

DETAILED INSPECTION CHECKLIST

| FA SC STMT | TEXT |
|------------|--|
| 092 | <p>VICTIM AND WITNESS ASSISTANCE PROGRAM (VWAP) Functional Area Manager: LAO/JA-2 Point of Contact: CWO5 ROBERT HALL/GYSGT DANIEL SEARS ROBERT.M.HALL2@USMC.MIL/DANIEL.W.SEARS@USMC.MIL (DSN) 224-8661 (COML) 703 693-8661 Date last revised: 15 June 2012</p> |
| 092 00 | INSTALLATION COMMANDERS |
| 092 00 001 | <p>Did the installation commander appoint, in writing, by name, title, duty address, and telephone number, a Victim and Witness Liaison Officer (VWLO)? Reference MCO P5800.16A CHAP 6, PAR 6006.5(b)</p> |
| 092 01 002 | <p>How has the installation commander ensured that all VWAP representatives onboard the installation have been provided the VWLO's name and phone number? Reference MCO P5800.16A, CHAP 6, PAR 6006.5(b)</p> |
| 092 01 003 | <p>Has the installation commander ensured close coordination between local VWAP representatives from NCIS, LSSS or law center, military police, commanding officers, medical facilities, MFS, corrections facilities, and chaplains? Reference MCO P5800.16A, CHAP 6, PAR 6006.5(a)</p> |
| 092 01 004 | <p>Did the installation commander establish a local Victim and Witness Assistance Council with the VWLO designated as the chairperson? Reference MCO P5800.16A, CHAP 6, PAR 6006.5(c)</p> |
| 092 01 005 | <p>Does the Victim and Witness Assistance Council have, at minimum, a representative of each of the following sections: PMO, legal, chaplain, and MFS? Reference MCO P5800.16A, CHAP 6, PAR 6006.5(c)</p> |

- 092 01 006 Has the installation commander ensured that processes are in place to accurately collect, maintain, and report data on the number of victims and witnesses who received DD Forms 2701-2704 under VWAP? What is the process?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.5(d), 6007.1(a)
- 092 01 007 With the assistance of the local MFS, has the installation commander constructed and maintained a directory, containing both military and civilian programs, services, and crime victim compensation funds available within their geographic area? How is it maintained?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.5(e)
- 092 01 008 Has the installation commander, if applicable, entered into any Memoranda of Agreement (MOA) with civilian agencies to ensure victims and witnesses are provided required services? Please provide copy of MOA.
Reference
MCO P5800.16A, CHAP 6, PAR 6006.5(e)
- 092 01 009 If a confinement facility is located onboard the installation, did the installation commander appoint, in writing, by name, title, duty address, and telephone number, a confinement facility representative to serve as the corrections Victim and Witness Assistance Coordinator (VWAC)?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.5(i)
- 092 01 010 In the cases where a Military Protective Order (MPO) is issued and any individual involved in the order does not reside on a military installation, are procedures in place to notify the appropriate civilian authorities of the issuance of the MPO and the individuals involved in the MPO?
Reference
10 USC § 1567A
- 092 01 011 Are there procedures in place to ensure that civilian authorities are notified when a change is made to the MPO or the MPO is terminated? What are the procedures?
Reference
10 USC § 1567A

- 092 02 VICTIM AND WITNESS LIAISON OFFICER (VWLO)
- 092 02 001 Has the VWLO ensured that each organization (battalion/squadron level and above) assigned to the installation, including tenant commands (battalion/squadron level and above) appointed, in writing and by name, a VWAC? Does the VWLO have a copy of all appointment letters for each VWAC as provided by each commander?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(a) & PAR 6006.6
- 092 02 002 Has the VWLO compiled a directory of all VWAP representatives from PMO, legal, MFS, and all VWACs aboard the installation and ensured that copies of this directory are made available to all VWACs and VWAP representatives? How is the directory maintained (e.g. electronic/hard copy) ?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(b)
- 092 02 003 Has the VWLO conducted and chaired a VWAP council meeting at least quarterly to discuss VWAP-related issues?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(c)
- 092 02 004 In conjunction with MFS, has the VWLO compiled and maintained a directory of military and civilian programs and services providing counseling, treatment, and other victim support within the geographic area to the installation? How is the directory maintained? (e.g. electronic/hard copy)
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(d)
- 092 02 005 Has the VWLO obtained and distributed relevant information to VWACs, including where appropriate, VWAP-related training materials and the directory of local programs and services?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(e)
- 092 02 006 In coordination with PMO, legal, and MFS, has the VWLO ensured that all victims and witnesses are notified of their rights and are provided the names, titles, duties, addresses, and telephone numbers of the appropriate VWAC involved in their case? How does the VWLO accomplish this?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(t) & PAR 6010.1(g)

