



USMC FY12 VICTIM WITNESS ASSISTANCE PROGRAM
Training Conference
6-7 October 2011
Marine Corps Air Station, Miramar, CA

AGENDA

Thursday, 6 October 2011

0730-0755:	Check-in, conference materials distributed
0800-0815:	Welcoming Remarks
0815-0900:	Victim Witness Assistance Program Overview <i>Major Schotemeyer</i> , USMC VWAP Representative Judge Advocate Division
0900-0910:	Break
0910-1000	Marine Corps Sexual Assault Prevention and Response Program (SAPR) <i>Ms. Melissa Cohen</i> Washington, DC
1000-1010:	Break
1010-1100:	Transitional Compensation <i>Heather Guerrero</i> MCB Camp Pendleton, CA
1100-1300:	Lunch
1300-1345:	Family Advocacy Program and Role of Civilian <i>Heather Guerrero</i> FAP Manager/VA
1345-1400:	Break
1400-1450:	PSL Corrections <i>SSgt Curtis J. Lee</i> , HQMC PSL Washington, DC
1450-1500:	Break
1500- 1600:	Naval Clemency and Parole <i>Mr. John Plansky</i> , Parole and Release Director Naval Consolidated Brig, Miramar, CA
1600-1610:	Break
1610-1630:	VWLO OPT (VWLOs only)

Friday, 7 October 2011

0800-0930:	Impact of Crime on Victims <i>Ms. Stephanie Frogge</i>
0930-0945:	Break
0945-1115:	Communicating with Victim Survivors <i>Ms. Stephanie Frogge</i>
1115-1245:	Lunch
1245-1345:	Military Civilian Collaboration in Response to Sexual Assault <i>Ms. Hallie Martyniuk & Major Schotemeyer</i>
1345-1400:	Break
1400-1430:	Court-Martial Process <i>Capt Dunn (Deputy TCAP)</i> Judge Advocate Division
1430-1440:	Break
1440-1455:	MP and CID Roles <i>SSgt Matthew J. Dixon (CPEN CID)</i>
1455-1515:	Naval Criminal Investigative Service (Roles) <i>Mr. Robert Vance</i> Washington, DC
1515-1520:	Break
1520-1610:	VWAP Best Practices, Question & Answer Session <i>Major Schotemeyer, USMC VWAP Representative</i> Judge Advocate Division
1610-1620:	Break
1620-1700	Southern California Victim Assistance Program <i>Ms. Cindy Charlebois</i> DA's Office, SD County (Optional for out of area attendees)

**USMC FY12 VICTIM WITNESS
ASSISTANCE PROGRAM (VWAP)
Training Conference
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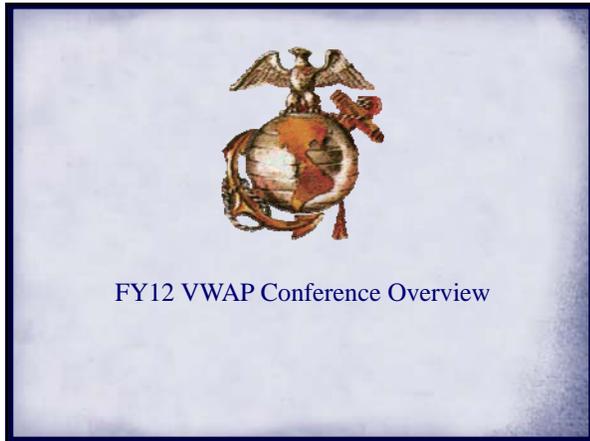
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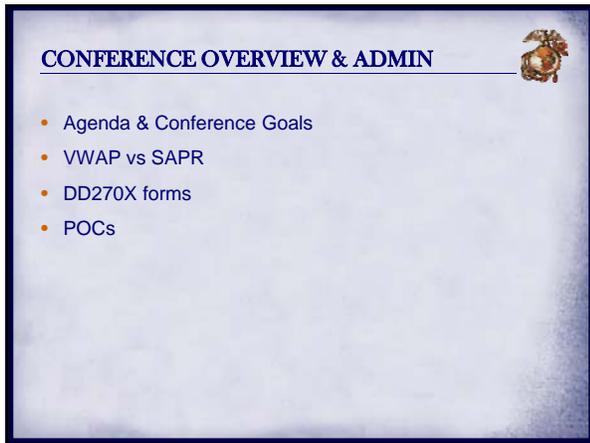
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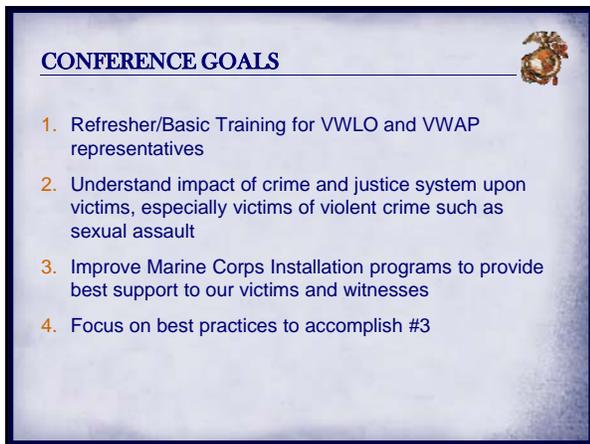
ANNEX A:

**Victim Witness Assistance Program
Overview**











VWAP 101

VWAP: PURPOSE & GOALS



- Ensure that victims and witnesses receive appropriate response and assistance
- Protect victims from further harm or hardship
- Ensure all victims are aware of their rights and are provided services they need
- Employ a multi-disciplinary approach to assisting victims and witnesses by combining the services of law enforcement, family advocacy, medical, legal corrections, and command personnel.

VICTIM AND WITNESS ASSISTANCE PROGRAM (VWAP) - REFERENCES



- Victim Witness Protection Act of 1982 – establishes VWAP
- Victims of Crime Act of 1984 – DOJ funded/Victims have fund
- Crime Control Act of 1990 – Victims right to information about offenders
- NDAA 1994 – mandates notification of inmate status changes
- 18 U.S.C. § 3771(a) "Justice for All Act of 2004" – most recent
- DoDD 1030.1 of April 13, 2004 "Victim and Witness Assistance"
- DoDI 1030.2 of June 4, 2004 "Victim and Witness Assistance Procedures"
- SECNAVINST 5800.11B of 5 Jan 2006 "Victim and Witness Assistance Program"
- MCO P5800.16A (LEGADMINMAN) Chapter 6 – currently in for revision

Victims Eligible for VWAP Services 

- Includes, *but is not limited to*:
- Military members and dependents.
- Outside the Continental U.S. - DoD civilian employees, contractors, and family members.
- If victim is under 18, incompetent, incapacitated, or deceased, the term includes either: spouse, guardian, parent, child, sibling, family member, or another person designated by court.
- Authorized representative of Institutional Entity – but not entitled to individual services – such as, transitional compensation, etc.

VWAP: VICTIMS' RIGHTS 

- The right to be reasonably protected from the accused.
- The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.
- The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
- The right to be reasonably heard at any public proceeding involving release, plea, sentencing, or any parole proceeding.
- The reasonable right to confer with the attorney for the Government in the case.
- The right to full and timely restitution as provided in law.
- The right to proceedings free from unreasonable delay.
- The right to be treated with fairness and with respect for the victim's dignity and privacy.

VWAP: VICTIMS' RIGHTS 

- *Victim's rights do not provide authority for a legal "cause of action" against the Government.*

VWAP: Witnesses eligible for services



- A person who has information or evidence about a crime, and provides that knowledge to a DOD Component about an offense in the investigative jurisdiction of a DOD component.
- When the witness is a minor, a witness includes a family member or legal guardian.
- The term witness does not include a defense witness or an individual involved in the crime as a perpetrator or accomplice.

VWAP: WITNESS' RIGHTS



- To be treated with fairness and respect for the witness's dignity and privacy.
- To be reasonably protected from the accused.
- To be notified of any scheduling changes which will affect their appearance at court-martial.
- To be notified of the apprehension of an accused, the initial appearance of an accused before a military judge, the release of the accused pending court-martial, and trial proceedings (including entry of guilty pleas and sentencing).
- To receive information about the conviction, sentence, confinement, and release of the accused.

VWAP: WITNESS' RIGHTS



- *Witness' rights do not provide authority for a legal "cause of action" against the Government.*

VWAP: DOD POLICY 

- Role of victims/witnesses should be enhanced/protected
- Do all that is possible to assist victims/witnesses without infringing on the rights of the accused
- **Particular attention to victims of serious, violent crime, including sexual assault, child abuse, and domestic violence.**

VWAP: HOW IT WORKS 

- **Main Effort – Victim Witness Liaison Officer!**
- Base and Installation commanders are responsible for implementing VWAP and shall be the central points of contact for VWAP issues aboard the installation.
- Base and Installation Commander manage through Victim Witness Liaison Officer (VWLO), VWAP Council and VWAP Coordinators for commands.

VWAP OFFICIALS 

- USMC - SJA to CMC
- CMC provides DoD VWAP Council Rep
- CMC (PSL) Corrections
- Installation commanders – VWLO
- Unit commanders – Bn/Sq and above – VWAP Coordinator
- Law enforcement - VWAP Representative
- Legal representatives - VWAP Representative
- Corrections Personnel - VWAP Representative
- Service providers (advocates, chaplain, medical) - VWAP Representatives

DEFINITIONS - MCO P5800.16 

- **VWLO** - The installation commander's representative responsible for the coordination of victim and witness assistance efforts aboard the installation.
- **VWAC** - The command's primary point of contact for victim and witness assistance matters.
- **Victim** – suffered a direct physical, mental or pecuniary harm from the commission of a crime (UCMJ or local)
- **Witness** – someone who has information about a crime
- **Law Enforcement** – NCIS/CID/PMO – does not include IO for JAGMAN invest

**INSTALLATION LEVEL:
WHO DOES WHAT** 

- **VWLO** - manage base programs for Commanders
- **NCIS/CID/PMO** - normally have first responsibility to inform crime victims and witnesses of rights under program; perform threat assessment; assist in contacting other services; safeguard property; provide updates (including apprehension); contact command VWACs
- **Prosecutors and legal personnel** - have continuing responsibility to ensure rights and services afforded under paragraph 6006.7, LEGADMINMAN
- **Legal Assistance Attorney** – formed AC, duty trumps all others
- **Corrections personnel** - manage post-trial confinement forms, reports and notifications and coordinate with other offices

**INSTALLATION LEVEL:
WHO DOES WHAT** 

- Sexual Assault Prevention and Response Program/ SARC, UVAs – victims of sexual assault
- Family Advocacy Program – Victim Advocates
- Transitional Compensation – HQMC via commanders
- Unit Commanders – Security, military protective orders, notifications
- Chaplain – counseling, comfort
- Medical - services
- Civilian advocacy services, social services, medical

VWAP: COORDINATION IS KEY 

- "All offices responsible for a part of the criminal justice process (including, but not limited to, law enforcement and criminal investigative agencies, convening authorities, legal, corrections) are responsible for ensuring a smooth transition of victim and witness assistance at each stage of the criminal justice process. *This means that close coordination is required among the VWAP personnel assigned to each of these offices during the transition from one phase of the criminal justice process to the next.*"
- Ensure right contact information is given on each DD Form to each Victim or Witness
- Ensure continuing coverage for Victims/Witnesses of services and rights.

VWLO REQUIREMENTS 

- *Responsible for everything the VWAP does or fails to do at the base.*

VWLO REQUIREMENTS 

- Paragraph 6010, LEGADMINMAN
- Ensures coordination among all offices
- Maintains list of all VWACs
- Ensures VWACs have relevant information, including VWAC roster and directory of local services/programs
- Chairs VWAP Council
- Ensures victims are notified of all support, services and rights available and VWAC information.
- Assists Base CO in reporting requirements

**VWLO
REQUIREMENTS**



- "Maintain a directory of military and civilian programs and services . . . within geographic area of the installation."
- If necessary, assist in contacting the people responsible for providing victim and witness services and relief
- VWLO – Maintains Base VWAP website

VWAP vs SAPR



- VWAP is an overarching assistance program for victims and witnesses of any crime, regardless of type and criminal proceeding. SAPR is a specialized victim assistance program for sexual assault cases.
- The main requirements of VWAP are for the necessary personnel to inform victims of their rights, fill out the appropriate forms, and track the status of a confined individual if requested. Under SAPR, the obligations are much more labor intensive and require constant coordination of all parties.

