

VICTIM/WITNESS ASSISTANCE GUIDE



**Office of the Staff Judge Advocate
78th Air Base Wing
Robins AFB, GA**

VICTIM WITNESS INFORMATION PACKET

INTRODUCTION

The Air Force Victim and Witness Assistance Program (VWAP) was designed to ensure all victims and witnesses of crime who suffer physical, financial or emotional trauma receive the assistance and protection to which they are entitled. This information packet outlines your rights and entitlements as a victim of an offense prosecuted by the Air Force under the Uniform Code of Military Justice. Best efforts will be made to afford the services listed herein, upon request, to any person who suffered direct physical, emotional, or pecuniary harm as a result of the commission of an offense(s) investigated or prosecuted by U.S. Air Force authorities.

The Robins AFB Legal Office is concerned about the problems often experienced by victims and witnesses of crimes. As a victim, you may experience pain, suffering, anger, confusion, frustration, or fear. This handout includes a description of your rights, as well as information on the services and programs available to you. It includes detailed information about the protection and assistance provided to crime victims and witnesses, the availability of medical care and human service programs, and information about the military justice process.

DEFINITIONS

Trial Counsel (TC) - This individual acts as the prosecutor in the case against the accused. The trial counsel may be used by you, in addition to the VWAP Liaison, as your point of contact throughout the proceedings.

Assistant Trial Counsel (ATC) - This individual assists the trial counsel in the prosecution of the case against the accused.

Senior Trial Counsel (STC) - This individual assists the trial counsel in the case against the accused. STC travel from base to base to assist local counsel with the prosecution of the more serious and complex court cases.

Special Victim Counsel (SVC) - (Sexual Assault Cases Only) – Certain personnel may be eligible to receive assistance from a Special Victim Council (attorney). For eligibility requirements, please contact the SARC at (478) 327-7272 or (478) 926-2946 or legal office at (478) 222-7474.

Investigator(s) - Investigators gather information and evidence surrounding the offense. This usually includes taking both verbal and written statements from witnesses and victims. Official Air Force investigators carry badges and credentials (with picture) that identify them as either a Special Agent with the Air Force Office of Special Investigations (AFOSI) or a Security Forces Office of Investigation (SFOI). Your initial contact with an Air Force investigator will likely be in person.

Defense Counsel (DC) - This individual is a lawyer, either active duty military or civilian, who acts as counsel for the accused.

Special Court-Martial (SPCM) - The maximum punishment for this type of court is a Bad Conduct Discharge (BCD), twelve (12) months confinement, 2/3 forfeiture of pay for six (6) months and reduction to Airman Basic (E-1).

General Court-Martial (GCM) - The punishment for this type of court is the maximum penalty provided by law. The maximum punishments vary from offense to offense.

Convening Authority - Persons empowered by statute to initiate court-martial action against military members.

a. **Special Court-Martial Convening Authority (SPCMCA)** - This individual is the Commander, 78th Air Base Wing Commander, Robins AFB, GA.

b. **General Court-Martial Convening Authority (GCMCA)** - This individual is the Commander, Air Force Sustainment Center, Tinker AFB, OK.

Victim - A person who suffers direct physical, emotional or financial harm as a result of an offense.

Victim Liaison - An individual appointed to assist a victim during the military justice process. The liaison may be a medical or mental health care provider, judge advocate, paralegal or other designated individual.

Victim Witness Assistance Program Coordinator – An individual selected by the SJA to implement and manage the VWAP. The coordinator is responsible for ensuring the accomplishment of required training by all local agencies. The VWAP Coordinator may also serve as victim liaison as appropriate under the circumstances of a particular case. **(478) 222-7474**

Witness - A person who has information or evidence of a crime and provides that information or evidence to an Air Force official. When a witness is a minor, the term includes an appropriate family member. The term “witness” does not include an individual allegedly involved in a criminal offense as a conspirator, accomplice or the alleged perpetrator.

