

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/MSGT DANIEL SEARS E-mail: ROBERT.M.HALL2@USMC.MIL/ DANIEL.W.SEARS@USMC.MIL (DSN) 224-8661 (COML) 703-614-8661/693-9283 DATE LAST REVISED: 7 October 2013</p>
092 01	INSTALLATION COMMANDERS
092 01 001	<p>Has the COMMCICOM, COMMARFORRES, and regional MCI CGs appointed in writing, by name, title, duty address, and telephone number, a Regional Victim Witness Liaison Officer (RVWLO)? Reference MCO 5800.14, ENCL (3), PAR 2(a)(2)</p>
092 01 002	<p>Did the installation commander appoint, in writing, by name, title, duty address, and telephone number, an officer or civilian member of the Installation Staff, as a Victim and Witness Liaison Officer (VWLO)? Reference MCO 5800.14, ENCL (3), PAR 2(b)(2)</p>
092 01 003	<p>Is the Installation Commander ensuring that VWAP representatives aboard the installation are provided the VWLO's name and phone number? Reference MCO 5800.14, ENCL (3), PAR 2(b)(3)</p>
092 01 004	<p>Has the Installation Commander established a local Victim and Witness Assistance Council chaired by the installation VWLO? Reference MCO 5800.14, ENCL (3), PAR 2(b)(4)</p>

- 092 01 005 When a Marine Corps confinement facility is located aboard the installation; has the Installation Commander appointed in writing, by name, title, duty address, and telephone number, a confinement facility representative to serve as the confinement facility Victim Witness Assistance Coordinator (VWAC) and representative to the local Victim and Witness Assistance Council?
Reference
MCO 5800.14, ENCL (3), PAR 2(b)(5)
- 092 01 006 With the assistance of the local Marine and Family Programs Office; has the Installation constructed and maintained a directory of military and civilian programs, services, and crime victim compensation funds available to victims and witnesses, and ensured the directory is published on the installation's public website?
Reference
MCO 5800.14, ENCL (3), PAR 2(b)(6)
- 092 01 007 Does the Installation Commander have processes in place to maintain data on the number of victims and witnesses who received DD Forms 2701-2703 and elect notification via DD Form 2704? What is the process?
Reference
MCO 5800.14, ENCL (3), PAR 2(b)(8)
- 092 02 REGIONAL VICTIM WITNESS LIAISON OFFICER (RVWLO)
- 092 02 001 Is the RVWLO an officer or civilian member of the commander's staff of appropriate experience, temperament, and rank?
Reference
MCO 5800.14, ENCL (3), PAR 3(a)(1)
- 092 02 002 Does the RVWLO maintain a list of VWLOs from each installation under the cognizance of their commanding general and ensure copies of this list are provided to all cognizant VWLOs and CMC (JA-2)?
Reference
MCO 5800.14, ENCL (3), PAR 3(a)(3)
- 092 02 003 Has the RVWLO ensured basic VWAP training is available to all new VWLOs and VWACs?
Reference
MCO 5800.14, ENCL (3), PAR 3(a)(4)

- 092 02 004 Has the RVWLO collected and maintained data on the number of victims and witnesses, in the region, who received DD Forms 2701-2703 and who elected notification via DD Form 2704?
Reference
MCO 5800.14, ENCL (3), PAR 3(a)(5)
- 092 02 005 Has the RVWLO compiled and maintained VWAP data and forwarded it to CMC (JA-2) on a quarterly basis?
Reference
MCO 5800.14, ENCL (3), PAR 3(a)(6)
- 092 02 006 Has the RVWLO chaired and conducted a semi-annual Regional VWLO meeting to discuss VWAP- related issues? When was the last meeting held?
Reference
MCO 5800.14, ENCL (3), PAR 3(a)(8)
- 092 03 INSTALLATION VICTIM WITNESS LIAISON OFFICER (VWLO)
- 092 03 001 Is the VWLO an officer or civilian member of the commander's staff of appropriate experience, temperament, rank, and not serving in a prohibited legal billet?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(1)
- 092 03 002 Does the VWLO maintain a list of VWACs, service providers, and SJAs aboard the installation? Are copies of this list provided to all VWACs and service providers?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(3)
- 092 03 003 Has the VWLO ensured that each organization (battalion/squadron level and above) assigned to the installation, including tenant commands, has appointed a VWAC in writing, by name, title, duty address, and telephone number?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(4)
- 092 03 004 Does the VWLO chair and conduct a quarterly installation-level Victim Witness Assistance Council meeting?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(5)