**VWAP vs SAPR
Purpose**



- VWAP
To uniformly notify victims/witnesses of their rights throughout the criminal justice process.
- SAPR
To eliminate sexual assaults within the Marine Corps and to assist those Marines affected by sexual assault; to provide standardized requirements, guidelines, protocols, and instructional materials on awareness and prevention of sexual assault; to provide an immediate, trained response capability for each report of sexual assault in all locations; and to ensure support of effective command programs and criminal justice procedures for persons to be held accountable

**VWAP vs SAPR
Applicability**



VWAP

- Applies to all victims of crimes committed in violation of the UCMJ, or in violation of the law of another jurisdiction

SAPR

- Applies to all victims of sexual assault

**VWAP vs SAPR
Implementation**



VWAP

- All Marine Corps personnel, and Navy personnel attached to Marine units, engaged in detecting, investigation, or prosecuting crime, and all personnel assisting crime victims and witnesses are responsible for the implementation of the VWAP requirements

SAPR

- Report to command by 3rd Party
- Victims may report sexual assaults in one of two manners:
 - Unrestricted Reporting –
 - Restricted Reporting –
- VAs & UVAs are responsible for upholding the rights of the victim

**VWAP vs SAPR
Personnel Involved**



VWAP

- SJA to CMC
- CMC (JAM)
- CMC (PSL)
- Installation Commanders and Unit Commanders (battalion/squadron level and above)
- Law Enforcement Personnel
- Trial Counsel/Legal Representative
- Corrections Personnel
- Service Providers
 - Marine Family Services (MFS), advocates, chaplains, and medical personnel

VWAP vs SAPR
Personnel Involved



SAPR

- Deputy Commandant for Manpower and Reserve Affairs
- Commanders
- SARC
- Victim Advocate
- Uniformed Victim Advocate

VWAP FORMS



- An end to themselves?
- No –
 - Ensures that the support, services and rights are provided and ensured.
- ***DD Forms 2701-2704 do not replace genuine service and support.***

VWAP: Pretrial & DD Form 2701



- NCIS/CID/PMO provide V/Ws with DD Form 2701
- If no investigation – Prosecution team provides DD Form 2701
- 2701 provides initial rights advisement, discusses impact of various crimes, explains basic services and notifies V/W where to get further assistance

VWAP: Military Trial Process & DD Form 2702



- Upon first contact with victim or witness, prosecution provides DD Form 2702
- DD Form 2702 explains military trial process, gives tips and restates rights.
- 2702 includes rights regarding participating in trial process.
- 2702 provides VWAP responsible official contact information and prosecutor contact information

VWAP: Post Trial & DD Form 2703



- Prosecution provides victim or witness with DD Form 2703 at finish of trial.
- Includes "Right to receive information about the conviction, sentencing, imprisonment, parole eligibility and release of the accused"
- Provides Contact info for Service Central Repository (CMC PSL (Corrections)), Confinement Facility, Service Clemency and Parole Board and any other necessary agency/office
- *"From now on, your POC will be the confinement facility or the Service Central Repository listed on the back of this page."*

VWAP: Post Trial & DD Form 2704



- TC provides brig with DD Form 2704 at finish of trial.
- Requires election by each V/W whether to receive information on confinement status
- **Never include the 2700s in the ROT – these have personal info of victims and witnesses and should not be shared**

VWAP: Post Trial Notifications & DD Form 2705 

- Corrections personnel ensure notifications made to V or Ws listed on DD Form 2704
- Clemency Eligibility
- Parole Eligibility
- Change in status – Parole/Clemency Approved, Released, Deceased, Escaped, Transferred, Work release

VWAP: RESOURCES AND FORMS 

- CMC – Major Dutch Schotemeyer (703) 614-4250; louis.schotemeyer@usmc.mil / Capt John Dunn john.s.dunn@usmc.mil
- CMC (PSL Corrections) (703) 614-1480
- Installation Victim Witness Liaison Officers (VWLO)
- <http://www.defenselink.mil/vwac/dodprograms.html> (DOD VWAP COUNCIL WEBSITE) – contains link to training presentations and forms
- <http://www.ncvc.org/ncvc/Main.aspx> (National Center for Victims of Crime)
- <http://www.ojp.usdoj.gov/programs/victims.htm> (DOJ Office for Victims of Crime)

SUMMARY 

- Victims/Witnesses of Crime deserve protection and assistance
 - Assists recovery
 - Improves Criminal Justice System at Large
- Interdisciplinary Program
- Coordination is Key
- Base Commanders own Local Base Programs
- All agencies have a role

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ANNEX B:

Marine Corps Sexual Assault Prevention and Response Program (SAPR)





**Marine Corps
Sexual Assault Prevention and
Response Program (SAPR)**

Melissa Cohen, Program Manager
Headquarters, U.S. Marine Corps
Marine and Family Programs Division

"Keeping Faith"



"Keeping Faith"



Statistics

- Victims at the highest risk – Ages 18-24
- Offenders are fellow Marines (over 60%)
- Alcohol is involved (~65%)
- Sexual assaults occur in the barracks / private residences approximately (over 50%)
- Male victims are less likely to come forward than females
- FY 2010 there were 310 cases of sexual assault

"Keeping Faith"



Challenges

1. Unreported Sexual Assaults
2. Command Climate
3. Creating A Training Message That Impacts Marines
4. Addressing Mental Health Needs of Victims
5. Implementing a multi-disciplinary / comprehensive approach
6. Evidence Collection

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Un-Reported Sexual Assaults CHALLENGE #1

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Barriers To Reporting

Shame / Humiliation

Fear: report would not be confidential

Fear: effect on reputation and standing

Fear: retaliation by offender or friends

Fear: disbelief by command

Fear: Collateral Misconduct

Sexual assault is an under-reported crime

"Keeping Faith"



Barriers to Reporting Cont.

- Vast majority of sexual assaults are committed by non-strangers
- Rarely have physical or medical evidence
- Rarely have any eye or ear witnesses
- Frequently complicated by use of alcohol by victim and offender
- Frequently concurrent collateral misconduct by the victim

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Barriers to Reporting Cont.

- Rape myths and misperceptions present obstacles to prosecution
- Delayed reporting
- Maintaining confidentiality *can be* challenging within a unit

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Barriers to Reporting Cont.

Burden of Proof

- Very high
 - The prosecution must prove every element of every crime beyond a reasonable doubt
 - Not every case will make it past the burden of proof EVEN IF the victim is telling the truth

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Reporting Options

- Restricted
- Unrestricted
 - Uniformed Victim Advocate (UVA)
 - Sexual Assault Response Coordinator (SARC)
 - Health Care Providers (some exceptions)

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Command Climate **CHALLENGE #2**

"Keeping Faith"



Summary – A Change In Mindset

- | <i>Old</i> Mindset | <i>New</i> Mindset |
|-----------------------|---------------------------------------|
| • No confidentiality | • 2 Reporting Options |
| • Mandatory reporting | • Victim-centered |
| • Offender protection | • Engaged leadership |
| • Perpetuating myths | • Heightened awareness |
| • Poor victim-care | • Less stigma with increased dialogue |
| • Shame w/ reporting | |

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Most sexual assault reports are false

MYTH

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Rate of False Reports is 2-7%

FACT

Kimberly Lonsway, Joanne Archambault, David Lisak - The National Center for the Prosecution of Violence Against Women, 2009

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Most Offenders Commit Sexual Assaults One Time

MYTH

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Offenders commit on average six assaults, most of which go unreported

FACT

Lisak, David; Miller, Paul M. (February 2002). "Repeat rape and multiple offending among undetected rapists", *Violence and Victims* 17 (1): 73-84.

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Addressing Mental Health Needs of Victims

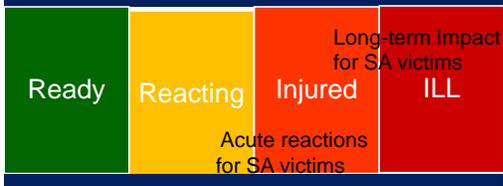
CHALLENGE #3

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Mental Health Needs

Stress Continuum for Marines



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Mental Health Needs Cont.

- Chronic psychological consequences may include:
 - Depression
 - Attempted or completed suicide
 - Alcohol abuse
 - Alienation
 - PTSD
 - Eating / Sleeping Disorders

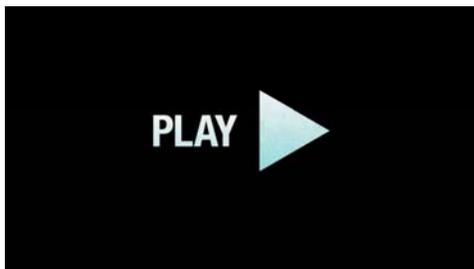
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Creating a training message that impacts Marines

CHALLENGE #4

"Keeping Faith"



"Keeping Faith"



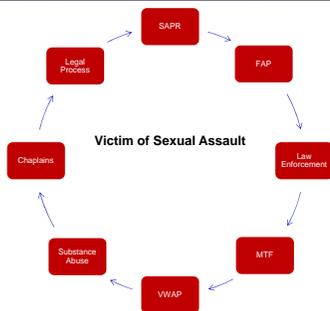
Multi-disciplinary / Comprehensive Approach to Victim Care

CHALLENGE #5

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Multi-Disciplinary Approach



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Evidence Collection

- Need to increase awareness about evidence collection
- Victims who receive SANE services are more likely to participate in the criminal justice system than those who do not
- Strongest predictors of conviction is the victim's participation in the process

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What you can do...

- Understand who can maintain confidentiality
- Understand reporting options and importance of Victim Reporting Preference Statements
- Encourage counseling
- Listen, support and protect victims
- Educate them about process and what to expect

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Questions?

Melissa Cohen, Program Manager
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Marine and Family Programs Division
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ANNEX C:

**Transitional
Compensation**





Transitional Compensation for
Abused Family Members
VWAP Conference 2011



Overview

- Program overview
- Eligibility criteria
- Program benefits
- Application Process
- Pending Legislation



Overview

- Congressionally mandated program per DoDI 1342.24, 23 May 1995
- Designed in response to a DoD “abused victims study.” The results identified barriers to reporting abuse and recommended actions to eliminate such barriers
- Purpose: ease unexpected transition from military to civilian life



Eligibility Criteria

- Spouse and other dependents living in the home at the time of abuse
- Marine served minimum of 30 days on Active Duty and;
- Marine separated for a dependent abuse offense via:
 - ❖ Result of a court-martial sentence; or
 - ❖ Forfeiture of all pay and allowances via court-martial; or
 - ❖ Administrative separation (Enlisted); or
 - ❖ Board of Inquiry (Officers)



Exceptional Eligibility

- Authorized under OSD DTM 14 April 2008
 - ❖ SecNav's office authorized to review and approve cases where dependent-abuse offense was not documented as reason for separation
 - ❖ Evidence of dependent-abuse offense must accompany the application



Benefits

- Monthly payments
- Retention of military ID card
- Medical
- Dental



Payments

- Based on the unserved portion of obligated Active Duty service
- Duration of payments
 - ❖ Minimum of 12 months
 - ❖ Maximum of 36 months
- Commencement of payments
 - ❖ Date of results of trial (*Officer or enlisted*) or;
 - ❖ The date notification of separation letter is served (*enlisted*) or;
 - ❖ The date of a Board of Inquiry (BOI) (*Officer*)



Payment Rates

- Based on the rate in effect for Dependency and Indemnity Compensation
- Current monthly pay rates
 - ❖ \$ 1,154 for spouse only
 - ❖ \$286 per child
 - ❖ \$ 488 child only



Forfeiture of Payments

- Remarriage
- Cohabitation
- Active participant in abuse of a dependent child victim



Application Process

- Completion of application packet
 - ❖ DD Form 2698, Application for Transitional Compensation
 - ❖ Supporting legal documents (Admin sep letter to the Marine, court-martial results, BOI)
 - ❖ SF 1199A, Direct Deposit Form
 - ❖ Acknowledgement of Actions form
- Allow 2 weeks for HQMC to review and make decision
- Recipient receives decision letter
- Approved applications forwarded to DFAS for payment (allow minimum of 6 weeks for initial payment)
- HQMC DEERS POC creates a new record with recipient as sponsor



Pending Legislative Proposals

- Currently an unborn child is not considered a dependent child under Transitional Compensation statute
 - ❖ DODI 1342.24, para 3.2, defines a dependent child as “an unmarried child, including an adopted child or a stepchild, who was residing with the member at the time of the dependent abuse offense”
- Proposal to extend benefits to children carried during pregnancy at the time of abuse was officially sponsored by OSD and is currently under legislative review



HQMC Point of Contact

Captain Meghan Harvey
 Commercial: (703) 432-3109
 Fax: (703) 784-9828
 Email: meghan.harvey@usmc.mil
 Website: <http://www.usmc-mccs.org/transcomp/index.cfm>

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ANNEX D:

Family Advocacy Program and Role of the Victim Advocate





Family Advocacy Program & Role of the Victim Advocate

Heather Guerrero, Victim Advocate Coordinator
MCB Camp Pendleton



Working for the Military

- All Clinicians/Case Managers are licensed mental health professionals
- MFT's and LCSW's
- All are credentialed through Headquarters Marine Corps
- Both Victim Advocates and Clinicians are subject to thorough background checks



Domestic Abuse in the Marine Corps

"Myths and Realities"



Domestic Abuse in the USMC

Myth:

- > Nothing is done about DV in the military
- > There are no services for spouses and children
- > There is no education about domestic violence in the military

Reality:

- > FAP orders and CS Programs (Staff of 42 & accountability is key)
- > Multiple organizations that serve both on and off-base military personnel and families
- > Mandatory annual training, safety stand downs, and pre and post deployment briefs



Orders/Directives Related to Family Advocacy

- > DoD 6400.1M
- > SECNAVINST 1752.3B
- > NAVMC 2930
- > MCO P1700.24B
- > MARADMIN 206/06
- > BO 1752.3A



Domestic Violence as Defined in the USMC

> Domestic Abuse is (1) domestic violence or (2) a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person of the opposite sex who is:

- > (a) a current or former spouse
- > (b) a person with whom the abuser shares a child in common
- > (c) a current or former intimate partner with whom the abuser shares or has shared a common domicile.



