

## **Service Member's Rights - Bill of Rights**

The Directive includes a DoD Victims' Bill of Rights which resembles the Federal Crime Victims' Bill of Rights. DoD law enforcement and legal personnel directly engaged in the detection, investigation or prosecution of crimes are responsible for ensuring that victims of military-related crime are accorded the following rights:

- Be treated with fairness and respect for the victim's dignity and privacy.
- Be reasonably protected from the accused offender.
- Be notified of court proceedings.
- 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.
- Confer with the attorney for the government in the case.
- Receive available restitution.
- Be provided information about the conviction, sentencing, imprisonment and release of the offender.

Additionally, court-martial convening authorities, as well as clemency and parole boards, are directed to consider making restitution to the victim a condition of pretrial agreements, sentence reduction, clemency and parole. They may consider victim statements on the impact of crime when reviewing a case.

*Note: Please ensure that the victim is aware of his or her rights as soon as possible in the process. See below attachment.*

[Victims' Rights In Action Brochure](#)

## **Important DoD Information Forms for Victims**

Victim and witness assistance programs throughout DoD use standard forms to advise victims and witnesses of their rights during all stages of a case. Each Military Service is also required to provide DoD an annual report indicating the numbers of victims and witnesses who have received assistance and services.

The following chart lists the DoD forms number, the title of the form, when they are used and their purpose.

### **Initial Contact**

*Initial Information for Victims and Witnesses of Crime (DD Form 2701)*

Provides notice to victims and witnesses on rights and information on the military justice system and points of contact.

**Prosecution**

*Court Martial Information for Victims and Witnesses of Crime (DD Form 2702)*

*Post-Trial Information for Victims and Witnesses of Crime (DD Form 2703)*

Provides notice to victims and witnesses on rights during court-martial proceedings and process and during the command's decision-making process.

**Confinement**

*Victim/Witness Certification and Election Concerning Inmate Status (DD Form 2704)*

*Victim/Witness Notification of Inmate Status (DD Form 2705)*

Provides information to victims and witness on the offender's sentence, confinement status, clemency and parole hearings and release from confinement.