- 092 03 005 In conjunction with the installation Marine and Family Programs office and SAPR programs, does the VWLO maintain an installation website that includes, at a minimum, a current directory of installation VWAP personnel, military and civilian programs and services providing counseling, treatment, or other victim support services within the geographic area of the installation, and contact information for these programs?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(6)
- 092 03 006 Does the VWLO obtain and distribute relevant information and provide annual training to all VWACs aboard the installation?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(7)
- 092 03 007 Does the VWLO have a process in place to compile and maintain data, and forward data to the Installation Commander in accordance with reporting requirements?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(10)
- 092 03 008 Does the VWLO ensure that deploying units receive appropriate VWAP training and information prior to deployment?
Reference
MCO 5800.14, ENCL (3), PAR 3(b)(11)
- 092 04 LEGAL COMMUNITIY, LAW ENFORCEMENT AND CORRECTIONS ROLES AND RESPONSIBILITIES
- 092 04 001 Has the Convening Authority SJA provided a copy of the Convening Authority Action (CAA) to the trial counsel in those cases where a victim or witness has elected to be informed of the CAA?
Reference
MCO 5800.14, ENCL (3), PAR 4(a)(2)
- 092 04 002 Has the OIC, Legal Services Support Team (LSST) appointed a Legal Services VWAC in writing, by name, title, duty address, and telephone number?
Reference
MCO 5800.14, ENCL (3), PAR 4(b)(1)
- 092 04 003 Has the OIC, LSST ensured all VWAP data is entered into the SJA to CMC's Case Management System (CMS)?
Reference
MCO 5800.14, ENCL (3), PAR 4(b)(3)

- 092 04 004 Does the OIC, LSST ensure that the total number of victims and witnesses provided DD Forms 2702 and 2703, and the total number of victims and witnesses electing to be notified of prisoner status change in DD Form 2704, are reported to the installation VWLO quarterly?
Reference
MCO 5800.14, ENCL (3), PAR 4(b)(4)
- 092 04 005 Does the OIC, LSST ensure that a representative is assigned to the Victim and Witness Assistance Council located on installations to which the LSST provides direct support legal services?
Reference
MCO 5800.14, ENCL (3), PAR 4(b)(5)
- 092 04 006 After preferral of charges, do trial counsel provide all victims and witnesses in a case with the DD Form 2702 (Court-Martial Information for Victims and Witnesses of Crime), and determine their elections as to those rights?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(3)
- 092 04 007 When a victim or witness has requested notification, do detailed trial counsel to each case ensure, at their earliest possible opportunity, reasonable, accurate, and timely notification to the victim or witness of the required trial events and procedural milestones? How is this accomplished?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(4)
- 092 04 008 During court-martial proceedings, do detailed trial counsel ensure that victims, victim witness support personnel, and prosecution witnesses are provided, if desired, with a waiting area that is separate from, and out of the sight and hearing of, the accused and defense witnesses?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(8)
- 092 04 009 Upon request by the victim and/or witness, do trial counsel take reasonable steps to inform that person's employer of the reasons for that person's absence from work?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(10)

- 092 04 010 When trial counsel has possession of a victim's or witness's property, does trial counsel safeguard the property held as evidence and return it as soon as possible with due consideration of the possibility of appeals and other post-trial requirements?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(11)
- 092 04 011 At the conclusion of a court-martial resulting in a conviction, does the detailed trial counsel inform victims and witnesses of basic information about the post-trial process and provide each with a completed DD Form 2703 (Post-Trial Information for Victims and Witnesses)?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(13)
- 092 04 012 At the conclusion of every court-martial in which confinement is adjudged, does the trial counsel complete a DD Form 2704 and provide copies to the confinement facility, victim and witnesses entitled to a copy, and responsible VWACs?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(14)
- 092 04 013 Are LSST Trial Counsel maintaining data on the number of victims and witnesses provided DD Forms 2702 and 2703, and the number of victims and witnesses, using DD form 2704, which elected to be notified of a prisoner's status change? How is this data being maintained?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(15)
- 092 04 014 Is all VWAP data entered into the Case Management System record for each victim and witness when required?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(15)
- 092 04 015 Are LSST Trial counsel determining whether victims and witnesses elect to receive further information and updates regarding appeals? If they do, has detailed trial counsel forwarded their contact information and a copy of the DD Form 2704 to U.S. Navy OJAG (Code 46)?
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(16)(b)