Domestic Abuse...

- Affects mission readiness of all Marines and Sailors
- Detracts from military performance
- Negatively impacts the efficient functioning and morale of military commands
- Diminishes the reputation and prestige of the Marine Corps, and affects individuals, families, and communities
- Dishonors Marine Corps Values:

Honor, Courage, Commitment



Child Abuse as Defined in the USMC

- The physical or sexual abuse, emotional maltreatment, or neglect of a child by a parent, guardian, foster parent, or by a caregiver, whether the caregiver is intrafamilial or extrafamilial, under circumstances indicating that the child's welfare is harmed or threatened.
- California law defines child witness to domestic abuse as emotional abuse.



Family Advocacy Program (FAP)

- The Family Advocacy Program (FAP) was created to address family violence in military families
- Created in 1984 by Department of Defense (DOD) Directive 6400.1
- FAP offices are installed at all Marine Corps bases worldwide
- FAP personnel provide services that identify, intervene, assess, treat, and prevent family violence.

Coordinated Community Response





How Offenses Are Reported

- Police Reports: On-Base (PMO) or Off-base through the respective law enforcement agency.
- Naval Hospital Camp Pendleton (NHCP): Victims of DV through the Emergency Room
- Child Welfare Services (CWS)
- Self-report/Walk-in
- Command Report (via all military bases)
- Military One Source
- Chaplains
- Outside Agencies



Role of the Victim Advocate

- 24/7 on call response
- Work with domestic violence, sexual assault, child abuse (non-offending parent)
- Accompany victim throughout process
- Liaison between victim and Command
- Provide safety planning, referrals, and resources



Role of the Victim Advocate

- Attends monthly sexual assault case management meetings
- Provide system advocacy training to members of the Coordinated Community Response



Reporting Options

Adult victims of domestic abuse now have two reporting options:

- Unrestricted Reporting
- Restricted Reporting



Unrestricted Reporting

- DV reported to Command, Family Advocacy (FAP) and/or Law Enforcement (LE)
 - Victim Advocacy services offered
 - Risk assessment and case management initiated by FAP
 - LE investigation commenced
 - Medical care provided as requested
- FAP providers work with Command to make treatment recommendations and ensure safety (e.g. MPO.)



Restricted Reporting

- A confidential reporting option for victims
- Victim is offered:
 - Medical services
 - Clinical intervention
 - Victim Advocacy
- Victim discloses to a specific individual and is informed of benefits and limitations of restricted reporting
- Victim elects to go with restricted report in writing



FAP Case Management

- FAP Case Manager (CM) receives case
- CM checks with CID/NCIS to make sure they do not have jurisdiction.
- Contacts Service Member (Sm)'s Command
- Conducts psychosocial assessments with Sm and Spouse (Sp)
- Collaborates with Victim Advocate (VA) to ensure safety planning
- Collaborates with Command to coordinate treatment interventions (e.g. MPO's, treatment recommendations, etc.)
- Communicates with CWS to ensure safety as well as discuss intervention options
- Write Report (IDC & CCSM)
- Follow case until treatment recommendations are met.



Treatment Recommendations

- DV Classes (MEP/WEP, Track A, Track B)
- Consolidated Substance Abuse Counseling Center (CSACC)
- New Parent Support Program (NPSP)
- Individual Counseling
- POWER Workshop (aimed at prevention)
- Women In Relationships
- Concur with CWS



DV Offender Treatment Groups

- Men's Education Program (MEP) or Women's Education Program (WEP)
- 2 Tracks: A) minimum of 4 weeks or B) minimum of 16 weeks
- Can be attended in lieu of a 52 week batterer intervention program (e.g. need specific documentation for court ordered cases)
- Goal of Group: **Accountability!**
 - No MBD's (minimizing, blaming, or denying)
 - Remorse
 - Empathy
 - Accepting consequences
 - Check-in's



Collateral Referrals

- Individual, Couples or Family Therapy: Military One Source or Tricare
- New Parent Support Program (NPSP)
- Chaplains, CREDO
- Medical, NHCP
- Prevention & Education



Prevention & Education

- Stress & Anger Management, Communication & Conflict Resolution
- Suicide Prevention
- Sexual Assault Prevention
- DV Prevention
- Child Abuse Prevention



Useful Resources

- > www.usmc-mccs.org/famadv/?sid=fl
- > www.dvbc.org
- > <http://www.pendleton.usmc.mil/>
- > https://www.manpower.usmc.mil/portal/page?_pageid=278_3260198&_dad=portal&_schema=PORTAL
- > <http://www.usmc-mccs.org/cosc/conference/Index.cfm>
- > Bulletproof Mind Lecture. <http://www.killology.com/>
- > <http://www.mccscp.com/home/home.aspx>



Questions ?

- > Contact Info
 - > Heather Guerrero
 - > (760) 725-6048
 - > heather.guerrero@usmc.mil

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ANNEX E:

PSL Corrections



 **VICTIM / WITNESS ASSISTANCE PROGRAM** 

**Corrections Section (PSL Corrections)
Law Enforcement and Corrections Branch
Security Division, PP&O
Headquarters, U.S. Marine Corps
2 Navy Annex Room 3310
Washington, DC 20380-1775
Commercial: (703) 614-1480/2095**

 **AGENDA** 

- References
- VWAP Mission Statement
- CMC PSL Corrections Responsibilities
- Proposed Changes to DD 2704 (Victim/Witness Certification and Election Concerning Prisoner Status)
- Brig Responsibilities
- Quality Control
- Stats

 **REFERENCES** 

- Victim Witness Protection Act of 1982 – Establishes VWAP
- Victims of Crime Act of 1984 – DOJ funded/Victims have fund
- Crime Control Act of 1990 – Victims right to information about offenders
- NDAA 1994 – Mandates notification of inmate status changes
- 18 U.S.C. § 3771(a) “Justice for All Act of 2004” – most recent
- DoDD 1030.1 of April 13, 2004 “Victim and Witness Assistance”
- DoDI 1030.2 of June 4, 2004 “Victim and Witness Assistance Procedures”
- SECNAVINST 5800.11B “Victim and Witness Assistance Program”
- MCO P5800.16A (LEGADMINMAN) Chapter 6



**PSL CORRECTIONS
VWAP MISSION STATEMENT**



DODI 1030.2, June 4, 2004

"Central Repository. A Military Service headquarters office designated by the Secretary for each Military Department to serve as a clearing-house of information on inmate status and to collect and report data on the delivery of victim and witness assistance including notification of inmate status changes."



**CMC PSL CORRECTIONS
RESPONSIBILITIES**



- Ensure a properly completed DD Form 2704 is received for every post-trial prisoner.
- Ensure that a victim and witness notification program is established in each brig.
 - VWAP procedures will apply to all prisoners regardless of service.
- The DD forms and adjunct files will be destroyed 2 years from the date the prisoner is released from confinement or parole, whichever is later.
- Ensure that the corrections database accurately reflects all prisoners enrolled in the notification program.
- Verify compliance with notification requirements prior to directing any prisoner transfer or transport.



**CMC PSL CORRECTIONS
RESPONSIBILITIES**



- Review the notification program, and when appropriate, direct termination from the notification program of victims or witnesses that brig personnel are unable to contact after reasonable efforts.
 - For prisoners of other services, forward the request of termination to the appropriate service central repository.
- Inform brig of any victim or witness requests received indicating a desire to be terminated from the notification program.
- Report via DD Form 2706, by 1 February, the total number of victims and witnesses to whom Marine Corps brig personnel provided notice of prisoner status changes via DD Form 2705, and a cumulative total (as of 31 December) of each service's prisoners for whom brig must provide victim or witness notifications.



PROPOSED CHANGES TO DD 2704



- DoD Corrections Council has established a sub working group to revise all Corrections related DoD forms in order to standardize and update them.

- The updated DD 2704 will provide the trial counsel the ability and right to initial for those victims and witnesses that depart immediately after testifying



PROPOSED CHANGES TO DD 2704





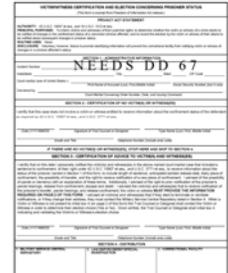




PROPOSED CHANGES TO DD 2704







BRIG RESPONSIBILITIES

- VVAP file shall be maintained separately by the appointed VVAP Coordinator on all prisoners enrolled in the program.
 - DD 2704 Certification & Election
 - DD 2705 Notification of inmate status
 - Copies of correspondence
 - Record of telephone contacts
- Notify victims / witnesses:
 - Initial contact
 - Parole/Clemency hearing
 - Escape
 - Transfer
 - Release
 - Death
 - Emergency leave
 - **Notifications are not limited to the above**

QUALITY CONTROL

- How does PSL Corrections ensure victims / witnesses are enrolled in the program, notifications are being made in a timely manner, and the Corrections Management Information System (CORMIS) is accurate?
 - Monthly Reports
 - » Helps PSL Corrections produce an accurate annual report.
 - CORMIS
 - » Error Reports
 - » Notifications
 - » V/W types
 - » Documentation

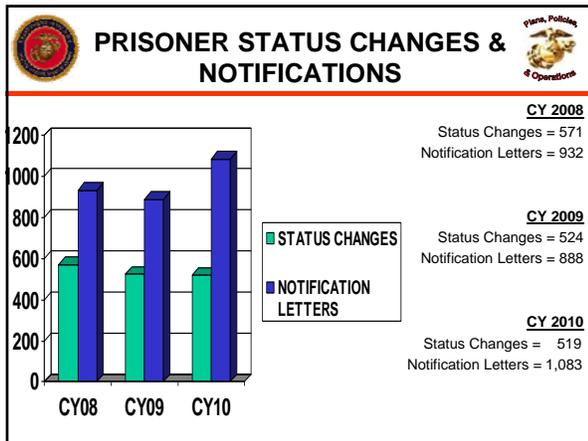
VICTIMS/WITNESSES ENROLLED IN PROGRAM

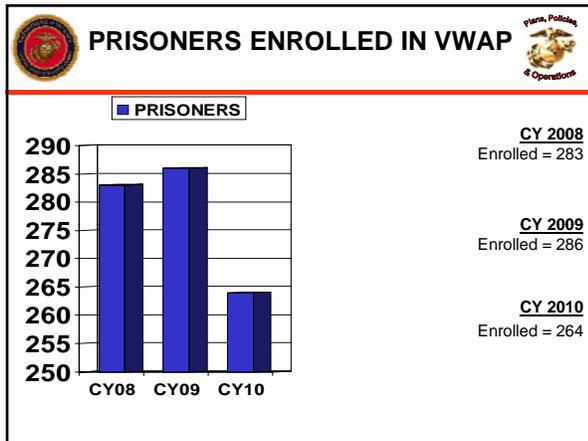
CY 2008
Victims = 342
Witnesses = 377

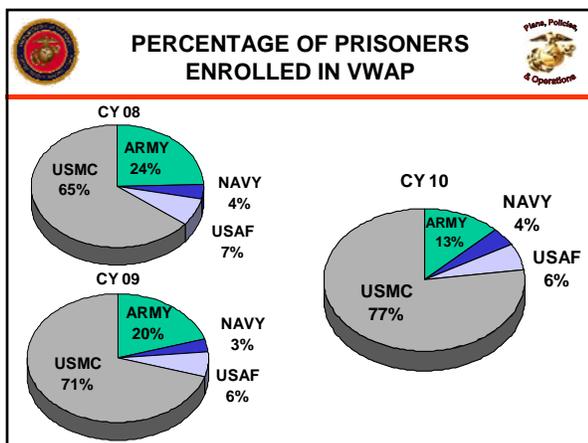
CY 2009
Victims = 296
Witnesses = 422

CY 2010
Victims = 215
Witnesses = 519

Year	VIC	WIT
CY08	342	377
CY09	296	422
CY10	215	519







 **HOW CAN YOU HELP?** 

- Continue to ensure complete and accurate DD Form 2704's:
 - Enables timely notifications to be made to victims and witnesses
 - Fulfills the purpose of the VWAP program
- Process for incomplete, incorrect, or undelivered DD 2704's:
 - Brig attempts to rectify discrepancies through trial counsel
 - Brig notifies CMC PSL Corrections of unresponsive actions
 - CMC PSL Corrections attempts to rectify through SJA
 - CMC PSL Corrections notifies CMC JA of unresponsive actions

