

**JUDICIAL PROCEEDINGS PANEL
REQUEST FOR INFORMATION SET # 1**

55. Services: Other than those options explained in the previous question, have victims requested or sought other forms of compensation, restitution, services, benefits, etc.?

USA	<p>Victims request information concerning Transitional Compensation, State Compensation programs, women’s shelters, divorce assistance, food vouchers, immigration assistance, support groups (HIV, Death, Sexual Assault, etc.), return of property taken by the government during an investigation (cell phones, computers, etc.), child cares services, child custody issues, transportation relocation/funds, waiver and deferment of forfeitures, Military One Source services, storage facilities, Army Community Services Loan Closet, employment information, college funding, outpatient medical counseling services, emergency financial services, protective orders, referral to Chaplain, referral to Legal Assistance and Special Victim’s Counsel, Article 32 hearings, and various other related issues.</p>
USAF	<p>Other than options explained in previous RFIs, other forms of compensation, restitution, services, and benefits that have been requested by victims include: Veteran Affairs disability benefits; medical retirement benefits; continuous medical orders while a line of duty is processed; restitution through personal insurance companies; and movement of household goods.</p> <p>Additionally, many victims request an expedited transfer to a new duty assignment or station. Expedited transfer requests are processed pursuant to AFI 36-2110, <i>Assignments</i>.</p> <p>Special Victims’ Counsel, legal assistance attorneys, and Victim and Witness Assistance Program personnel are available to assist victims with these requests or refer them to the appropriate resource to provide assistance.</p> <p><u>References</u></p> <p>- AFI 36-2110, <i>Assignments</i> http://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2110/afi36-2110.pdf</p>
USN	<p>Navy does not track this information.</p>
USMC	<p>Yes, civilian victims that miss work or lose their jobs as a result of a crime under the UCMJ have successfully received funds from state compensation funds. Additionally, Early Return of Dependents and Authorization of Movement of Household Goods processes are available.</p>
USCG	<p>The DHS Board for Correction of Military Records (BCMR), pursuant to 10 U.S.C. 1552, may correct any military record to “correct an error or remove an injustice.” The BCMR has the authority to, among other things, correct officer and enlisted evaluations, to bring former members back on active duty, and to require the Coast Guard to provide back pay and benefits, if an error or injustice is found. Although the BCMR is not involved directly with criminal justice cases, there are circumstances where the remedies available to an applicant to the BCMR could be considered indirect compensation. If, for example, someone is the victim of a sexual assault while on active duty and then has difficulty continuing on active duty, they may opt to be released from active duty, or they may receive evaluations that reflect a decline in</p>

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<p>performance due to PTSD or other issues associated with a trauma. A member, or former member, may file an application with the BCMR to have such evaluations upgraded, or to be returned to active duty. If the BCMR found an injustice in the discharge or evaluation, the Board has the authority to have the applicant returned to active duty and could direct the Coast Guard to provide back pay and benefits. The BCMR could also upgrade previous evaluations and order a promotion based on the amended evaluations, as well as order commensurate back pay and benefits. Therefore, certain BCMR remedies could be considered indirect forms of compensation for victims. The BCMR has received cases from members requesting these types of remedies as a result of an allegation of sexual assault.</p> <p>Victims have also sought relief for medical issues through the Physical Disability Evaluation System. The purpose of the Physical Disability Evaluation System is to ensure a fit military force while ensuring members receive certain benefits and protections if their military career ends prematurely due to injury or illness. Procedurally, when a member (active duty or reservist on active duty) suffers an injury or develops a medical condition that could affect their fitness to serve in the Coast Guard, the PDES program evaluates their ability to perform the duties associated with their office, grade, rank or rating. The PDES program then makes a determination on the member's fitness to continue on active duty, or be separated/retired due to physical disability. A qualifying medical condition could include physical injuries related to sexual assault or post traumatic stress disorder. Victims of sexual assault have sought such relief in the past.</p>
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