity:

• Staffing

HQMC	2
RVLC	4
VLC	11
AVLC	3
IMA-Det	2

• Caseload

New Intakes	14
New Cases Detailed	08
Total Active Cases to Date	396
Total Detailed Cases to Date	297
Average Caseload NCR (34/2)	17
Average Caseload East (119/5)	24
Average Caseload West (159/5)	32
Average Caseload PAC (84/4)	21
Average Caseload Organization (387/15)	26

• Motions/Documents Filed With Court or Convening Authority

Case	VLC	Type
US v [REDACTED]	Capt [REDACTED]	MRE 412 Motion

• Hearings/Trials Attended

Article 32 • none	0
Article 39a • none	0
SPCM • none	0
GCM • US v [REDACTED] • US v [REDACTED] • US v [REDACTED] • US v [REDACTED]	4
Other • CMG [REDACTED]: Major [REDACTED] & new AVLC Cap [REDACTED] (PAC) attended the CM [REDACTED] introduce Capt [REDACTED] • CMG Henderson Hall. Major [REDACTED] (NCR) attended • New AVLC Cap [REDACTED] visited the SAPR office to provide them with his [REDACTED]s card	2

• VLC Travel:

None		
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• VLCO Action Items Completed

- Brief on the Stalled Hiring of GS-09 Parale [REDACTED] osition at MCB Hawaii. Capt [REDACTED] (VLC Hawaii) briefed LSSS-PAC OIC, Colonel [REDACTED], on the HRO policy log-jam [REDACTED]

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regarding which office (Oki or Hawaii) is supposed to process the selection of the paralegal to work on board MCB Hawaii.
Screening JAs slated to be VLC. VLCO coordinated with JPL and JCD to screen 3 JAs, who are slated to be VLC, for criminal and professional misconduct.

• VLCO Action Items Pending

- USMC VLC Manual. The USMC VLC Manual was submitted to Col Pigott on 9 Feb with a goal of electronically publishing it by the end of February.
- Major Harvey's Article. Maj [REDACTED]'s draft article is 75% [REDACTED] ete, pending additional research on administrative options, which LtCol [REDACTED] is assisting her in researching. She is on track to have a draft for review to [REDACTED] VLCO front office during the week of 29 Feb
- Draft SECDEF DTM. The SVC/VLC program managers met on 22 and 23 Feb to discuss several drafts of a SECDEF DTM that would describe the guiding principles, performance and evaluation programs that have developed by the TJAGs and SJA to CMC. THE DTM has been staffed to the principles for review.
- JPP RFI. The VLCO is collecting data from the field and drafting answers to the JPP's RFI due to JMP by 11 March 2016.
- JSC RFI. The VLCO is collecting data from the field and drafting answers to the JSC RFI due to JMP by 18 March 2016.
- Hiring the 8 Civilian Paralegals. Of the 8 paralegals to be hired for the field, 3 have reported (CamPen, NCR and 29 Palms), 2 are progressing through the offer process (CamLej and PISC), 1 is on hold (MCB Hawaii), 1 declined the offer (Miramar) and 1 selection was terminated by the Command (Oki). New hiring panels for the Miramar and Oki positions will be conducted by the LSSS.

• VLCO Event Participation

- Line Interview. The RVLC-East, Major [REDACTED] and 2 VLC, Cpts [REDACTED], were interviewed in person by a Marine Corps Times reporter at board Camp Lejeune.

• Items of Good News and Concern

- Promotion Conducted by RVLC-PAC. The MLG UVA, a MSgt, asked the RVLC-PAC, Maj [REDACTED], to serve as her promoting officer for her upcoming promotion to Master Sergeant.
- Commandant of Midshipmen. Major [REDACTED] (NCR) met with Colonel [REDACTED], Naval Academy Commandant, at a USNA Alumni event at Quantico. Major [REDACTED] (USNA 2005) provided Col [REDACTED] with a brief overview of VLCO and [REDACTED] a commendation card as a VLC that serves [REDACTED].
- Good coordination between VLC & DC. A Command notified a male victim of sexual assault of its intent to separate the Marine. Due to the significant mental trauma suffered by the Marine during the sexual assault, VLC met with DES Counsel and proposed to the SJA that a medical discharge board was the proper way to process the Marine and achieve the Command's goals. The SJA disagreed with VLC and went on with the board. At the board, the DC made many of the same arguments that VLC had raised with the SJA. The Board concurred. After closing arguments but before deliberations, the recorder called the command and the Command stopped the board proceedings. The latest word from the SJA's office is that they intend to go through with the medical discharge board.
- Assisting Agitated Client. A sexual assault client became severely agitated about an hour before taking the stand in a GCM. The client started shaking uncontrollably and vomiting in the VLC [REDACTED]. The VL [REDACTED] the client using the training provided by Professor [REDACTED] and Dr. [REDACTED] during the VLCO's 2d Annual Symposium. VLC had the client practice [REDACTED] meditation (breathing exercises) and engage alternate sides of the brain (counting pens and pieces of paper). Within about 10 minutes she had calmed down. She then testified and her testimony went very well according to the prosecutors. In fact, the defense counsel during his cross stated "you seem like a very calm, even keel kind of individual."

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- Army MJ Re ces VLC Motion. An Army MJ referenced the argument that a Marine VLC, Capt [REDACTED] (West), made in his 513 motion, in the MJ's ruling to deny an *in camera* review of the victim's mental health records.
- Petition for a Writ of Mandamus. NMCCA denied the petition for a writ of mandamus from a USAF SVC representing a USAF dependent victim in a USMC GCM. The petition had argued that the military judge abused his discretion when he ordered production, conducted an *in camera* review, and ordered disclosure, of certain mental health records, in violation of MRE 513(e).

- Staffing

- OIC Leave. Col [REDACTED] on leave during the week of 29 Feb-08 Mar 2016.
- Deputy Leave. LtCol [REDACTED] on leave 28 March - 1 April 2016.
- [REDACTED]
- Departing V i. The Pacific region bids farewell to Regional VLC Chief, Sgt [REDACTED] e heads out to serve as the MLG SJA's Chief. The incoming VL [REDACTED]