 **PSL CORRECTIONS** 

QUESTIONS

ANNEX F:

Navy Clemency and Parole



Mr. John Plansky
Parole and Release Director
858-577-7069
John.f.plansky@navy.mil

PERFORMANCE OBJECTIVE

1. To familiarize you with the clemency, parole, and mandatory supervised release programs.
2. To familiarize you with the victim witness program as it relates to confinement facilities.
3. To familiarize you with good conduct time (GT) and earned time (ET)

REFERENCES

BUPERSINST 1640.22
SECNAVINST 1640.9C
SECNAVINST 5815.3J
DoD Instruction 1325.7
DOD instruction 1030.1 and 2

CLEMENCY AND PAROLE CHANNELS

- Review Board (local)
- Commanding Officer
- Service Clemency & Parole Board
- Service Secretary (In Certain Cases)

CLEMENCY

- Administrative review or action
- Not a correction of legal error
- Mitigation, remission or suspension
- Whole or any part
- Unexecuted portion

CLEMENCY ELIGIBILITY

- 12 month or more sentence
- Not usually considered unless
 1. Meets above criteria
 2. Disposition board & CO/OIC review (or federal correctional or probation official)
 3. CA has acted

Sentence	Initial Review (after confinement date)	Subsequent Reviews
12+ mos & < 20 yrs	9 months (or w/ 90 days of CA action)	At least annually
20+ yrs & < 30 yrs	9 months	Annually beginning 3 months after confinement date
30+ yrs thru life	9 months	Annually beginning 10 years after confinement date
Life without parole	20 years	At least once every 3 years
Death penalty	--	--

CLEMENCY FOR PAROLEES

- **Parolees** – 12 months after release on parole and annually upon request until sentence expiration
- **Parole violator** – no earlier than 12 months from date returned to control of military facility

CLEMENCY WAIVERS

- **Written**
- **Prisoner signature & date**
- **Disposition Board still considers**
- **Waiver & board recommendations sent to service C&PB**

FORMS OF CLEMENCY

- Restoration to Duty
- Remission of a Dismissal (Officers only)
- Reduction in Confinement
- Reduction or Remission of Forfeitures
- Reduction or Remission of Fines
- Admin Discharge in lieu of Punitive
- Mitigation of DD to a BCD
- Full or Partial Restoration to Pay Grade
- Restoration of Precedence (Officers only)

PAROLE

- Extension to confinement
- Conditional release
- Date approved for parole through maximum release date
- U.S. Probation Office
- Agree to board stipulations

PAROLE ELIGIBILITY

- Prisoner requests
- Approved sentence with unsuspended dismissal/ punitive discharge or administratively discharged or retired
- Unsuspended sentence of 12+ months
- Served 1/3 of sentence (at least 6 months)
- Served at least 10 years if sentence is 30+ years to life

PAROLE ELIGIBILITY (cont)

- Death penalty -- not eligible
- Good conduct time / other sentence reductions not used in computation
- Parole violators may be reconsidered no earlier than 12 months after return

PAROLE WAIVERS

- DD 2715-3
- Prisoner signs to acknowledge
- Forwarded to Service C&PB
- May still be considered

PAROLE APPEALS

- Prisoner may elect
- Written
- 30 days
- Via CO/OIC
- New/additional material considered
- Final action

PAROLE CONSIDERATIONS

- Nature/circumstances
- Sentence comparisons
- Deterrence
- Society
- Good order & discipline
- Confinement record
- Psychological profile
- Age, education, marital & family status
- Rehabilitation efforts
- Needed counseling/therapy
- Genuine remorse
- Potential for violence
- Weapons
- Harm to victims
- Motive
- Gain
- Extent of participation
- Co-accused
- Other offenses
- Future plans & conditions
- Prior honorable discharges, combat service, awards & decorations

MANDATORY SUPERVISED RELEASE

- Supervision by probation officer until maximum release date
- Acceptable plan before release
- Not released before minimum release date
- Not a choice!

MSR ELIGIBILITY

- Sentenced after 08-16-01
- Approved sentence of 3 years or more
- Identify candidates - results of trial & court martial orders
- Last disposition board

MSR SUBMISSIONS

- Case file for every candidate
- Include MSR plan
- Failure = D&A Board for LGCT
- Informed in writing
- Sign acknowledgement
- DoD MOU

MSR PROCEDURES

- Prisoner notified
- Coordinate with probation officer
- Acknowledge terms & conditions
- Refusals witnessed & certified
- Departure constitutes acceptance
- Refusal to depart – referral for D&A board

RELEASE PLANS

- Signed agreement before release
- Tailored
- Residence
- Employment or educational/vocational acceptance
- Conditions

DOD I 1030.1

- 4.2. The DoD Components shall do all that is possible within limits of available resources to assist victims and witnesses of crime, in accordance with the requirements listed in DoD Instruction 1030.2 (reference (f)) without infringing on the constitutional rights of an accused. Particular attention should be paid to victims of serious, violent crime, including child abuse, domestic violence, and sexual misconduct.

DOD I 1030.2

- 6.4.2. Specific information regarding the election to be notified of changes in inmate status. The DD Form 2704, "Victim/Witness Certification and Election Concerning Inmate Status," (enclosure 6) shall be used for victims and appropriate witnesses (those who fear harm by the offender) to elect to be notified of changes in the offender's status in confinement.

DOD I 1030.2

- For all cases resulting in a sentence to confinement, the DD Form 2704 shall be completed and forwarded to the Service central repository, the gaining confinement facility, the local responsible official, and the victim or witness, if any. The date it is given to the victim or witness is reportable and shall be recorded on the appropriate form authorized for use by the particular Service.

DOD I 1030.2

- E2.1.6. Witness. A person who has information or evidence about a crime within the investigative jurisdiction of a DoD Component who provides that knowledge or evidence to a DoD Component. When the witness is a minor, that term includes a family member or legal guardian. The term witness does not include a defense witness or an individual involved in the crime as a perpetrator or accomplice.

Types of notifications

- The scheduling of a clemency or parole hearing for the inmate.
- The transfer of the inmate from one facility to another.
- The escape (and subsequent return to custody), work release, furlough, or any other form of release from custody of the inmate.
- The release of the inmate to parole supervision.
- The death of the inmate, if the inmate dies while in custody.
- change in the scheduled release date of more than 30 days from the last notification due to a disposition or disciplinary and adjustment board.

Section 1

VICTIM/WITNESS CERTIFICATION AND ELECTION CONCERNING INMATE STATUS
(This form is exempt from Freedom of Information Act release.)

PRIVACY ACT STATEMENT

AUTHORITY: 42 U.S.C. 10906 et seq.; Victim's Rights and Restitution Act of 1990; 18 U.S.C. 1001 et seq.; Victim and Witness Protection Act of 1982.

PRINCIPAL PURPOSES: To inform victims and witnesses of their post-trial rights; to determine whether the victim or witness of a crime elects to be notified of changes in the confinement status of a convicted criminal offender; and to record the election by the victim or witness of their desire to be notified about subsequent changes in inmate status.

ROUTINE USES: None.

DISCLOSURE: Voluntary; however, failure to provide identifying information will prevent the corrections facility from notifying victim or witness of changes in a criminal offender's status.

SECTION I - ADMINISTRATIVE INFORMATION

Installation CAMP LEJEUNE City JACKSONVILLE State NC ZIP Code 28542

Incident Number 07-409 Organizational Identifier (ORI) LSSS

Section 5

SECTION V - DISTRIBUTION

<i>ADDRESSES (Include 3 digit ZIP Code and telephone number)</i>	
MILITARY SERVICE CENTRAL HEADQUARTERS HOMEC (MIL) CORRECTIONS BRANCH VICTIM/WITNESS REPOSITORY COORDINATOR 2 NAVY ANNEX WASHINGTON D.C. 20380 (703) 614-1068/1480	LOCAL CONFINEMENT FACILITY (Name and address) Naval Consolidated Detg 14141 Miramar Way P.O. Box 452135 San Diego, CA 92145-2135 (619) 277-7000/7091
LEW ENFORCEMENT/SPECIAL INVESTIGATION CRIMINAL INVESTIGATIVE DIVISION (CID) PMO, CAMP LEJUNE, NC (919) 451-2571 NAVAL CRIMINAL INVESTIGATIVE SERVICE (NCIS) CAMP LEJUNE, NC (919) 451-8071	VICTIM/WITNESS (Individual will receive a copy with all other victim/witness addresses blocked out.) MEM: 7/1/01 114 CLR4

DD FORM 2704 (BACK), MAR 1999

Good time and Earned time

- Offense prior to 1 Jan 2005 variable rate:
 - Less than 1 yr = 5 days
 - 1 yr – less than 3 yrs = 6 days
 - 3yrs – less than 5 yrs = 7 days
 - 5yrs – less than 8 yrs = 8 days
 - 10 yrs or more = 10 days

Good time and Earned time

- Offense after 1 Jan 2005 (5) days flat rate
- Based on Allen credit/pre-trial confinement
- Earned time
 - Pre-trial not eligible
 - For various programs offered
 - Different components

Good time and Earned time

- Different components
 - Work (max 5 days)
 - Offense specific treatment (4 days)
 - Education (2 days)
 - Self improvement (2 days)
 - Support activities (1 day)
- MAX earnable per month (8 days)
- SAA earned for a specific act deemed appropriate by the confinement facility commander.

SUMMARY

- Clemency & Parole Board Channels
- Clemency, Eligibility, Timeframes, Types & Waivers
- Clemency for Parolees
- Parole, Eligibility, Waivers, Appeals & Considerations
- MSR, Eligibility, Submission Guidelines & Procedures
- Release Plans
- Victim witness program
- Good time and earned time

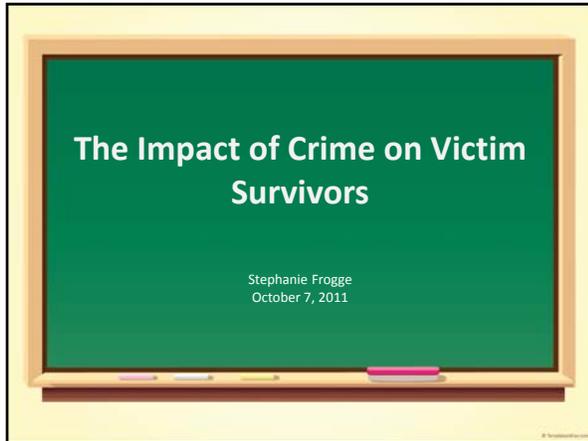
Questions

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ANNEX G:

Impact of Crime on Victim Survivors





Learning Objectives

- Identify the immediate-, short- and long-term psychological impact of criminal victimization
- Describe key aspects of the physical, spiritual, social and financial impact of crime on victim survivors
- Describe measures that can empower victim survivors to participate
- Identify the role of military service providers



Things to Think About

- More than half of victim survivors *know* their offenders
- Not *all* victim survivors report crimes to law enforcement
- Many non-reporting victim survivors still seek support and services
- Many reporting victim survivors may have prior victimizations / trauma history

And the System Asks Them To:

- Purposefully think about the criminal act
- Discuss what happened in intimate detail
- Confide in people they do not know / in a public setting
- Face the alleged or convicted perpetrator
- Participate in a process they may not understand, and in which they may be unwilling participants



By Recognizing and Addressing Victim Trauma We Can Potentially:

- Increase capacity to report crimes and cooperate.
- Enhance ability to effectively participate as witnesses.
- Affect overall perception of the DoD & MJS.
- Increase input into plea agreements, VIS, and seeking services.
- Enhance capacity to provide information critical to offender management.
- Avoid secondary trauma.

Considerations for Helpers

- Every *victim* is unique.
- Every *case* is unique.
- Helpful responses must be:
 - Tailored to individual needs
 - Culturally competent
 - Collaborative – likely involving both military and civilian agencies and organizations.





Just World Theory

- Bad things won't happen to us
- The world is orderly and meaningful
- We see ourselves and our actions in a positive light



Janoff-Bulman & Frieze

Expectations of Victim Survivors

- To be treated with respect / as an adult
- That their harm be acknowledged
- To receive information



Predictors of Trauma-related Stress

- Degree of life threat
- Bereavement
- Speed on onset
- Duration of trauma/injury
- Displacement from home community
- Potential for recurrence
- Exposure to death, dying, destruction

But...My Trauma Isn't Necessarily Your Trauma

- Any situation for which a person doesn't have adequate coping skills
- An event that requires a person to adjust and adapt to an unpredicted situation
- An event outside the range of normal human experience

Basic Survival Needs

- Safety
- Food
- Shelter
- Minimal resources (clothing, personal hygiene, etc.)
- Transportation
- Social support
- Income



Immediate and Short-term Reactions

- Shock, surprise and terror that the crime happened.
- Feelings of unreality.
- High levels of physiological anxiety.
- Continued symptoms of anxiety.
- People who have been victimized in the past are at greater risk of developing emotional problems than the first-time victimized.