THE COURT-MARTIAL PROCESS:

A. Investigative Phase: Immediately after a crime is discovered, an investigation will likely be initiated either by the AFOSI or SFOI. The investigator or case agent assigned to the case will interview the various witnesses involved, including the victim, and gather sufficient evidence to prove or disprove allegations against the suspect. In most situations, the government will not proceed with a court-martial or other action, until the investigation is completed. Your cooperation and assistance in this phase of the process is essential to getting all the facts surrounding the incident; thus, you will likely be asked to provide a statement to the investigator.

B. Preferral of Charges: After the investigation is complete, the court-martial process is officially initiated by the preferral of charges. Preferral of charges occurs when the accused's commander makes a recommendation to the convening authority that the accused's conduct warrants trial by court-martial. At this stage, the accused is first made aware of what charges he or she is being accused.

If it is determined that the offense(s) are appropriate for trial before special court-martial, a recommendation will be made to the SPCMCA to refer the charges directly to trial. The next step in the special court-martial process is the actual trial. However, if it is determined that the offense is appropriate for trial before general court-martial (GCM), the next step in the process is an Article 32 Hearing.

C. Article 32 Hearing (General Court-Martial cases only): An Article 32 Hearing only occurs in courts-martial recommended for trial by General Court-Martial. At the hearing, an impartial Air Force officer, called the Investigating Officer (IO) usually a Judge Advocate, will investigate the charge(s) preferred against the accused. The IO investigates the offense(s) and makes a recommendation as to whether the facts and evidence are sufficient to warrant a trial by General Court-Martial. This phase of the trial process is similar to the grand jury process in state criminal cases.

The evidence at the Article 32 Hearing will either be presented through documents or through live testimony. As a witness or victim, you may be asked to testify at the Article 32 hearing. After hearing the evidence, the IO makes a recommendation as to how the case should be disposed. The GCMCA reviews their report and the evidence presented at the hearing. The GCMCA then determines whether to convene a general court-martial, a special court-martial or dismiss the charges or a combination of these options.

D. Trial:

Stage I - Findings:

Under the military justice system a court-martial is conducted in two separate stages. If the accused pleads not guilty to the offense(s), then the guilt of the accused must be proven by the government. A victim will generally be asked to testify at trial. If, however, the accused pleads guilty to the offense(s), there is normally no need for evidence to be presented in this portion of the trial and, therefore, the victim will not generally be required to testify.

Stage II - Sentencing:

If the court finds an accused not guilty of the charge(s), the trial will end. However, if the accused pleads guilty or is found guilty, the trial proceeds to the sentencing portion. In this stage, the military judge or panel members determine the appropriate punishment for the accused. The punishment which may be imposed include: (1) a punitive discharge (for enlisted members, a bad conduct discharge (BCD) or dishonorable discharge (DD); for officer members, a Dismissal); (2) a period of confinement; (3) forfeiture of pay and allowances for a specified amount and for a specified time; (4) a reduction in grade to a specified grade; and (5) a fine. These punishments may be imposed in a number of combinations.

In determining what punishment is appropriate, the government may present evidence in aggravation. This includes circumstances surrounding the offense(s), prior disciplinary incidents, adverse administrative actions or prior convictions of the accused. You may be asked to testify during the sentencing stage regarding how the offense(s) affected or impacted you. If applicable, the defense may be given an opportunity to present evidence in extenuation and/or mitigation. This includes the circumstances surrounding the offense(s), evidence the accused has been a good duty performer and the member's other military accomplishments.

Once both the government and the defense are given an opportunity to present sentencing arguments, the sentence is announced and the court-martial phase is completed.

VICTIMS' RIGHTS AND AVAILABLE SERVICES:

A. As a crime victim, you have the following rights:

- To be treated with fairness and respect for your dignity and privacy;
- To reasonable protection from a suspect or the accused;
- To notification of all court-martial proceedings;
- To be present at all public court-martial proceedings, unless the military judge determines the victim's testimony would be materially affected if the victim heard other testimony;
- To confer with trial counsel in the case;
- To appropriate restitution, when available; and
- To information about an accused's conviction, sentencing, confinement and release.
- To be afforded the opportunity to make a personal appearance at a Military Department clemency and parole board, at the discretion of the Secretary concerned.