- 092 02 007 Has the VWLO, when appropriate, assisted victims in exercising their rights and in obtaining support?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(h)
- 092 02 008 Has the VWLO assisted the installation commander in collecting and reporting the number of victims and witnesses contacted via 2701 – 2704 forms? How is this information collected and reported?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(i)
- 092 02 009 Does the VWLO address issues surrounding the sensitive needs of victims of sexual assault in local VWAP council meetings?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(j)
- 092 02 010 Has the VWLO ensured that deploying units receive appropriate VWAP training and VWAP material prior to deployment? What is the process in place for ensuring this training occurs?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(k)
- 092 02 011 Has the VWLO ensured that CMC (JAM) is notified when a new VWLO is appointed. Did the VWLO provide a copy of his/her appointment letter to CMC (JAM)?
Reference
MCO P5800.16A, CHAP 6, PAR 6010.1(1)
- 092 03 INVESTIGATIVE AND LAW ENFORCEMENT PERSONNEL
- 092 03 001 Are law enforcement personnel ensuring that an *Initial Information for Victims and Witnesses of Crime* form (DD Form 2701) was completed and provided to victims and witnesses?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.7(a) (3)
- 092 03 002 Is law enforcement accurately tracking the number of victims and witnesses contacted via DD Form 2701 and if so, how is it tracked?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.7(a) (3)

- 092 03 002 Does the DD Form 2701 include the name and telephone number of the investigator, the VWLO, the cognizant command VWAC, and, when appropriate, a number to contact a victim advocate?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.7(a)(3)
- 092 03 003 When requested by a victim, did law enforcement personnel keep the victim apprised of the status of the investigation/inquiry to the extent possible?
Reference
MCO P5800.16A, CHAP 6, PAR. 6006.7 (a) (5); DODI 1030.2
- 092 03 004 Are law enforcement personnel promptly notifying the victim and/or witness when a suspect was apprehended when the victim/witness requests such notification?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.7(a) (6)
- 092 03 005 What is the process for safeguarding the victim's property held as evidence and ensuring that it is returned as soon as possible?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.7(a) (7);
- 092 03 006 Did law enforcement personnel report the total number victims and witnesses contacted using DD Form 2701s for the preceding calendar year to the Installation VWLO, no later than 15 January (A copy of the report should be provided)?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.7(a) (9)
- 092 03 007 How are law enforcement personnel notifying unit VWACs of the identity of the victim and of the accused?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.7(a)(10)(a)
- 092 04 MARINE AND FAMILY SERVICES (MFS)
- 092 04 001 Has MFS appointed a representative to the local Victim and Witness Assistance Council in writing?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.3(f)
- 092 04 002 Does MFS have a directory of the VWAP points of contact for their installation?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.3(e)

- 092 04 003 Does MFS inform crime victims and witnesses about VWAP (via DD Form 2701) if such information has not already been provided and is MFS accurately tracking the number of victims and witnesses contacted via DD Form 2701. If so, how is it tracked?
- 092 04 004 Is MFS reporting the number of victims and witnesses contacted via DD Form 2701 to the Installation VWLO?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.3(a)
- 092 04 005 Does MFS inform victims of spousal or interfamilial abuse by service members of the benefits provided under "Transitional Compensation for Abused Family Members"?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.3(b)
- 092 04 006 Does MFS inform victims of spousal or interfamilial abuse by services members to contact the local legal assistance office for additional information on their rights and other benefits that they may be entitled to receive?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.3(c)
- 092 04 007 Does MFS inform crime victims of the State crime compensation funds that may be available to reimburse victims for certain expenses incurred as a result of the crime?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.3 (ii)
- 092 05 UNIT COMMANDERS, COMMANDING OFFICERS, AND OFFICERS IN CHARGE
- 092 05 001 Did the unit commander (battalion/squadron level and above) appoint, in writing, by name, title, duty address, and duty telephone number, a representative to serve as a VWAC?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.6
- 092 05 002 Did each commander provide a copy of the VWAC appointment letter to the VWLO?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.6