Immediate and Short-term Trauma Reaction - Examples

- Preoccupation with the crime.
- Concerned about their safety and that of their loved ones.
- Concerned that they will not be believed, and be blamed.
- Negative changes in belief systems.
- Hyper-vigilance (especially in chronic trauma)



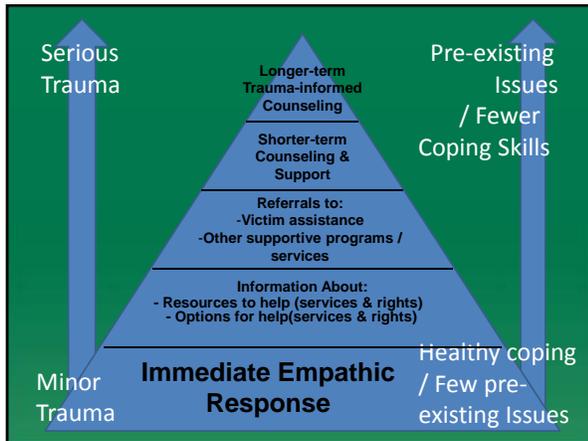
Long-term Trauma Reactions

- Major depression.
- Thoughts of suicide and suicide attempts.
- Use/abuse of alcohol and other drugs.
- Ongoing problems with relationships.
- Anxiety disorders.
- Changing view of the world as "a safe place."
- Increased risk of further victimization.
- Post-traumatic Stress Disorder (PTSD).

Keep in Mind

- Not *all* victim survivors endure significant trauma in the aftermath of crime.
- The range of reactions often depends upon pre- and post-victimization factors, and factors related to the crime.
- An *immediate* and *ongoing* sensitive response always benefits victim survivors!
- *Ask* what would be most helpful.





Potential Challenges

- Pre-existing relationship between victim and perpetrator
- Feelings of not being believed
- Correlating factors in many sexual assault cases
- Much case work takes place over the phone
- Difficulties in trial preparation and participation



Complicating Factors in Homicide

- Sexual assault either before or after
- Torture / mutilation of the body
- Multiple offenders
- Multiple victims
- Survivor witnesses

Usefulness of Counseling

Pre-victimization Factors:

- No consistent finding with respect to demographic characteristics.
- Prior victimization history increases trauma following a new crime.
- History of prior mental health problems increases trauma following a new crime, particularly history of PTSD or major depression.



Usefulness of Counseling

- **Crime Factors:**
 - Life threat and injury increases risk.
 - Violent crimes vs. property crimes.
- **Post victimization Factors:**
 - Poor social support.
 - Degree of exposure to the justice system.

Other Impacts of Trauma

- Physical
- Financial
- Spiritual
- Social



Empowering Victim Survivors

- Put yourself in a victim survivor's shoes:
 - What might they think about the MJS?
 - What "word out" might they have heard?
 - Why might they not want to participate?
- Start at the beginning:
 - First response
 - Coordination between MJS and community-based victim assistance programs
- How are victim survivors viewed and treated as a whole?

Empowering Victim Survivors

- Review your victim information:
 - Sensitive?
 - Clear?
 - Easy to understand?
- Collaborate with allied agencies:
 - CJS agencies (X-jurisdiction cases)
 - Victim services
 - Other community-based services
- Evaluate and seek feedback

Empowering Victim Survivors

- Learn about victim services:
- Get trained!:
 - Victim survivor trauma
 - Victim survivors' major needs
- Over 10,000 system- and community-based victim assistance programs
- The role of victim advocates
- Office for Victims of Crime portal: www.ovc.gov



TAKE CARE OF YOURSELF!

- Secondary traumatic stress has significant repercussions when left unaddressed.

ANNEX H:

Communicating with Victim Survivors



COMMUNICATING WITH VICTIM SURVIVORS
Stephanie Frogge
October 7, 2011

SESSION GOALS

- ◉ Identify challenges to talking with victims
- ◉ Identify how to encourage effective communication
- ◉ Learn practical tips about talking to victims

D&D 2011 2

"Victims remember *two* things: those who *help*, and those who *hurt*."

- Cheryl Ward Kaiser

D&D 2011 3

COMMUNICATING WITH VICTIM SURVIVORS

- ◉ Difficult interviews with victim survivors:
 - Who are angry, confused, highly traumatized or don't want to talk to you
- ◉ Limited information:
 - On what you can tell the victim
 - On what the victim can tell you
- ◉ Stressful to you:
 - Vicarious trauma

Du0 2011

4

NON-VERBAL COMMUNICATION

- ◉ Setting
- ◉ Attending Behaviors
- ◉ Body Language



THE SETTING

- ◉ Comfort
- ◉ Quiet
- ◉ Minimizing Distractions

ATTENDING BEHAVIORS

- ◎ Specific gestures
- ◎ Your presence

NON-VERBAL COMMUNICATION

WORDS VS. BEHAVIOR

LAST FEBRUARY AT THE CANADIAN BAR ASSOCIATION'S THREE-DAY MEETING CALLED TO DISCUSS THE SPECIAL PROBLEM OF SEXISM WITHIN THE LEGAL PROFESSION, THE SPONSORS' MAIN SOCIAL EVENT WAS A TOGA PARTY. THE PRESIDENT OF THE BAR CALLED ON "EVERY ADONIS AND APHRODITE TO SLIP ON THAT FAVORITE BED SHEET."

BODY LANGUAGE

SOLER

- ◉ Squarely
- ◉ Open stance
- ◉ Lean forward
- ◉ Eye contact
- ◉ Relaxed

VERBAL COMMUNICATION

- ◉ Reflection
- ◉ The accent
- ◉ Minimal prompts
- ◉ Silence

REFLECTION

◉ Just saying what you think you heard!

- Verbal feedback*
- Reflective / Active listening*
- Summarizing*
- Paraphrasing*

☞ *Take notes. Demonstrates your professionalism and concern, as well as preserves essential information.*

REFLECTION

- ◉ “It sounds like...”
- ◉ “What I’m hearing you say...”
- ◉ “I can see that...”
- ◉ “Let me make sure that I’ve...”
- ◉ “So what you’re saying is...”

☞ *...and your cell phone is where?*

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ACCENT

Simply repeating one or two words of what was said that seemed significant. May or may not sound like a question.

- ◉ “Never?”
- ◉ “Two weeks”
- ◉ “Both?”
- ◉ “A flash”

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MINIMAL PROMPTS

Those little signs that signal “I’m still here and keep going.”

Verbal

- ◉ “Uh huh”
- ◉ “Yeah?”

Non-verbal

- ◉ head nod
- ◉ facial expressions

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SILENCE

Just zip it! And practice staying quiet even when the other person has stopped talking.

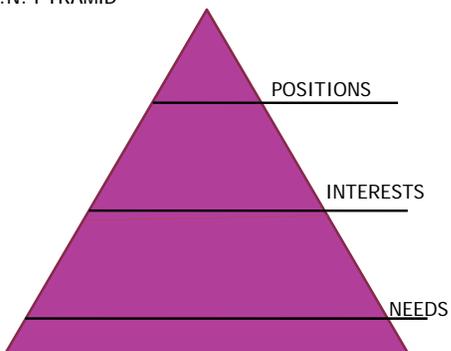
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VICTIM SURVIVOR COMMUNICATION

- ◎FIRST: Listen
- ◎SECOND: Gather information
- ◎THIRD: Solve problems

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P.I.N. PYRAMID



VICTIM SURVIVOR TRAUMA COMMUNICATION

- ◎ SAFETY AND SECURITY
- ◎ PREDICT AND PREPARE
- ◎ VENTILATE AND VALIDATE

SAFETY AND SECURITY

- ◎ CRISIS “FIRST AID”
 - YOU'RE SAFE NOW
 - IT'S NOT YOUR FAULT
 - I'M SORRY IT HAPPENED
- ◎ CALM, REASSURING AUTHORITY
- ◎ RESTORATION OF CONTROL

SAFETY AND SECURITY

- ◎ Victim survivor safety must be *first priority* of the MJS and service providers
 - Immediate
 - Long-term
- ◎ Victim survivors will not always tell you that they do not feel safe -- it is crucial to ask if they have any safety concerns!
- ◎ Allow the victim survivor to *define the harm*, which contributes to safety/ security responses

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SAFETY AND SECURITY VICTIM PROTECTION MEASURES

- ◉ Immediate, sensitive response by MJS
- ◉ Confidentiality of victim services and requests for MJS interventions
- ◉ Protective orders
- ◉ Cross-agency collaboration
- ◉ Safety plans
- ◉ Offender accountability

USMC FY 11 VICTIM WITNESS ASSISTANCE PROGRAM

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PREDICT AND PREPARE

- ◉ Let them know what's likely going to happen
- ◉ Put things in writing
- ◉ Answer questions honestly
- ◉ "Predictions" versus "Prescriptions"

PREDICT AND PREPARE

- ◉ Recognize most victims *do not* understand the MJS.
- ◉ Provide information about the system:
 - Different agencies and how they interact (if they interact)
 - Key players
 - Respective responsibilities for implementing victims' rights
 - Victim compensation

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PREDICT AND PREPARE

- ◉ A “glossary of terms” is helpful
- ◉ Know all applicable victims’ rights
- ◉ Be willing/able to provide information about and referrals to victim services
- ◉ Explain what you *can* and *will* do. Never assume the victim knows this!
- ◉ Ask how they’ve coped with crises in the past

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VENTILATE AND VALIDATE

- ◉ Allow them to tell their story as needed
- ◉ Accept all feelings without judgment
- ◉ Understand crisis response / reaction
- ◉ “Being” versus “Doing”

VENTILATE AND VALIDATE

- ◉ Understand that the more victims speak about their crimes, the more (and more clearly) they remember details.
- ◉ Validate that *the victim is your client!*
- ◉ Always allow victims to talk, ventilate and express their opinions
- ◉ If you need to set time limits for victim interactions, *help victims make the best use of your limited time together.*

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VENTILATE AND VALIDATE

Questions to aid in ventilation:

- ◉ “How has this crime/ offense affected you and your family?”
- ◉ “Who else have you talked to? Was that helpful?”
- ◉ “What do *you* want to happen?” (*this helps set parameters*)
- ◉ What have you found that helps so far?”
- ◉ Validate victims’ anger directed at the offender, the MJS, and society

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WHAT HELPS

- ◉ Talking about what happened
- ◉ Having our feelings accepted
- ◉ Being with others who have been through something similar

WHAT DOESN'T HELP

- ◉ Cliches
- ◉ Minimization
- ◉ Advice

LIMITS: SURVIVORS WHO MONOPOLIZE

- ◉ “It’ll help both of us if we can identify and focus on your major needs/concerns.”
- ◉ “Thanks for calling. Let’s see if we can identify ways I can assist you.”
- ◉ “I’d like to help you, or figure out who is the best person to help you.”

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LIMITS: SURVIVORS WHO MONOPOLIZE

- ◉ “I only have # minutes. I wish I had more time, but let’s see what we can do to meet your needs in this timeframe.”
- ◉ “I am not a counselor, but can offer you referrals if you need more help.”
- ◉ “My job is to _____. It sounds like you need to talk to someone with the experience to help you. Can I offer you’re a referral?”

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LIMITS: SURVIVORS WHO MONOPOLIZE

- ◉ Search for a “break” in the victim’s conversation with you.
- ◉ Express appreciation for their call:
 - “I’m glad you called....”
 - “The information you’ve given me is helpful.”
 - “Thanks for taking time to share your concerns/issues....”

D&D 2011

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LIMITS: SURVIVORS WHO MONOPOLIZE

- ◉ “As I said earlier, I wish I had more time to speak with you. Since I don’t, is there any final information I should have about.....?”
- ◉ Offer “action steps” that you and/or the victim survivor should take, and/or referrals.
- ◉ If possible, provide a time line for the action steps.
- ◉ Thank the victim survivor for calling.

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LIMITS: SURVIVORS WHO ARE ANGRY

- ◉ Remember how *victim trauma* affects victim reactions and interactions!
- ◉ Focus not just on *that* the victim is angry, but on *what may be causing the anger*.
- ◉ Try not to take it personally – it *isn't!*
- ◉ It just is...you may not have to do anything.

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LIMITS: SURVIVORS WHO ARE ANGRY

- ◉ Validate the victim survivor's anger:
 - “I can tell by your voice that you're pretty upset.”
 - “Let's see if we can *identify* and *address* the issues/concerns that are making you upset.”
- ◉ If you feel you are being verbally abused, seek help from a supervisor.