B. Services:

- The Base Legal Office will inform you of any restitution or other relief that you may be entitled and the process for obtaining that relief. Restitution may be available from, or offered by, an accused as a condition in the terms of a pretrial agreement, during the sentencing process, as a part of post-trial mitigation or as a term or condition of parole.
- Information on possible restitution from local, state or federal crime victim funds, including procedures for applying for these funds.
- Article 139 of the Uniform Code of Military Justice may also provide relief if property loss or damage resulted from a wrongful taking or from willful damage done by a member of the Armed Forces.

C. Notification: Upon your request, the Base Legal Office will provide you with the earliest possible notice of:

- The status of the investigation (to the extent appropriate without interfering with the investigation).
- The apprehension or arrest of the suspected offender(s).
- The accused's pretrial status.
- Preferral of charges against the suspected offender(s).
- Schedule of judicial proceedings (where required or entitled to attend).

- Release or detention status of suspected offender(s).
- The acceptance of a guilty plea or the announcement of findings (verdict) after trial.
- The sentence imposed, including the date on which the accused becomes eligible for release from confinement or parole, if applicable.
- Also, upon your request, the Base Legal Office will take reasonable steps to inform your employer of the reasons for your absence from work. And, if you are being subjected to serious financial strain directly resulting from a crime, or from cooperation in the investigation or prosecution of an offense, the Base Legal Office may explain reasons for these financial strains to your creditors.
- If your presence is required for trial or in an investigation, you will be provided assistance in obtaining transportation, lodging, courtroom translators or interpreters, and other appropriate witness fees.
- During court proceedings, a waiting area removed from and out of the sight and hearing of the accused and defense witnesses will be provided to you by notifying the Trial Counsel or Chief, Military Justice.
- At the conclusion of the court-martial, the Base Legal Office will provide you with notification of and information explaining:
 - The results of the accused's trial, including the sentence imposed;
 - Your post-trial rights; and
 - Information concerning the accused's future disposition.

D. Consultation: In most situations, the Base Legal Office will consult with you and obtain your views concerning the below listed matters:

- Consultation with the appropriate commander or designee concerning pretrial decisions, such as negotiated pleas or dismissal of charges;
- Decisions not to prefer charges;
- Dismissal of charges;
- Pretrial restraint or confinement, particularly an accused's possible release from any pretrial restraint or confinement;
- Pretrial agreement negotiations, including PTA terms;
- Plea negotiations;
- Discharge in lieu of trial by court-martial; and

- Scheduling of judicial proceedings where the victim is required or entitled to attend. In cases where you feel your life, well-being or safety is jeopardized or threatened by participation in the military justice process, the Base Legal Office will ensure immediate notification of appropriate law enforcement agencies. Consultation may be limited when justified by the circumstances, such as to avoid endangering the safety of the victim or a witness, jeopardizing an ongoing investigation, disclosing classified or privileged information or unduly delaying disposition of an offense.

E. Airman and Family Readiness Center: The following services may be available to you from the Airman and Family Readiness Center (A&FRC), bldg 794, Robins AFB, GA, (478) 926-1256:

- A&FRC maintains information on available treatment, support programs and counseling and serves as the focal point between you and these programs.

- A&FRC will provide information to you on available medical, financial and other social services, and assist you in obtaining those services.

- If you are ineligible for military services, or if military services are not available, the A&FRC or VWAP Liaison will assist you in obtaining available services in the civilian community.

F. Security Forces: The following services are available to you from the Security Forces Squadron, bldg. 263, Robins AFB, GA; Law Enforcement Desk, (478) 926-2187:

- Safeguard any of your property held as evidence and return it as soon as possible.