- 092 04 016 In cases remanded for rehearing on findings and/or sentence, has the LSST VWAC coordinated with U.S. Navy OJAG (Code 46) to re-assume the role as primary point of contact for victims and witnesses associated with the case.
Reference
MCO 5800.14, ENCL (3), PAR 4(d)(16)(c)
- 092 04 017 Has each law enforcement agency or office aboard the installation appointed a Law Enforcement VWAC to serve on the Victim Witness Assistance Council?
Reference
MCO 5800.14, ENCL (3), PAR 4(c)(1)
- 092 04 018 Are DD Form 2701s being provided to victims and witnesses, and do the forms contain accurate contact information for that specific installation?
Reference
MCO 5800.14, ENCL (3), PAR 4(c)(1)(b)
- 092 04 019 Are DD Form 2701s being accurately tracked and reported to the installation VWLO?
Reference
MCO 5800.14, ENCL (3), PAR 4(c)(1)(c)
- 092 04 020 Are law enforcement agencies conducting annual training on the requirements of the VWAP and applicable orders regarding the treatment of victims and witnesses?
Reference
MCO 5800.14, ENCL (3), PAR 4(c)(1)(d)
- 092 04 021 Are law enforcement agencies ensuring that command VWACs are notified of criminal investigations requiring action?
Reference
MCO 5800.14, ENCL (3), PAR 4(c)(10)
- 092 04 022 In situations where one party to a Military Protective Order (MPO) resides off-base, is there an MOU/MOA established with local police and sheriff departments and other municipal organizations?
Reference
MCO 5580.2B w/Ch 1, encl (1), par 3402
- 092 04 023 Has the brig/PCF commanding officer (CO) or OIC appointed, in writing, a Confinement Facility VWAC and an alternate VWAC?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(1)(a)

- 092 04 024 Are individual confinement records of prisoners included in the victim and witness program identified by placing a white label on the outside of the file with the letters "VW" written at least high in black?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(4)
- 092 04 025 Does the confinement facility VWAC maintain a separate adjunct file by individual name of the prisoner, cross-referenced to the brig/PCF-specific number?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(5)
- 092 04 026 Is the brig/PCF-specific number developed using the brig/PCF's CORMIS unit identification code (UIC), the year and month the prisoner's case was adjudged, and a sequential number of the file for that calendar year (e.g., 31001 10-11 001)?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(5)
- 092 04 027 Is all contact with a victim or witness, including telephonic and unsuccessful contact attempts, properly documented in CORMIS?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(5)
- 092 04 028 Is the DD Form 2705, Victim/Witness Notification of Inmate Status used to advise victims and witnesses of all release and release-related activities, transfers, and escapes? Additionally, is notification made at least 45 days prior to the relevant action utilizing certified mail, return receipt?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(6)
- 092 04 029 Does the confinement facility VWAC send an acknowledgement of request to participate in the program to victims and witnesses within ten working days of receipt of the DD Form 2704, and is a completed DD Form 2705 (section I; section II, block 3, 4, 5 and 6; section III, block 8.a and 8.b; and section V) included with the initial enrollment letter?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(6)(a)
- 092 04 030 When a prisoner is to be released does the brig/PCF VWAC notify victims and witnesses through the use of a DD Form 2705, providing the date, reason for release, and destination (city and state)?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(6)(c)

- 092 04 031 In the event of a prisoner escape, does the confinement facility VWAC notify victims and witnesses telephonically as soon as possible?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(6)(d)
- 092 04 032 Does the confinement facility VWAC notify victims and witnesses of all planned transfers including the address of the receiving brig/PCF?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(6)(e)1
- 092 04 033 Are all brig/PCF personnel provided information about the VWAP and staff responsibilities at least annually?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(9)
- 092 04 034 Do confinement facility VWACs ensure all VWAP information is entered in CORMIS within five days of the end of each quarter (i.e., by January 5, April 5, July 5, or October 5, as applicable)?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(10)
- 092 04 035 Are all documents pertaining to victims and witnesses maintained in a secure and separate manner from the prisoner record for two years after the prisoner's full term release date. Additionally, after the second anniversary of release, is all victim and witness information destroyed in accordance with service regulations regarding PII?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(12)(b)
- 092 04 036 Have Brig/PCF COs and OICs established internal controls to ensure all information held on victims and witnesses is kept strictly confidential and that no unauthorized person(s) or any prisoner(s) shall access the information?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(13)