DvD 2011

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ONE FINAL THOUGHT.....

You may be the *first* person
the victim has spoken to,
or you may be *the most
important person* the victim
needs to talk to!

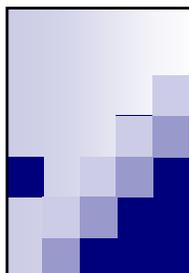
D&D 2011

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ANNEX I:

Military Civilian Collaboration in Response to Sexual Assault

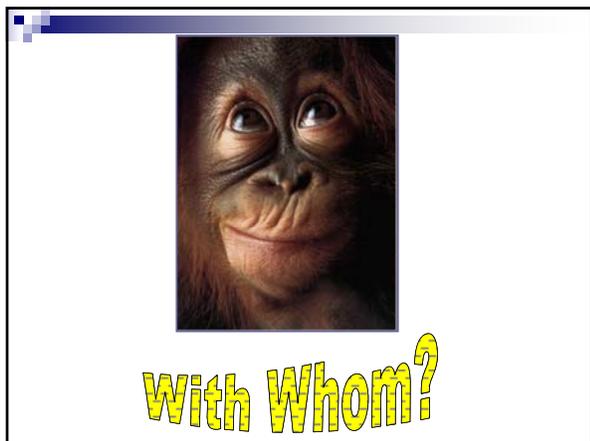


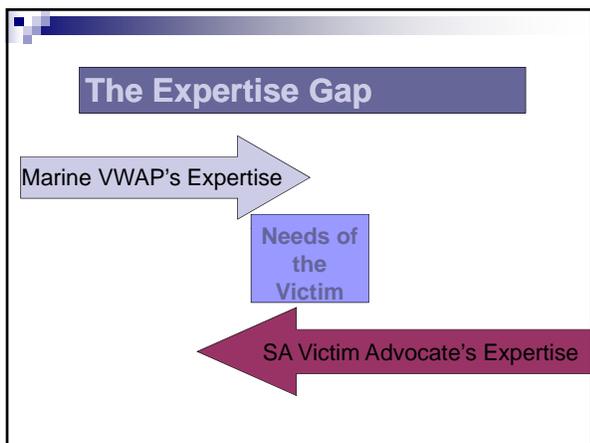


Military Civilian Collaboration in Response to Sexual Assault

- Today we will....
- o Identify key personnel and describe their role in effectively responding to sexual assault.
 - o Identify possible barriers to military-civilian collaboration.
 - o Review lessons learned from successful military/civilian collaborations.







Community-Based SA Program

- 24-Hour Hotline
- Long and Short-Term Counseling
- Accompaniment to Hospital and Legal Procedures
- Education and Training
- Information & Referrals

All Services are Free and Confidential

Additional Services

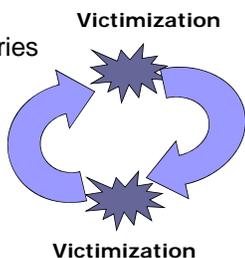
- o Support groups for rape survivors, sexual abuse survivors, parents, and others affected by sexual violence.
- o Professional training and consultation to police departments, hospitals, schools and others within the community.

Community-Based Sexual Assault Advocates

- o Sexual Assault
- o Traumatic Reactions
- o The Cycle of Re-Victimization
- o Supportive Counseling
- o Prevention
- o Legal System
- o Medical Procedures for SA

The Cycle of Re-Victimization

- Brain Chemistry
- Lack of normal boundaries
- "Addiction" to crisis



Collaboration

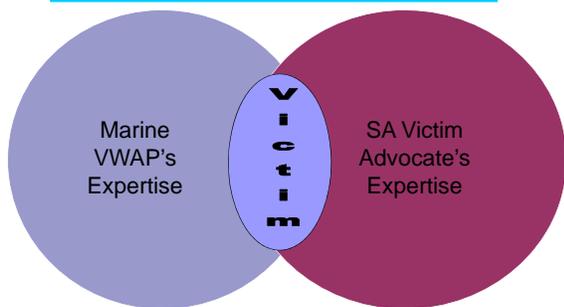
“Collaboration introduces the concept of organizations coming together to **create something new**, commonly a new process.”

Collaboration

“Generally organizations **bring a business they already know well** and identify how, by **joint actions**, they can redesign a process to their mutual benefit.”



Collaboration



Possible Barriers to Military-Civilian Collaboration

Lack of Shared Vision



Lack of Agreement about the Problem or Issue to be Addressed

Lack of Incremental Success on the Pathway to Ultimate Goal

Egos



**Not having
the right
people at the
table.**

Lack of Resources

**Lack of Measures to Evaluate
Success**

**Lack of Understanding about Victim
Trauma, Rights & Needs**

**Lessons Learned from Successful
Military-Civilian Partnerships**

Collaborative relationships can be strengthened through formalized Memoranda of Understanding.

MOU

Civilian-Military liaison positions can facilitate collaboration.

Collaborations can benefit when viewed as a high priority by both high-level military commands and civilian authorities.

Materials that explain available installations services and victims' rights within the military would be helpful.

Agreements are needed to address victim confidentiality.

Benefits can emerge from collaboration conferences and participation of both military and civilian advocates at regular meetings.

Local Collaborative Conferences

Emphasize the importance of sexual assault issues to both the military and civilian Communities.

Training may be needed for both civilian and military personnel on sexual assault and the role of the collaboration.

Where Do We Begin?



Establish Relationships

It may sound silly.....
...but pick up the phone!!



- o Make an appointment to learn about services
- o Offer a tour
- o Ask for brochures
- o Offer training
- o Ask for training



Questions

Hallie Martyniuk
717.351.5005
hsm20@comcast.net

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ANNEX J:
Court-Martial Process



**An Overview of
The Court-Martial Process**

VWAP Conference
October 6-7 2011
MCAS Miramar

Captain J. S. Dunn
Deputy, Marine Corps TCAP



Topics to Cover 

- Types/anatomy of a court-martial
- Role of the prosecutor (trial counsel), defense counsel, and military judge
- Evidence and witnesses
- Court-martial members (the jury)
- Verdict and sentence

Types of Courts-Martial 

- Summary Court-Martial – Not a Conv
- Special Court-Martial – Misdemeanor equiv
- General Court-Martial – Felony Equiv

Getting Started



- Investigation ≠ Court-Martial
- An alleged sexual assault (or other misconduct) DOES NOT start the court-martial process.
- The court-martial process begins when a command submits a request for legal services (RLS) to the law center/LSSS.

From RLS to Referral



- Once the law center receives an RLS, the trial counsel will prefer charges.
 - Trial Counsel should contact victim for interview. Victim Advocate involved and may be present if victim requests.
- Article 32 Investigation (req for GCM only)
 - In most cases victim will testify.
 - Investigating officer makes report and recommendation
- Convening Authority may refer charges to GCM .

Pre-trial 39a Sessions



- Motions concerning the victim
 - Military Rule of Evidence 412 – Victim’s past sexual behavior generally NOT admissible.
 - Exceptions: 1) other source of injury; 2) other acts w/ accused; and 3) constitutionally required.
 - E-mail, Phone Records, Facebook, etc.
 - SART examination evidence (statement, photos)

Trial Process



- Voir Dire
- Opening Statements
- Government's case-in-chief*
- Defense case-in-chief*
- Government rebuttal case*
- Closing statements
- Verdict
- Presentencing
- Sentence

* Victim may be excluded from the court-room

Role of the Trial Counsel



- Trial Counsel (prosecutor) is not a victim advocate
- What can the victim expect from the trial counsel?
 - Respect and dignity
 - Keep the victim informed
 - Refer the victim to locally available assistance
 - Explain court-martial process
 - Thoroughly prepare the victim for trial
- Direct examination
 - Detailed account of incident/aftermath
 - Can take a long time (often more than 2 hours)

Role of the Defense Counsel



- The mission of the defense counsel is to zealously advocate for his client.
- What can the victim expect from the defense counsel?
 - Interviews (VA can be present)
 - Requests for information
 - Inquiries to command, friends, coworkers, family
 - Defense Investigator?
 - Should expect him/her to act like a Marine Officer
- Cross-examination
 - Confrontational
 - Goal is to expose inconsistencies and damage credibility

Role of the Military Judge



- The military judge will be an officer (Major – Col) with trial experience.
- The Military Judge does not take sides.
- Ultimate goal is to conduct a fair and impartial trial, wherein the constitutional rights of both victim and accused are protected.
 - Rights of the accused are paramount.
 - Respect for the victim is an important concern.

Members (a.k.a. The Jury)



- Members are drawn from the local population of officers/enlisted.
 - Must be senior to the accused.
 - Enlisted cannot be from the command (company/squadron) of the accused.
 - Members are *“best qualified for duty by reason of their age, education, training, experience, length of service, and judicial temperament.”*
 - Could ultimately be from the command of the victim.

Verdict and Sentence



- Verdict – “not guilty” ≠ innocent
 - A verdict of “not guilty” simply means that the government did not prove its case **beyond a reasonable doubt** (highest standard of proof known to law).
- Sentence
 - 5 principals reasons of sentencing:
 1. Protection of society from the wrongdoer;
 2. Punishment of the wrongdoer;
 3. Rehabilitation of the wrongdoer;
 4. Preservation of good order and discipline in the military;
 5. General and specific deterrence.
 - Victim allowed to testify or submit a victim-impact statement regarding how the incident affected her/him.
 - Victim does not dictate the government's request for an appropriate sentence.



ANNEX K:
MP and CID Roles





MP and CID ROLES
Presented by Agent Mathew J. Dixon

POINTS OF CONTACT:

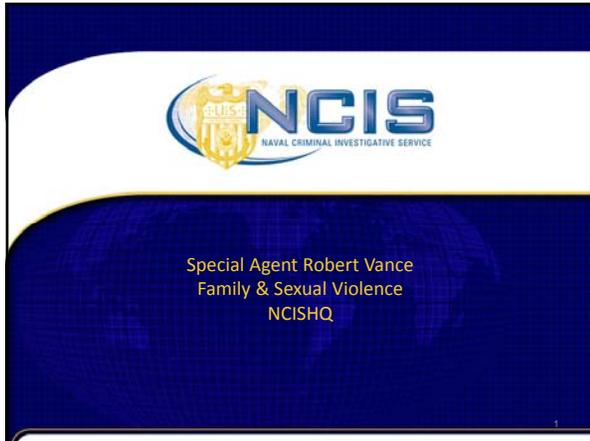


- **MCAS Miramar Provost Marshal's Office**
 - 858-577-4068
 - Bldg #7117
- **MCB Camp Pendleton Provost Marshal's Office**
 - 760-763-2077/2076
 - Bldg #1523

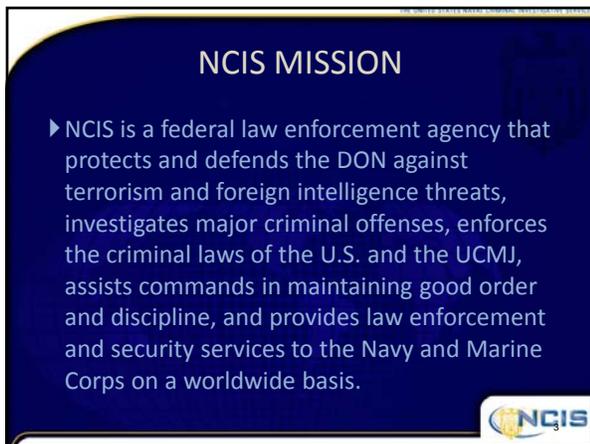
ANNEX L:

Naval Criminal Investigative Service (Roles)









NCIS AUTHORITY

- ▶ SECNAVINST 5430.107
 - DIRECTOR of NCIS is the senior official for criminal investigations, counterintelligence and security within the DON.
 - Within the DON, NCIS has the primary responsibility for investigating major criminal offenses.



WORLDWIDE PRESENCE




The Victims' Rights and Restitution Act of 1990 (VRRRA) established the Crime Victims' Bill of Rights, as set forth below:

- a. The right to be treated with fairness and with respect for the victim's dignity and privacy.
- b. The right to be reasonably protected from the accused offender.
- c. The right to be notified of court proceedings; the right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.
- e. The right to confer with attorney for the government in the case.
- f. The right to restitution.
- g. The right to information about the conviction, sentencing, imprisonment, and release of the offender.