- When circumstances dictate, Law Enforcement and investigative personnel will promptly inform all victims of the availability of emergency medical and social care. When necessary, L.E. personnel will provide you with assistance in obtaining emergency medical or social care through the A&FRC or a VWAP Liaison.

- As allowed by jurisdictional restraints, make arrangements to protect you from intimidation or similar threats, and, if appropriate, arrange for your bodily protection from the accused.

G. Sexual Assault Response Coordinator (SARC): If you are the victim of a sexual assault and you wish to receive information from the SARC or receive the services of a trained Victim Advocate (VA), please contact the SARC at (478) 327-7272 or (478) 926-2946 (normal duty hours) or (478) 327-2612 after duty hours.

H: The Corrections Process: To receive general information about the corrections process and the earliest possible notice of the following events, inform your VWAP Liaison or the Chief, Military Justice. You are generally entitled to notification of the following:

- Consideration by the Air Force Clemency and Parole Board.

- Escape, deferment, parole or any other form of release from confinement.

- Death of offender, if occurring while in confinement.

- To receive the earliest possible notice of any appellate court proceedings.

Note: Offenders who receive a sentence to confinement of one year or more are eligible for early release through the system of clemency and parole. You are entitled to provide input to the accused's disposition board prior to a parole eligibility date or the accused going before the Air Force Clemency and Parole Board. It is your responsibility to keep the Air Force Security Force Command (HQ AFSFC/SFC) informed of your current address, should you wish to comment on any possible early release. Their address is:

AFSFC/SFCV (AF Corrections Division)
1517 Billy Mitchell Blvd
JBSA Lackland, TX 78236-0119

(210) 925-5607
(Toll free) 1-877-273-3098, ext 5607
DSN: 945- 5607

VWAP Email: afsfc.sfcv@us.af.mil

I. Your participation in the Victim and Witness Assistance Program: The key to receiving the most benefit from the Air Force Victim and Witness Assistance Program is your knowledge and understanding of your rights and entitlements and informing your VWAP Liaison of your needs.

Your Victim-Witness Liaison is:

Name:

Phone:

DISCLAIMER. Failure to provide the information or services above does not create a cause of action or defense in favor of any person. No limits are hereby placed on the lawful prerogatives of the Air Force or its officials.

CONCLUSION

Hopefully, this guide has answered many of your questions regarding your rights and role in the military justice system. You should understand that victims and witnesses of crime have certain rights and should be treated with dignity. You also have important responsibilities in this process and your full cooperation is essential if the system is going to operate fairly and effectively. Your contribution, time and energy is appreciated. If you have any questions or concerns, please contact your VWAP Liaison.

THE MILITARY CRIMINAL JUSTICE SYSTEM THE 10 BASIC STEPS AND YOUR ROLE

This information package attempts to break down the military justice process into its more basic steps and explain the role you, as a witness/victim may play during these steps. This narrative does not cover every conceivable event that may occur, nor will it likely answer every question. However, we have attached questions most frequently asked at the end; should you have any, please contact your VWAP Liaison.

Step #1

OFFENSE: The entire process starts when a military member commits an offense triable by the military.

YOUR ROLE: Report the offense as soon as it occurs. Numerous agencies are available to assist you – our office, Office of Special Investigation (OSI), Security Forces, Family Advocacy Office and the Chaplain.

PRETRIAL CONFINEMENT: Should the offender be apprehended, he/she may be placed in confinement before trial. There is no bail or bond procedure in the military. A review will be conducted, and if a determination is made that the offender is likely to flee or commit another serious offense, the offender will be kept in confinement until trial.

YOUR ROLE: Tell the investigators or your VWAP Liaison immediately if you know of anything indicating that the offender will flee or if you fear further offenses or violence by the offender. **IF YOU ASK TO BE INFORMED,** you will be informed should the offender be released from pretrial confinement after the review.

Step #2

INVESTIGATION: An investigation into the offense(s) is started immediately after the discovery of the offense and is usually conducted by OSI agents or other military investigators, such as Security Forces. If the offense occurred off base, civilian authorities may also be involved in the investigation.