- 092 04 037 Is all victim and witness information placed in a separate envelope stamped on both sides "EXEMPT FROM RELEASE UNDER FREEDOM OF INFORMATION ACT ONLY CMC (ARSF) CAN AUTHORIZE RELEASE OF INFORMATION"? In addition, is a cover sheet placed inside the envelope on top of the material stamped "ALL VICTIM AND WITNESS INFORMATION IS EXEMPT FROM RELEASE UNDER THE FREEDOM OF INFORMATION ACT, ONLY CMC (ARSF) CAN AUTHORIZE RELEASE OF INFORMATION?"
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(13)
- 092 04 038 Is the Victim and Witness Notification Program included in the brig/PCF standard operating procedures?
Reference
MCO 5800.14, ENCL (3), PAR 4(e)(13)
- 092 05 SERVICE PROVIDERS
INSTALLATION MARINE AND FAMILY SERVICES (MF)
- 092 05 001 What process is in place to inform crime victims and witnesses about VWAP rights, services, and assistance when they receive counseling, treatment, or advice, if such information has not already been provided?
Reference
MCO 5800.14, ENCL (3), PAR 5(a)(1)
- 092 05 002 Does MF ensure that victims and witnesses in a case understand the rights afforded them under the law and are provided with a completed DD Form 2701 if one has not already been provided?
Reference
MCO 5800.14, ENCL (3), PAR 5(a)(2)
- 092 05 003 What is the process in place to maintain data on the number of victims and witnesses who received DD Form 2701?
Reference
MCO 5800.14, ENCL (3), PAR 5(a)(3)
- 092 05 004 Does MF compile and report the total number of victims and witnesses provided DD Form 2701 to the installation VWLO quarterly?
Reference
MCO 5800.14, ENCL (3), PAR 5(a)(4)

- 092 05 005 Does MF inform victims of spousal or interfamilial abuse of the benefits provided under Transitional Compensation for Abused Family Members?
Reference
MCO 5800.14, ENCL (3), PAR 5(a)(5)
- 092 05 006 Has MF appointed, by name and in writing, a representative to the local Victim and Witness Assistance Council?
Reference
MCO 5800.14, ENCL (3), PAR 5(a)(9)
- 092 06 UNIT COMMANDERS
- 092 06 001 Has the Unit Commander appointed in writing, by name, title, duty address, and telephone number, a VWAC?
Reference
MCO 5800.14, ENCL (3), PAR 2(c)(1)
- 092 06 002 In cases of summary courts-martial where confinement is adjudged and approved, did the unit commander coordinate with a trial counsel assigned to the Legal Services Support Team (LSST) supporting their command prior to completing the DD Form 2704?
Reference
MCO 5800.14, ENCL (3), PAR 2(c)(3)
- 092 06 003 Have Commanders provided annual VWAP training to ensure that unit personnel know the identity of their VWAC and understand victim and witness rights?
Reference
MCO 5800.14, ENCL (3), PAR 2(c)(5)
- 092 07 VICTIM WITNESS ASSISTANCE COORDINATORS (VWAC)
- 092 07 001 Is the VWAC an Officer, SNCO, or civilian member of the commander's staff of appropriate experience, temperament, and rank?
Reference
MCO 5800.14, ENCL (3), PAR 2(d)(1)
- 092 07 002 What is the process in place to maintain data on the number of victims and witnesses who receive DD Forms 2701?
Reference
MCO 5800.14, ENCL (3), PAR 2(d)(4)

- 092 07 003 Are the total number of victims and witnesses provided DD Form 2701 being reported to the installation VWLO quarterly?
Reference
MCO 5800.14, ENCL (3), PAR 2(d)(5)
- 092 07 004 In pretrial confinement cases where the victim or witness has requested notification, did the VWAC notify the victim or witness of changes in the accused's pretrial confinement status?
Reference
MCO 5800.14, ENCL (3), PAR 2(d)(8)
- 092 07 005 Has the VWAC obtained and distributed VWAP materials and provide VWAP training to the members of the command on an annual basis?
Reference
MCO 5800.14, ENCL (3), PAR 2(d)(9)