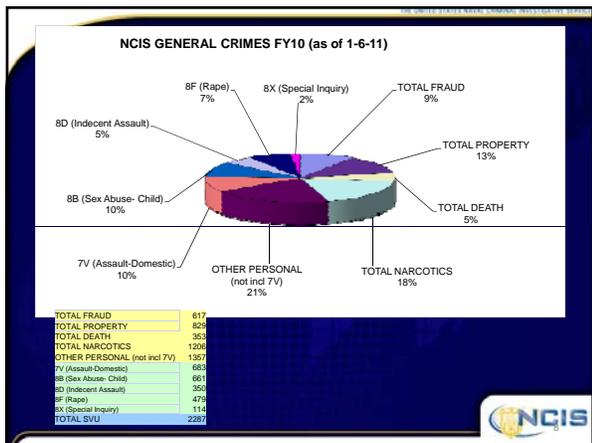
Victims of crime will be treated with compassion, respect, and dignity at all times, and must be informed of certain information during the course of the investigation and prosecution of the crime, if requested.



NCIS HOTLINE
1-877-379-3648
OR
DEPARTMENT OF JUSTICE
VICTIMS OF CRIME
RESURGE CENTER:
1-800-851-3420
OR
WWW.OJP.USDOJ.GOV/VCV
HELP

INFORMATION FOR
VICTIMS AND
WITNESSES OF A
CRIME

NCIS



ANNEX M:

VWAP Best Practices, Question and Answer Session





VWAP
Improving Base Programs
A Discussion

OBJECTIVES



- Generate Discussion to Improve Base Programs
- Identify Problem Areas
- Identify Best Practices

VWAP: Improving Base Programs



- Each base program has a clearly defined main focus of effort – *for us the VWLO.*
- VWLO ensures each base program meets all DOD and USMC minimum requirements
- Use best practices to develop highest quality victim services

VWAP: STATED GOALS 

- Ensure that victims/witnesses receive appropriate response/assistance
- Protect victims from further harm/hardship
- Ensure all victims are aware of their rights and are provided services they need
- Employ a multi-disciplinary approach to assisting victims and witnesses by combining the services of law enforcement, family advocacy, medical, legal corrections, and command personnel.

VWAP: Problem Areas 

- **Central point of contact for local VWAP programs – VWLOs: high turnover and collateral duty**
- **Who should be the VWLO?**
 - TC
 - Legal Assistance Attorney
 - LAO
 - SARC
 - Other?

VWAP: Problem Areas 

- VWLO
- Post-trial confinement forms
 - 2703s
 - 2704s
- Continuity
- Standardized tracking of forms and services
- **Other?**

VWAP: Best Practices 

- **Ensuring Quality: Access to services, solid framework, professional process, outcomes – victims' lives improved/restored**
- **Quality Victim Advocacy Field Guide**

VWAP: Access to Services 

- **Are services**
 - *Visible? Known to the public, to referral sources, covered in local media, website user friendly*
 - *Accessible? Physically, culturally (language), crisis line, seamless transitions*
 - *Acceptable? Friendly, nice facilities, private/confidential locations*
 - *Available? Ready when needed, phone lines open with right information, email and website contact offered with prompt response*

VWA Best Practices: 
Framework – Solid and Professional VWAP In Place at Each base

- Personnel are professional, informed and dedicated
- SOPs and Turnover Procedures in place and followed
- Policy is up to date and reviewed
- Coordination that works
- Services are wide-ranging and tailored

VWAP: Best Practices – Outcome driven 

- *“The measure of success and quality is ultimately the degree to which a victim’s need is met in the areas of safety, healing, justice and restitution (financial recovery to pre-crime level).”*
- Vice how many DD form 2701/2/3/4’s we correctly processed and reported.
 - Reporting requirements
 - Double counting of 2701s
- Checklist page 38, Field Guide.

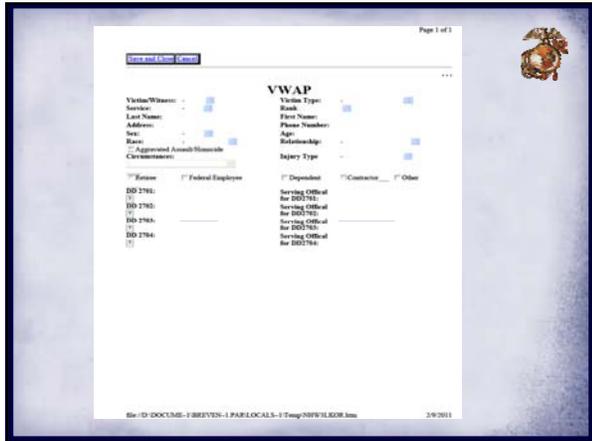
VWAP: Best Practices – Discussion 

- How can we get USMC Base VWAPs to the optimum state?
- Immediate Impact:
 - Websites: Information flows across all services and support available to the victims
 - Local training, website, posters, other media – use VWAP Council meetings
 - Local SOP/Turnover Binders for VWLOs and LOI for base VWAP reps
 - VWAP included in inspection process – CGIP, Article 6

Meeting 

- When are you meeting
- Who is coming?
- Who is giving you difficulty by not attending
- Where are you meeting?
- What is happening at these meetings?





VWAP: Best Practices – Discussion

- How can we get USMC Base VWAPs to the optimum state?
- Mid-term:
 - Civilianize VWLO billets?
 - Ensure yearly funding for training (HQMC and Local)
- Long term:
 - Post-process evaluation by victims/witnesses?
 - Study, evaluate and refine base programs

ANNEX N:

**Southern California Victim
Assistance Program**



**SAN DIEGO
DISTRICT ATTORNEY
VICTIM ASSISTANCE PROGRAM**



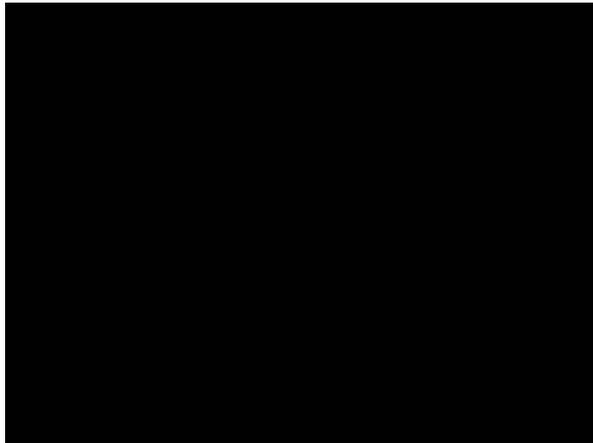
Lisa Watkins

WHO ARE WE?

- Penal Code 13835; S.D. Advocates are DA employees
- Advocates located in all courthouses, Family Justice Center, SDPD and SDSO Headquarters
- Spanish speaking Advocates available
- Assist victims of all types of crimes whether or not a suspect is apprehended

STATISTICS FOR 2010

- NEW VICTIMS ASSISTED
 - 14,024 TOTAL
 - 609 HOMICIDE
 - 6,621 DOMESTIC VIOLENCE/SEXUAL ASSAULT
 - 2,563 ASSAULT
- SERVICES PROVIDED
 - 12,671 REFERRALS TO COMMUNITY RESOURCES
 - 2,572 VICTIM COMPENSATION PROGRAM APPLICATIONS



WHO IS A VICTIM?

ANYONE EMOTIONALLY,
PHYSICALLY, OR FINANCIALLY
AFFECTED BY THE CRIME

**HOW IS CONTACT
ESTABLISHED WITH VICTIMS?**

- MEDIA
- POLICE REPORTS
- LAW ENFORCEMENT
- COMMUNITY AGENCIES
- CALLS FROM VICTIMS



CRISIS INTERVENTION



- NEEDS ASSESSMENT
- PROBLEM SOLVING
- RESOURCE/REFERRAL
- EMERGENCY ASSISTANCE
- CRIME VICTIMS FUND
- INTERVIEW ACCOMPANIMENT

FOLLOW-UP COUNSELING

- TELEPHONE/IN-PERSON
- ASSESS CURRENT AND FUTURE NEEDS
- ORIENTATION TO CJS
- CASE STATUS



COURT SERVICES

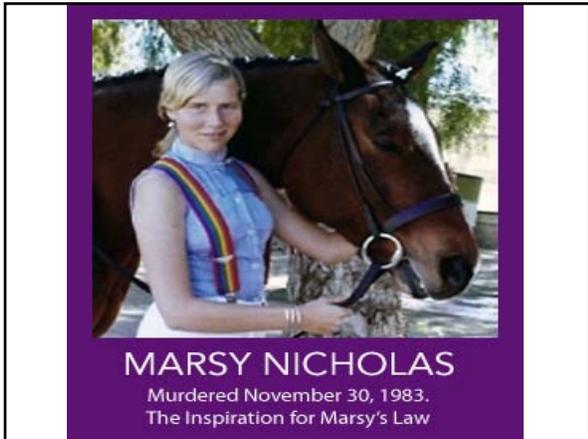
- PROVIDE COURT SUPPORT FOR VICTIMS/FAMILIES/FRIENDS (DA cases)
- INTERPRETATION OF JUDICIAL PROCESS
- LIAISON WITH DDA
- VICTIM IMPACT STATEMENTS



VICTIMS' LEGAL RIGHTS

- FREE POLICE REPORTS FOR DV VICTIMS
- ADDRESS DISCLOSURE
- TEMPORARY RESTRAINING ORDER
- SUPPORT PERSON
- MARSY'S LAW





OTHER SERVICES

- FUNERAL ARRANGEMENTS
- EMPLOYER INTERVENTION
- PROPERTY RETURN
- RESTITUTION

National Resources for Victims

- NOVA-National Organization for Victim Assistance
 - National Advocacy
 - Direct Services to Victims
 - Promotion of Rights for Crime Victims

www.trynova.org

(800)-TRY-NOVA (879-6682)

National Resources for Victims cont

- **Victims Compensation Program**
 - National program that pays for crime related expenses
 - Medical/dental
 - Counseling
 - Relocation
 - Wage loss/support loss
 - Funeral/burial
 - \$65,000 benefit maximum

VICTIMS COMPENSATION PROGRAM Cont.

- **COOPERATION** W/LAW ENFORCEMENT
- LEGAL RESIDENCY STATUS NOT AN ISSUE
- NO ILLEGAL ACTIVITY/CONTRIBUTION
- VICTIM MAY NOT BE INCARCERATED, ON PAROLE OR FELONY PROBATION

**National Resources for
Victims cont**

• Domestic Violence and Sexual Assault

- Family Justice Center
 - (888) 511-FJCA (3522)
- Center for Community Solutions
 - (858) 272-5777
- DV Links
 - (888) DVLINKS (385-4657)
- YWCA
 - (619) 234-3164

**San Diego
District Attorney's
Victim Assistance Program**

**Contact Number
(619) 531-4041**

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ANNEX O:
Instructor's Bios



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Biography of Major Louis M “Dutch” Schotemeyer

A native of Kennewick, Washington, Major Schotemeyer enlisted in the Marine Corps Reserve in May of 1991. After graduating from Marine Corps Recruit Depot, San Diego he reported to Bravo Company, 4th Tank Battalion, 4th Marine Division in Yakima, Washington as a field radio operator. Major Schotemeyer received his commission in August of 1995 upon completion of his Bachelor of Arts degree in Criminal Justice from Washington State University.

After being commissioned in August of 1995, he attended The Basic School in Quantico, Virginia and the U.S. Army Field Artillery School in Fort Sill, Oklahoma, graduating with honors from both schools.

After completing the Field Artillery Basic Course in February of 1997, Major Schotemeyer was assigned to Battery A, 1st Bn, 12th Marines in Kaneohe Bay, Hawaii. He served 18 months as the battery Fire Direction Officer, Communications Officer, Training Officer and Headquarters Platoon Commander. After completion of a unit deployment to Okinawa, Japan, Major Schotemeyer was assigned to the Battalion staff as the Battalion Fire Direction Officer, S3A, Training Officer, Command Historical Officer and Artillery Safety Officer for 1st Battalion, 12th Marines. He served as the U.S. liaison to Australia for all live fire evolutions during exercise Crocodile 99. Major Schotemeyer was awarded the St. Barbara’s Medal, recognizing superior proficiency in artillery in 1999.

In December of 1999, Major Schotemeyer reported to the Special Purpose Marine Air Ground Task Force (Experimental) at the Marine Corps Warfighting Laboratory, located in Quantico, Virginia. Over the next 18 months he served as the Fires Officer for SPMAGTF (X) and a project officer on the Experimental Command Operations Center and the Integrated Marine Multi-Agent Command and Control System.

Major Schotemeyer was selected for the Marine Corps Funded Legal Education Program in April of 2001 and reported to law school at the University of Washington, in Seattle, Washington. In October of 2004 Major Schotemeyer passed the Washington State Bar and graduated from Naval Justice School in Newport Rhode Island. He then proceeded to the Legal Service Support Section of the 1st FSSG for duty as a Defense Counsel. Major Schotemeyer served as defense counsel Legal Team Echo, Senior Defense Counsel Legal Team Delta, Senior Defense Counsel and Officer In Charge of Legal Assistance for Legal Service Support Team Iraq and Defense Counsel for Legal Team Charlie.