YOUR ROLE: Do your absolute best to cooperate fully and truthfully with all investigators. Each investigator, whether military or civilian, is trained in the particular type of case in which you are involved. Their questions are not intended to embarrass you, but are designed to determine the critical facts in the case. Keep an open line of communication with the investigators through all stages of the process.

Step #3

PREFERRAL OF CHARGES: Preferral of charges is the point at which charges are formally “sworn” against a suspected offender and the offender officially becomes “the accused.” The

military has only 120 days from the time charges are preferred to bring an accused to trial, although delays may occur and extensions are given.

YOUR ROLE: You will be informed of the preferral, someone, normally your VWAP Liaison will contact you of the date of preferral and the nature of the charges. If a pretrial agreement has been offered, you will be asked your opinion of the proposed agreement. However, you will not be able to mandate any terms of the agreement, but your views will be communicated to, and considered by, the Convening Authority prior to reaching any agreement with the accused.

Step #4

CASE PREPARATION: Once a member has been officially charged, both sides begin the preparation of the case. Trial Counsel begins refinement of the case and Defense Counsel begins preparation of the accused's defense.

YOUR ROLE: Do your absolute best to cooperate with counsel, from both sides. If you feel uncomfortable being interviewed by Defense Counsel, or by the defense investigators, let your Liaison know. It may be possible to arrange for the VWAP Liaison, a family member or a friend may accompany you to the interview. In addition, if you feel uncomfortable about the location of the interview, let your VWAP Liaison know. You can request that the interview be conducted in a place where you feel comfortable, for example, your home or the office spaces of the Trial Counsel. Above all, communicate with your VWAP Liaison regarding your feelings so that they can help relieve your fears.

ARTICLE 32 HEARING: Similar to a grand jury hearing, an Article 32 Hearing is a thorough and impartial investigation into the alleged offenses to determine whether reasonable grounds exist to believe that the accused committed the offenses alleged. The hearing, named after the corresponding article in the UCMJ, is presided over by an Investigating Officer (usually a lawyer) who will make a recommendation as to the appropriate disposition of the case after hearing evidence presented by both sides. The Trial Counsel, Defense Counsel and the accused are normally present. Physical evidence is submitted and witnesses may be called.

YOUR ROLE: You may be asked to appear and testify under oath regarding what you know about the charged offense(s). In some instances, a written statement, made by you, may be offered in lieu of your testimony.

Step #5

REFERRAL OF CHARGES BY THE CONVENING AUTHORITY: The accused's commander recommends, as does the Staff Judge Advocate, an appropriate disposition for the preferred charges. The options include dismissal of all charges, dismissal of some of the charges, referral to a special court-martial or referral to a general court-martial. There may also be a recommendation that the accused's commander take disciplinary or administrative action at a lower level than a court-martial.

YOUR ROLE: Like preferral, you will be informed of the recommended disposition and if the charges are referred to court-martial.

Step #6

COURT-MARTIAL: The court-martial actually occurs in two phases – findings (guilty or not guilty) and sentencing (the punishment). The accused may select trial by members (a panel) or by a military judge sitting alone.

FINDINGS: If the accused pleads not guilty to the charge(s), Trial Counsel will introduce evidence to prove the guilt of the accused. The evidence can be in the form of documents, photographs, other physical evidence (e.g. the weapon used in an assault) or the testimony of witnesses. The Defense Counsel will also have the chance to present evidence. Each side is given an opportunity to make opening and closing arguments. In a trial before members, the military judge will give instructions on the law to the members. The members then adjourn to deliberate (decide) on the issue of guilt. If there is a finding of guilty to any charged offense, the trial will continue on to the issue of appropriate punishment (sentencing).

YOUR ROLE: You will likely be asked to testify. If so, you will be asked to wait in an office or other witness-waiting area until called upon to testify. When you testify, you will be placed under oath and asked questions by Trial Counsel, and, in most cases, cross-examined by Defense Counsel. The military judge may also ask you questions. Most people are understandably apprehensive or “afraid of the unknown” at first. However, by the time you testify, Trial Counsel will have prepared you thoroughly. Just remember to always tell the truth. There are no right or wrong answers, only the facts.

SENTENCING: The only issue decided at this stage by the members or the military judge is the appropriate punishment. The Trial Counsel may introduce evidence to show aggravating factors concerning the offense(s). The Defense Counsel may introduce evidence in extenuation or mitigation of the seriousness of the offense(s). Each side will be given an opportunity to make a sentencing argument. In a member’s trial (jury), the judge will again instruct the members, specifically about their duties and procedures for reaching a sentence. Once a sentence is decided upon, it will be announced in open court.

YOUR ROLE: You may be asked to testify about how the offense has affected you, particularly if you are a victim. Frequently, such testimony will have the greatest bearing upon the sentence the accused receives. If you wish to be present in court when the sentence is announced, contact your Liaison.

Step #7

IMPOSITION OF PUNISHMENT: Confinement, if adjudged, begins at the time the sentence is announced. Other punishments take effect at later times, please ask if this of special concern to you. Final action cannot be completed until a record is made of the trial (transcript). Depending on the length of the trial, this may take several days to several months.

YOUR ROLE: None.

Step #8

CONVENING AUTHORITY'S ACTION: Once a complete record of trial is prepared, corrected and authenticated, the Convening Authority takes final action on the findings and sentence. Action by the CA is the official publication of the court-martial. Before taking any action, the CA considers the advice of the Staff Judge Advocate on any matters submitted by the accused. The Convening Authority has the authority to set aside any findings of guilty determined by the member, military judge and may reduce any finding of guilty to a lesser offense. The convening authority must make a final decision as to the sentence. He cannot increase the punishment, but he may set aside any portion, reduce the amount, change any portion to a lesser form or suspend any portion.

YOUR ROLE: As a victim of sexual assault, you will be provided the opportunity to submit a written victim impact statement to the convening authority "as to whether or not the convening authority should approve the findings or sentence or grant some form of clemency."

Step #9

APPEAL BY THE ACCUSED: If the punishment includes a punitive discharge or confinement of one year or more, the record of court-martial is automatically sent to a higher court, the Air Force Court of Criminal Appeals, for review. Otherwise, review is conducted by the Staff Judge Advocate. If the higher court rules against the accused's appeal, the accused may petition yet another higher court, the United States Court of Appeals for the Armed Forces and, in certain cases, the United States Supreme Court. Meanwhile, the accused continues to serve his sentence.

YOUR ROLE: None.

Step #10

RELEASE FROM CONFINEMENT: Eventually, the accused will be released upon his/her serving his/her term of confinement.

YOUR ROLE: None, unless you have requested to be notified of the accused's release date. You may request to be notified of the accused's pending release, parole review, transfer from one facility to another or other pertinent information concerning his incarceration. Should you desire such notifications, please contact your VWAP Liaison for the appropriate form to complete.

FREQUENTLY ASKED QUESTIONS

Q: How do I find out whether the accused has been placed in pretrial confinement?

A: At the time you report the offense and provide the investigators with information, ask to be notified of the offender's apprehension and the type of pretrial restraint imposed upon the offender. You can also call our office and make your desires known.

Q: How do I notify the confinement facility that I want to be given notice about the accused's parole hearing?

A: You should complete the necessary application (DD Form 2704, *Victim/Witness Certification and Election Concerning Inmate Status*) at the time of the court-martial. Contact your Liaison.

Q: The investigators took some of my personal property as evidence...how and when can I get it back?

A: Your property should be returned to you shortly after trial, although there are exceptional cases in which evidence may need to be retained. If you fall in the latter category, your VWAP Liaison can explain the reasons for the delay. If retention of your property is causing you hardship, please notify your VWAP Liaison. Additionally, should you not want any or all of your property returned to you, let your VWAP Liaison know.