- 092 05 003 In addition to the required reporting of all alleged sexual assaults to the Provost Marshal Office, did commanders, in appropriate cases, report all serious incidents of a criminal nature via OPREP-3SIR, with the SJA to CMC included as an addressee on these reports?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.6(a), MCO 1752.5A;
MCO 5740.2F
- 092 05 004 Did commanders submit a Discrimination and Sexual Harassment (DASH) report in every instance where a formal complaint of sexual harassment has been filed and a Marine is the complainant or the alleged offender?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.6(b); MCO P5354.1D
W/CH 1
- 092 05 005 For summary courts-martial, where confinement is adjudged and approved, did the commander coordinate with trial counsel for completion of DD Form 2704?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.6(c)
- 092 05 006 Has the commander issued any MPOs? If so, did they do so on DD Form 2873?
Reference
MCO P5800.15A, CHAP 6, PAR 6006.6(d) (1)
- 092 05 007 How does the commander retain the original, completed MPO/DD Form 2873?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.6(d) (2)
- 092 05 008 In each instance where an MPO has been issued, did the commander, after redacting the personal information of both the service member and the protected person (i.e., home address, home telephone number, social security number, date of birth), provide a signed copy of the DD Form 2873 to both the service member and the protected person in accordance with the distribution list contained on the form?
Reference
MCO P5800.16A, CHAP 6, PAR 6006, 6(d) (2)
- 092 05 009 Did the commander destroy each original DD Form 2873 maintained on file/record 6 months after the MPO expired?
Reference
MCO P5800.16A, CHAP 6, PAR 6006.6(d) (2)

- 092 05 010 In the cases where a MPO is issued and any individual involved in the MPO does not reside on a military installation, are procedures in place to notify the installation commander of the issuance of the MPO and the individuals involved in the MPO?
Reference
10 USC § 1567A
- 092 05 011 Are there procedures in place to ensure that the installation commander is notified when a change is made to the MPO or the MPO is terminated? What are the procedures?
Reference
10 USC § 1567A
- 092 06 COMMAND VICTIM AND WITNESS ASSISTANCE
COORDINATORS (VWAC)
- 092 06 001 Has the command authorized VWAP training and distribution of VWAP materials within the unit? If so, has the VWAC distributed such materials? Is there a syllabus or Program of Instruction?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(a)
- 092 06 002 In cases involving victims, witnesses, or an accused from different commands, did the VWAC maintain contact with all VWACs, and other personnel, involved in the victim's or witness' case?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(a)
- 092 06 003 When the victim and/or witness is a member of the VWAC's command, did the VWAC ensure that the victim or witness has been advised of applicable rights and been provided DD Form 2701?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(b)
- 092 06 004 When the victim and/or witness is a member of the VWAC's command, did the VWAC coordinate with MFS to ensure that the victim or witness receives, when appropriate, information concerning the availability of resources, including information on compensation programs available to victims of intra-familial abuse offenses when the offender is a service member?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(b) (1)

- 092 06 005 When the victim and/or witness is a member of the VWAC's command, did the VWAC assist the victim in obtaining necessary counseling, if requested?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(b) (2)
- 092 06 006 When the victim and/or witness is a member of the VWAC's command, did the VWAC assist the victim or witness in the exercise of their rights, except in cases pending judicial action where this function is completed by the trial counsel?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(b) (4)
- 092 06 007 When the accused is a member of the VWAC's command, did the VWAC identify any victims or witnesses and notify the VWACs of their commands?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(c)
- 092 06 008 Does the VWAC understand the role of the trial counsel in advising the victim/witness of their rights under VWAP and has the VWAC ensured that this advise has been given to victims/witnesses in the command and that the victim/witness understands these rights?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(c)(1)
- 092 06 009 In instances of pretrial confinement where the victim or witness has requested notification; did the VWAC notify the victim(s) or witness(es) of changes in the accused's pretrial confinement status, if applicable?
Reference
MCO P5800.16A, CHAP 6, PAR 6011.1(t)