In June of 2007 Major Schotemeyer reported to Marine Corps Base Hawaii and served as the Military Justice Officer and Review Officer until July 2008. From July 2008 until April 2009 Major Schotemeyer served as the Deputy Staff Judge Advocate for MCBH, the Deputy Officer In Charge of the MCBH Legal Services Center, the Special Assistant United States Attorney (SAUSA) and MCBH Magistrate. In April 2009 Major Schotemeyer deployed to Afghanistan for duty as the SJA of SPMAGTF-A and subsequently RCT-3. Returning to MCBH in November 2009 Major Schotemeyer again assumed duties as the Deputy SJA and Deputy OIC MCBH Legal Services Center, MCBH Magistrate and SAUSA, additionally he took on duties as the Review Officer for all Courts-Martial occurring at MCBH.

Major Schotemeyer is a distinguished graduate of the Air Command and Staff College and the following non-resident programs: Sergeants Course, Warfighting Skills Program, Amphibious Warfare School and Marine Corps Command and Staff. His personal awards include the Meritorious Service Medal with 2 stars in lieu of second and third award and Navy Achievement Medal with 2 stars in lieu of second and third award.

He is married to the former Amber M. Thompson of Arlington, Washington and has two daughters Rian (7) and Elle (4).

Biography of Captain John S. Dunn

Born and raised in Athens, GA, Captain John S. Dunn graduated from Miami University (OH) in 1999, and the University of Colorado School of the Law in May of 2005. He is currently enrolled at the George Washington University School of Law getting a LLM in Litigation.

After completing Naval Justice School, Capt Dunn reported for duty at MCAS Miramar in January 2007 and served as Legal Assistance Attorney until August 2007. From September 2007 until December 2009, Captain Dunn served as defense counsel and senior defense counsel. In December 2009, Captain Dunn PCS'd to the Pentagon where he served as the Special Assistant to the SJA to CMC until he took over his current billet as Deputy, TCAP in August 2011.



Professional Resume

For

Staff Sergeant

Curtis J. Lee /5831/0911/5819

UNITED STATES MARINE CORPS



ACA Chief & Victim/Witness Coordinator

HQMC, PSL Corrections
 2 Navy Annex
 Washington D.C. 20380-1775
 Comm. (703) 614-1480 / 2095
 Cell: (571) 330-1393
 Email: Curtis.j.lee@usmc.mil

MAJOR AWARDS & DECORATIONS

Navy and Marine Corps Commendation Medal
 Navy and Marine Corps Achievement Medal
 Combat Action Ribbon

PERSONAL INFORMATION

Date of Rank: 1 November, 2005
 Wife's Name: N/A
 Children: N/A
 POB/Date: Bogalusa, LA 9 Nov, 1977

CHRONOLOGICAL RECORD OF MILITARY SERVICE

Dates

Jan 11 – Present
 May 10 – Jan 11
 Nov 09 – May 10
 Aug 09 – Nov 09
 May 09 – Aug 09
 Apr 09 – May 09
 Feb 09 - Apr 09
 Oct 08 – Feb 09
 Jul 05 – Oct 08
 Feb 03 – Jul 05
 Jan 00 – Feb 03
 Nov 96 – Jan 00
 Oct 96 - Nov 96
 Sep 96 - Oct 96
 Jun 96 – Aug 96

UNITS

HQMC Corrections
 Security BN, Brig Co., MCB Quantico
 OEF, Helmand Province, Afghanistan
 Security Bn, Brig Co., MCB Quantico
 A Co, OCS
 Security Bn, Brig Co., MCB Quantico
 MCI, SNCOA
 Security Bn, Brig Co., MCB Quantico
 DI School, K Co, 3rd RTBn, MCRD PI
 HQMC, Navy Annex, MCACU
 Security Bn, Brig Co., MCB Quantico
 Security Bn, Bric Co., MCB Camp Pendleton
 Correctional Specialist School, San Antonio, TX
 MCT, Camp Pendleton
 A Co, 1st RTBN, MCRD San Diego

Billets

ACA/Vic Wit Coordinator
 Security Chief
 Detainee Ops SNCOIC
 Physical Security Chief
 Sergeant Instructor
 Physical Security Chief
 Student
 Physical Security Chief
 Student/DI/SDI/Ops
 Cross Country Chaser
 WS/DBS/Counselor
 Guard/R&R/WS
 Student
 Student
 Recruit

Biography of Robert Vance

Special Agent Robert Vance is currently the Family & Sexual Violence Program and Policy manager, Criminal Investigations Directorate, Naval Criminal Investigative Service HQ, Washington Navy Yard. Special Agent Vance serves as the NCISHQ primary liaison for the Sexual Assault Prevention and Response Program. Additionally, Special Agent Vance provides program and policy support to domestic violence and child abuse investigations.

Special Agent Vance has seventeen years of local and federal law enforcement experience. Special Agent Vance's previous assignments with NCIS include: NAS Whidbey Island (2004-2006), Al Taqqadum Iraq (2005), Commander Fleet Activities, Sasebo (2006-2010), and NCIS HQ (2010-present).

Biography of Melissa Cohen

Melissa Cohen is the Section Head at Headquarters for the Sexual Assault Prevention and Response Program (SAPR). She has a Masters degree with a counseling focus from the University of Florida. Melissa comes from the private sector, where she previously served as the Coordinator for the Sexual Assault Forensic Examination Center in Raleigh, NC. She has provided counseling to victims of both domestic violence and sexual assault and has been in the field of advocacy since 1995. Melissa joined the Marine Corps family in August 2010.

HEATHER GUERRERO

Victim Advocate

Camp Pendleton, CA

Heather Guerrero has worked for the Marine Corps for the last 8 years in the domestic violence and sexual assault field. She is currently the Victim Advocate Coordinator and Prevention & Education Coordinator at Camp Pendleton. She has worked with over 700 victims of domestic violence and over 100 victims of sexual assault. After receiving her B.A in Social Sciences from California State University – San Marcos, Heather became the Family Services Coordinator at the Community Resource Center's Domestic Violence shelter in Encinitas, California.

Heather currently serves as a member of the sexual assault monthly case management meeting. She also trains Military Police, Uniformed Victim Advocates (UVA's), Family Advocacy Officers (FAO's) and Sexual Assault Nurse Examiners (SANE) on the role of the victim advocate. This year she assisted in the creation of the Sexual Assault Senior Leadership Seminar and is a member of the Mobile Training Team (MTT). She collaborates with the coordinated community response team consisting of medical personnel, law enforcement, legal, substance abuse counselors, New Parent Support Group, and Child Protective Services.

Biography of Stephanie Frogge

Stephanie Frogge, MTS, is the assistant director of the Institute for Restorative Justice & Restorative Dialogue at the University of Texas at Austin, School of Social Work. Among other projects she coordinates Defense-Initiated Victim Outreach (DIVO) efforts throughout the state.

Ms. Frogge has over thirty years' experience in the area of trauma response, victim services administration, victim assistance and activism, writing and speaking extensively on victim assistance and trauma issues. She is the former National Director of Victim Services at Mothers Against Drunk Driving's National office overseeing MADD's internationally recognized victim services programs. She also served two years as the Director of Peer Support Services for TAPS – Tragedy Assistance Program for Survivors, a Washington, DC based national organization serving those whose loved ones have died while serving in the military.

She has presented hundreds of workshops, lectures and keynote presentations around the United States. Ms. Frogge has been involved for a number of years with State and National Victim Assistance Academies funded by the Department of Justice, Office for Victims of Crime and serves as an OVC TTAC consultant.

Ms. Frogge serves on the board of the American Society of Victimology and on the board of the Texas Victim Services Association. She is an adjunct instructor in the School of Social Work at UT-Austin and formerly at Sam Houston State University in the College of Criminal Justice, where she has taught courses on social work in communities, juvenile delinquency and juvenile justice, victimology, victim services delivery, domestic violence and criminology. While at Sam Houston she participated in the development of the University's degree program in Victim Studies - the only one of its kind in the United States. She also assisted with the development of the National Institute for Victim Studies, the first-ever collaboration between a national victims' rights organization (MADD) and an academic institution, to study and promote victim-related issues and scholarship.

Stephanie holds a bachelor's degree in Criminal Justice from Texas Christian University and a master's in Theological Studies from Brite Divinity School. She is also a trained mediator.

Biography of Hallie Martyniuk

Hallie Martyniuk is co-founder of TD3 Consulting, a national consulting firm dedicated to strengthening justice systems and enhancing the response to crime victims, communities and offenders through research, training, and technical assistance. She has 18 years of experience, first as director of training at a community-based sexual assault program, followed by 10 years as the coordinator of Pennsylvania's nationally recognized Training and Technical Assistance Project designed to build skills, offer technical assistance and develop leadership potential in victim service professionals. During this time, she designed more than 40 trainings on issues revolving around crime victimization and authored *Orientation for New Victim Service Providers* and *Advanced Techniques for Responding to Victims* training curricula.

In 2008 Martyniuk authored *Strengthening Military-Civilian Partnerships to Respond to Sexual Assault*, written under a grant from the Office of Victims of Crime (OVC) and in collaboration with DoD Sexual Assault Prevention and Response Office (SAPRO) and the Pennsylvania Coalition Against Rape (PCAR). She facilitated the pilot training for this curriculum and instructed the training of trainers in Washington DC in 2009 and 2011. Currently, she is making updates to the curriculum for use at three OVC Training and Technical Assistance Center (TTAC) trainings, where she will serve as the only civilian member of the training team.

In 2010 Ms. Martyniuk presented on building military/civilian partnerships at the National Sexual Assault Conference (NSAC), the National Center for Victim of Crime Conference, and a Pennsylvania National Guard Conference.

Martyniuk has a B.S. in Education and graduate certificates in Instructional Design, Advanced Instructional Design, and Training and Development.

Biography of Lisa Watkins

Lisa Watkins has been a Victim Advocate with the San Diego County District Attorney's Office for 6 years. Her current assignment is to assist victims of crime in which there is no known suspect. Ms. Watkins' office is located at the San Diego Police Department Headquarters. She serves as a liaison between Deputy District Attorneys and law enforcement officers. Her previous assignment was with the Family Protection Division where she assisted child abuse and domestic violence victims.

Ms. Watkins graduated from Western Illinois University with a Bachelor's degree in Sociology and Law Enforcement. Her experience includes working as a Program Manager for St. Vincent De Paul Village where she managed a 26 bed homeless shelters for men and women with HIV and AIDS. Additionally, she worked as a Protective Services Worker for Child Welfare Services. Her passion for child welfare issues led her to develop and implement a day rehabilitation program at Polinsky Childrens Center. After two years, Ms. Watkins moved into child abuse investigations, which is where she worked immediately prior to accepting her current position with the San Diego County District Attorney's Victim Assistance Office.

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ANNEX P:

Course Critique



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VICTIM WITNESS ASSISTANCE PROGRAM (VWAP)

DAY 1: 6 OCTOBER 2011

1. Please rate the effectiveness of the instruction in each area:

(1=Very Poor, 2=Poor, 3=Satisfactory, 4=Good, 5=Excellent)

Victim Witness Assistance Program Overview	(LOW)	1	2	3	4	5	(HIGH)
Supporting Victims of Sexual Assault	(LOW)	1	2	3	4	5	(HIGH)
Transitional Compensation	(LOW)	1	2	3	4	5	(HIGH)
Family Advocacy Program and Role of the Victim Advocate	(LOW)	1	2	3	4	5	(HIGH)
PSL Corrections	(LOW)	1	2	3	4	5	(HIGH)
Naval Clemency and Parole	(LOW)	1	2	3	4	5	(HIGH)

2. Were the instructors' expectations for the classes clearly explained?

3. Did the classes meet those expectations?

4. Do you have any recommendations for improving these classes?

5. Any other comments:

VICTIM WITNESS ASSISTANCE PROGRAM (VWAP)

DAY 2: 7 OCTOBER 2011

1. Please rate the effectiveness of the instruction in each area:

(1=Very Poor, 2=Poor, 3=Satisfactory, 4=Good, 5=Excellent)

The Impact of Crime on Victim Survivors	(LOW)	1	2	3	4	5	(HIGH)
Communicating with Victims	(LOW)	1	2	3	4	5	(HIGH)
Military Civilian Collaboration in Response to Sexual Assault	(LOW)	1	2	3	4	5	(HIGH)
Court-Martial Process	(LOW)	1	2	3	4	5	(HIGH)
MP and CID Roles	(LOW)	1	2	3	4	5	(HIGH)
Naval Criminal Investigative Service (Roles)	(LOW)	1	2	3	4	5	(HIGH)
VWAP Best Practices, Question & Answer Session	(LOW)	1	2	3	4	5	(HIGH)
Southern California Victim Assistance Program	(LOW)	1	2	3	4	5	(HIGH)

2. Were the instructors' expectations for the classes clearly explained?

3. Did the classes meet those expectations?

4. Do you have any recommendations for improving these classes?

5. Any other comments: