LEGAL REPRESENTATION

If you are the victim of sexual assault, certain related offenses, or domestic violence, you may be eligible for assistance from a specialized military attorney, in addition to services provided by a Sexual Assault Response Coordinator, a Victim Advocate, and/or Family Advocacy.

OVERVIEW of VICTIM RIGHTS*

As a crime victim, you have the right to:

- Be treated with fairness/respect for your dignity and privacy
- Be reasonably protected from the accused, including protective orders. Reasonable, accurate and timely notice of hearings/confinement events.
- Be present at public hearings/proceedings unless your testimony would be materially altered by your presence.
- Be reasonably heard at certain hearings.
- Confer with the U.S. government prosecutor.
- Legal assistance from a military legal assistance attorney, if eligible, or from a private attorney at your own expense.
- Receive restitution as provided by law.
- Proceedings free from unreasonable delay.
- Express your views to the commander or convening authority as to case disposition.
- Receive a medical forensic exam at no cost.
- Be timely informed of plea, separation-in-lieu-of-trial, or non-prosecution agreements.
- Interviews requests from the Accused's attorney must be scheduled through your counsel and your counsel can be present during the interview.

Additional rights involving covered (e.g. sexual assault (SA)) offenses:

- Consult a Special Victims Counsel (SVC), Victims' Counsel (VC) or Victims' Legal Counsel (VLC).
- Be informed of policies for collection and preservation of SA evidence.
- Be informed of any result of a SA evidence collection kit, including DNA profile match, toxicology report, or other information collected as part of a medical forensic exam, if such disclosure would not impede or compromise an ongoing investigation.
- Have a SA evidence collection kit or its probative contents preserved, at no-charge.
- Notification of SA evidence destruction.
- Express preference for military or civilian prosecution for incidents occurring in U.S.
- Notice to civilian authorities of your prosecution preference and their corresponding response, if known.

CONTACT INFORMATION

If you need additional assistance, below are several key points of contact:

- General case information/support/rights violations (Victim/Witness Liaison):
  SAMANTHA L. HARDER (334) 255-9141
- Status of the criminal investigation:
  MPI (334) 255-3166 or CID (334) 255-3108 Records (334) 255 3277
- Status of the prosecution (Legal Office):
  MILITARY JUSTICE (334) 255-9708 or (334) 255-9813
- Legal Assistance office (if eligible):
  (334) 255-3482
- Special Victims' Counsel/Victims' Counsel/Victims' Legal Counsel (if eligible):
  (703) 347-2117
- Assistance with compensation for medical expenses or other expenses (State office for Crime Victim Compensation):
  1-800-541-9388
- Assistance with reprisal, retaliation, or ostracism (Inspector General's office):
  (334) 255-2118/1977
- Family Advocacy Office:
  (334) 255-3898
- Victim Advocate:
  Soldier Service Center, Bldg #5700, Fort Rucker, AL 36362
  FAP: (334) 255-9644 or Domestic Abuse Hotline: (334) 379-7947

* You have significant other rights as a victim throughout the court-martial process. For additional information, contact your Victim/Witness Liaison or Victims' Counsel/ Special Victims' Counsel/Victims' Legal Counsel.

We will make our best efforts to ensure you are provided the rights described. You may seek the advice of your own attorney with respect to these rights.

U.S. Department of Defense

INITIAL INFORMATION FOR VICTIMS & WITNESSES OF CRIME

DoD
Victim and Witness Assistance Program

DD Form 2701, October 2022
Prescribed by DoDI 1030.02

INFORMATION for VICTIMS & WITNESSES of CRIME

This brochure was prepared to help you cope with problems and questions which often surface during a criminal investigation and provide you with essential points of contact. Your continued assistance through this difficult time is greatly appreciated.

A criminal investigation can be both complex and lengthy and may involve several agencies, some Federal and some local. You can request the status of the investigation by contacting the investigator handling the case. Their name is listed on the back of this pamphlet. It is important to keep the investigators and your Victim/Witness Liaison (VWL) informed of any changes to your address, email, or telephone number.

A VWL is a member of the Legal Office responsible for keeping victims and witnesses informed of the legal aspects of the case and helping victims secure services.

NOTE: The titles Special Victims Counsel (SVC), Victims' Counsel (VC), and Victims' Legal Counsel (VLC) are Military Department-specific and refer to the same judge advocate role with specialized expertise in representing victims of crime.

IF YOU ARE THREATENED OR HARASSED

If anyone threatens you or you feel that you are being harassed because of your cooperation with this investigation, contact the investigator or the VWL right away. It is a crime to threaten or harass a victim or witness.

If you believe additional measures are necessary to keep you safe, you may seek a civilian protective order, military protective order, or temporary shelter. Certain victims may request an expedited transfer, and dependents may request a personal safety move. Your VWL, Victim Advocate (VA), and the Family Advocacy Program (FAP) can assist you in safety planning and obtaining counseling. For further information, please call your VWL, VA, or FAP representative.

If you fear for your immediate safety, call 911, and/or notify law enforcement.

The EMOTIONAL IMPACT of CRIME

Many victims and witnesses to crime are emotionally affected by their experience. Although everyone reacts differently, many people report common reactions such as:

- Anger;
- Feelings of panic and/or anxiety;
- Nightmares and sleep pattern changes;
- Feelings of self-doubt, shame, or guilt;
- Reliving what happened;
- Depression, difficulty concentrating; and,
- Increased concern for personal & family safety.

Many people have these responses to crime. The VWL can assist you in finding appropriate support services.

REPRISAL, RETALIATION, or OSTRACISM

Federal law prohibits military members, civilian employees, and contractors from reprising, retaliating, or ostracizing individuals who report a crime or provide information relating to a criminal investigation. Prohibited actions may include taking, or threatening to take, an unfavorable personnel action; withholding, or threatening to withhold a favorable personnel action; or socially ostracizing you for making a protected communication. If you believe someone has reprised, retaliated or ostracized you for reporting a crime or participating in a criminal investigation, contact your leadership or the Inspector General's office listed on the back of this form.

LEGAL ASSISTANCE

If you are eligible for legal assistance in accordance with 10 U.S.C. §§ 1044 1044e, and/or 1565b, you have the right to speak with a legal assistance attorney, at no cost. You may contact the legal assistance office listed on the back of this pamphlet for eligibility questions and assistance.

The FINANCIAL IMPACT of CRIME

If you require time away from work to participate in the case or seek related services, a VWL can contact your employer or commander to discuss the importance of your presence.

If your property was stolen, we hope to recover it as part of our investigation. If your property was taken as part of an investigation, we will notify you and return it to you as quickly as possible once it is no longer needed as evidence.

State Victim Compensation Programs

Victim Compensation Programs help cover expenses for victims of violent crime who have suffered physical or psychological injury even if the case is brought in federal Court. The State Crime Victim Compensation Program may be able to reimburse you for crime-related expenses such as medical care, mental health expenses, and lost wages due to crime-related injuries. To obtain further information, contact your VWL listed on the back of this brochure.

Restitution

If an individual is arrested and prosecuted in federal court, you may be eligible for restitution. Restitution is court-ordered payment to you as a victim of crime, generally for out-of-pocket costs. It is made by the offender for any out-of-pocket expenses resulting from the crime. Restitution cannot be ordered as a sentence in a military court-martial, but it can be used as a condition of a plea agreement to plead guilty to an offense, or as a condition of clemency or parole. Victims may be provided with relief if property loss or damage resulted from wrongful taking or willful damage by a Service member due to riotous, violent, or disorderly conduct. Contact your VWL for further information on available restitution.

Victims of Spousal or Child Abuse

If the offender is convicted or discharged for abusing you or your children, you may be eligible for transitional compensation benefits. Your VWL or FAP representative can assist you with obtaining additional information.