Q: If I take time from work (I'm a civilian), I will lose a day's pay. Am I expected to bear the financial burden of testifying?

A: Not entirely. Civilian witnesses are entitled to a witness fee for testifying. Other expenses may be covered as well – lodging, travel expenses, and meals – depending on if you are coming from out of town and how long you are required to stay. Contact your VWAP Liaison.

Q: My boss is going to give me a hard time about taking off work to testify....what should I do?

A: Tell your VWAP Liaison or the trial counsel. While we cannot guarantee that your boss will be cooperative, we will do our best to make sure your boss understand how important it is that you testify.

Q: I may have trouble getting a babysitter, can you help?

A: The base day care center might be able to assist you. Tell your VWAP Liaison about the problem.

Q: When it comes time for the court-martial, will I have to sit in the same area as the defense witnesses?

A: No, you will be provided with a separate waiting area. If anyone tries to intimidate you or otherwise bother you while you are waiting to testify, you should tell your VWAP Liaison.

Q: If I have suffered some personal injury or property damage/loss as a result of what the accused did, am I entitled to any compensation for that loss?

A: Maybe. There are several avenues available to you. If the taking or damage to your personal property occurred by force, violence, riotous, or disorderly conduct, you might be entitled to reimbursement for the damage under Article 139, UCMJ. Contact the Claims Office at (478) 926-9276 for more information. You might also be entitled to some financial assistance through the State of Georgia or the Department of Defense Victim Compensation Program. Contact your VWAP Liaison for more information.

Q: I am very nervous about talking with the Defense Counsel or any of the defense investigators. Do I have to talk with them prior to testifying at the court-martial?

A: No one can make you talk to the defense counsel prior to your actually taking the witness stand. But you are encouraged to cooperate with them. You can always have someone with you during the interviews. If you refuse to be interviewed by the defense counsel, they may be given greater leeway in asking questions at trial. While discussing the case with the defense counsel can be uncomfortable, it is better than being faced with the questions for the first time on the witness stand.

We hope we have answered many of your questions, and hopefully put you more at ease. As always, if you have any questions, please do not hesitate to contact your VWAP Coordinator or trial counsel at (478) 222-7474 or (478) 222-0546.

SEXUAL ASSAULT

Training Definition of Sexual Assault: intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. It includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim. Consent shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious. Help is available and Sexual Assault may be reported using one of the following options:

Restricted:

- a. Active Duty military, military dependents 18 years of age and older who have a military dependent ID card, and members in title 10 status (ANG/ Reserve) are the only people eligible for restricted reporting.
- b. Contact SARC
- c. Command NOT notified
- d. SARC Victim Advocate attends to victim needs – provides non-clinical support
- e. May receive medical care
- f. May receive counseling
- g. May make unrestricted reporting decision at a later date

Unrestricted:

- a. Active Duty military, DoD civilians, retired members and family members 18 years of age and older are eligible to make an unrestricted report.
- b. Contact SARC
- c. Command IS notified
- d. SARC Victim Advocate attends to victim needs – provides non-clinical support
- e. Investigation initiated
- f. May receive medical care
- g. May receive counseling

Independent:

- a. If you tell anyone, who subsequently notifies command, SFS, or OSI, or if someone observes the assault and notifies command, SFS, or OSI, an investigation is launched. Assault becomes unrestricted reporting
- b. SARC Victim Advocate attends to victim needs – provides non-clinical support
- c. May receive medical care
- d. May receive counseling

SEXUAL ASSAULT RESOURCES

AGENCY	PHONE #	RESTRICTED REPORTING	UNRESTRICTED REPORTING	INDEPENDENT REPORTING
AFOSI	478-926-2141	NO	YES	YES
CHAPEL	478-926-2821	YES	YES	YES
COMMAND POST	478-327-2612	NO	YES	YES
DOMESTIC VIOLENCE ADVOCATE	478-926-4393	YES	YES	YES
EMPLOYEE ASSISTANCE PROGRAM (EAP)	478-327-7683 478-327-7577 1-800-222-0364	NO	YES	YES
MENTAL HEALTH	478-327-8398	YES	YES	YES
MILITARY FAMILY LIFE CONSULTANT (MFLC)	478-538-1732 478-538-5439 - (Youth MCFL)	NO	NO	NO
ROBINS 911	478-222-2900	NO	YES	YES
SECURITY FORCES	478-926-2187	NO	YES	YES
SEXUAL ASSAULT RESPONSE COORDINATOR (SARC)	478-327-7272	YES	YES	YES
SUICIDE HOTLINE	1-800-273-TALK 1-800-273-8255			

Sex Offender Web Sites:

<http://gbi.georgia.gov/> - GA Bureau of Investigation Sex Offender Web Site

<http://familywatchdog.us/> - Family Watch Dog Web Site

<http://www.nsopw.gov/> - U.S. Dept of Justice National Sex Offender Web Site

Military One Source:

<http://www.militaryonesource.mil/>

800.342.9647 – Military One Source Consultant

800.273.TALK (8255) – Military One Source Crisis Line

877.995.5247 – DoD Safe Helpline Sexual Assault Support (<https://www.safehelpline.org/>)

EMERGENCY SERVICES

Reasonable protection from a suspected offender can be requested by contacting:

Law Enforcement Desk at (478) 926-2187 (on base) - Robins 911 (478) 222-2900 (on base);

Warner Robins Police Department at (478) 929-1170 (within the Warner Robins city limits); Sheriff's Department at (478) 542-2080 (within Houston County limits). **If the problem is an emergency locally, dial 911.**

ADDITIONAL RESOURCES

National Domestic Violence Hotline (800) 799-7233

National Sexual Assault Hotline (800) 656-4673

Employee Assistance Program (800) 222-0364 (24 hrs/7 days a week)

Social Services/Counseling/Support Programs: Family Advocacy can be contacted at (478) 327-8415 during duty hours. If the problem is domestic violence, the Salvation Army Safe House for Abused Women may be contacted 24 hours per day at (478) 923-6294.

HODAC, Inc. (Victim Services) (478) 953-5675.

The Battered Woman/Domestic Violence Hotline can be reached at (800) 334-2836.

Georgia Crime Victim Assistance Helpline can be reached at (800) 338-6745.

HELPFUL AGENCIES ON ROBINS AFB

Robins AFB Agencies Available to Military Beneficiaries:

Airman and Family Readiness Center (A&FRC): Provides skills training to assist in rebuilding areas of your life. (478) 926-1256

Base Legal Office: Implements the Air Force Victim and Witness Assistance Program (VWAP). Provides an advisor to provide victims information about their rights; assist victims through investigations and legal proceedings; help obtain counseling or rehabilitation services; and advise on compensation programs available to victims of domestic violence. Assists with legal aspects of the investigation and trial. (478) 222-7474 or (478) 222-0550.

Behavioral Health Clinic: Provides supportive counseling and psychiatric services to overcome trauma. (478) 327-8398

Chaplains: Can provide counseling and support to victims and family members. (478) 926-2821

Family Advocacy Program: Provides intervention and counseling to individuals involved as victims, witnesses or offenders of domestic violence (i.e. spouse and/or child abuse) and information or referral to military and non-military community agencies. Programs are intended to reduce or eliminate the risk of in-family physical, emotional or sexual violence. (478) 327-8415

Office of Special Investigations (OSI): One of two offices that investigate crimes. May be able to provide information on status of investigation. (478) 926-2141

Security Forces: One of two offices that investigates crimes. May be able to provide information on the status of investigations. (478) 926-2187/5271

Sexual Assault Response Coordinator (SARC): Provides restricted, unrestricted and independent reporting of sexual assaults. Provides victims with the support of a Victim Advocate. (478) 327-7272 during normal duty hours or (478) 327-2612 after duty hours/weekends/holidays