

LEGAL ASSISTANCE FOR VICTIMS OF CRIMES

In May 2011, the Secretary of Defense determined that all services can provide significant legal assistance - protected by the attorney-client privilege-to victims of sexual assault, and to the victims of any other crime. In July 2011, the Secretary of the Navy directed the Staff Judge Advocate to the Commandant of the Marine Corps to coordinate with all Department of the Navy activities responsible for interaction with crime victims to ensure all crime victims are fully aware of their rights to legal assistance counsel.

Victims of crime deserve responsive and supportive care, particularly those who are subjected to sexual assault and other crimes of violence. The Department of the Navy's Victim Witness Assistance Program (VWAP) and Sexual Assault Prevention and Response Program (SAPR) are specifically designed to provide that support. Legal Assistance attorneys have been tasked with providing services for victims of crimes including consultation addressing the following topics:

1. The Victim/Witness Program, including rights and benefits afforded the victim.

- a. The role of the Victim/Witness Advocate and what privileges do or do not exist between the victim and the Victim/Witness Advocate.

- b. The nature of the communication made to the Victim/Witness Advocate as opposed to those made to the legal assistance attorney.

2. The differences between the two types of reporting in sexual assault cases: restricted and non-restricted.

3. The military justice system, including the roles and responsibilities of the trial counsel, defense counsel, and investigators. This may include the ability of the government to compel cooperation and testimony. However, legal assistance attorneys do not represent victims at trial.

4. Services available from appropriate agencies or offices for emotional and mental health counseling and other medical services.

5. The availability of and protections offered by civilian and military restraining orders.

6. Eligibility for and benefits potentially available as part of the transitional compensation benefits found in section 1059 of Title 10, United States Code, and other state and federal victim's compensation programs.

7. Traditional forms of legal assistance involving subjects such as leases, taxes, consumer affairs, wills, and powers of attorney.

AVAILABILITY OF ASSISTANCE AT CAMP LEJEUNE, NC

Military Legal Assistance Attorneys

Legal Assistance Attorneys will provide victims of crime with services such as consultation as to a victim or witness's rights, the military justice system and the roles and responsibilities of counsel, the eligibility of transitional compensation benefits to certain victims, the availability of other resources for restricted and unrestricted reporting, referral to services available for medical care and emotional and mental health counseling, and all other forms of traditional legal assistance available. Communication with legal assistance attorneys shall be privileged under the attorney-client relationship and must be honored.

The legal assistance office is located in Bldg 66 on Holcomb Blvd, across from the parade deck. Coming from the main installation gate on Hwy 24, the office is past both the main exchange (which contains the Commissary and the large MCX Department Store) and the strip mall exchange (which contains a convenience store, the military clothing store, and the Subway restaurant.) If you get to the Commanding General's flagpole or the traffic circle, you have gone just a little too far. There is limited parking in a horseshoe shaped parking lot in front of the building. To get to the parking behind the bldg, turn right on Molly Pitcher blvd, which comes just after the Subway restaurant.

Crime victims may obtain assistance from the legal assistance office as a walk in client; the office takes walk-ins every Tuesday and Thursday morning, beginning at 0730. Since counseling in this area of the law tends to be especially sensitive, crime victims may also contact the office for an appointment and are encouraged to do so. Contact John Bukauskas (910) 451-2286 john.bukauskas@usmc.mil or Michael Archer (910) 451-9727 michael.archer@usmc.mil.

Victim/Witness Assistance Coordinators

Every Special Courts-Martial Convening Authority (normally, Battalion and Squadron Commanders or higher) are required to assign a Victim Witness Assistance Coordinator (VWAC). It is the responsibility of the unit VWAC to ensure that a victim or witness is afforded his or her rights under the VWAP program.

Captain Blanton, USMC, has been appointed as the Victim/Witness Liaison Officer for Marine Corps Base, Camp Lejeune and can be reached at (910) 451-0958. The Legal Services Support Section has assigned Ms. Constance Colley as their Victim/Witness Assistance Officer and she can be reached at (910) 450-5628.

Sexual Assault Response Coordinator and Community Counseling Center

The Sexual Assault Response Coordinator (SARC) response line is manned 24 hours a day/7 days a week at (910) 750-5852.

Victims requiring medical treatment should be referred to the U.S. Naval Hospital if eligible for such services or to their medical treatment provider.

The Community Counseling Center provides victim advocates who can assist victims in getting necessary emotional and mental health treatment and counseling. The Victim Advocate provides crisis intervention, non-clinical support, guidance on the types of reporting options, an updates on the case status and the victim's rights. