

## **SPECIAL VICTIMS' COUNSEL DIVISION**

The Special Victims' Counsel (SVC) Division advances the Air Force mission by promoting justice, strengthening confidence in the military justice system, and offering legal assistance services through independent legal counsel to victims of sex related offenses during the investigation and prosecution process. SVCs and Special Victims' Paralegals (SVPs) provide world-class representation and advocacy for armed forces members and dependents at military installations worldwide, protecting the rights afforded to crime victims.

During FY15, the SVC Program increased from 28 SVCs in 19 locations to 33 SVCs in 31 locations. The SVC Program also expanded to include 6 O-4 Senior SVCs (SSVCs) billets. Five of the SSVCs align within the five judicial Circuits -- Western, Central, Eastern, Europe, and Pacific -- and provide intermediate SVC/SVP supervision, maintain small caseloads, and assist SVC headquarters in responding to taskings. The headquarters staff added an O-5 Deputy Chief to provide supervision of the SSVCs, detail cases, and manage the operational aspects of the program. Further, the SVC Program added 16 paralegal billets. At end of the fiscal year, 4 of 6 SSVCs billets were filled; 33 of 51 SVCs billets were filled and 12 of 26 SVPs billets were filled.

SVCs played a pivotal role in the advancement of representation of sexual assault victims. In response to a call for comments to the 2015 Executive Order, several SVCs proposed a rule change to R.C.M. 1001 which would allow a victim to provide an unsworn victim impact statement to the court during sentencing. The SVC submission was accepted and resulted in the Executive Order adding R.C.M. 1001A which granted the victim the ability to make an unsworn statement utilizing the AF SVC proposed process. In the post-trial setting, CLSV filed Amicus Curiae briefs in the Service Courts of Criminal Appeals and at CAAF asserting that the same protections of privileged psychotherapist-patient records afforded to victims at trial should apply at the appellate level.

AF SVC Program leaders, possessing some of the most current, broadest and successful experience in representing sexual assault victims, have informed military policy at the highest levels. The Division Chief was interviewed on Federal News Radio when the SVC Program was highlighted as the Federal Agency of the Month. The SVC Program educated members of several Congressionally-mandated panels on the services provided to sexual assault victims by the SVC Program. SVCs testified at the Military Justice Review Group and the Judicial Proceedings Panel. CLSV leadership worked closely with the DoD Sexual Assault Prevention and Response Office on landmark projects such as the To Catch a Predator Program, known as the "CATCH" Program, and the Retaliation Working Group. Finally, CLSV provided significant input to the final Joint Services Committee's Report on Extending SVC Representation to Department of Defense and unaffiliated civilians.

SVCs conducted outreach to civilian and military attorneys and allied professionals who work in the field of victim services and representation. SVCs provided briefings at the American Bar Association Annual Conference, the Texas Association Against Sexual Assault, the National Crime Victims' Legal Institute's Annual Conference, and the Virginia State Bar Association's Annual Continuing Legal Education program. Internally, the Division Chief briefed Air Force leaders at the newly created Senior Officer Legal Orientation Course at the Air Force JAG School. SVCs also educated key first responders at the Family Advocacy Annual Training Course and several Air Force Office of Special Investigations Regional Senior Leader Conferences. Finally, SVCs educated other JAGC members in venues such as the Dougherty-Nelson Continuing Legal Education Program, Webcasts and local outreach.

At the end of FY15 SVCs have represented 2006 victims over the life of the program, of which 51 were children. At the end of FY15, the current SVC program caseload was 989 active clients of which 51 are children. In FY15, SVCs appeared in 158 courts-martial and 202 Preliminary Hearings, filing 126 motions and arguing 122 motions on behalf of their clients. In CY15, SVCs represented clients in 495 interviews with investigators, defense counsel, and trial counsel. SVCs have also provided a wide-range of legal assistance services, including assisting clients who have faced retaliation after making a complaint of sexual assaults with expedited transfers, reassignments and cross-training in new career fields.

The feedback from victims represented by an SVC remained overwhelmingly positive. An impressive 86% of victims surveyed indicated they were "extremely satisfied" with their SVC's representation and 13% were "satisfied," resulting in an overall 99% satisfaction rate. Another data point has remained at the same level from FY14 through FY15 -- 99% of those surveyed would recommend other victims request an SVC.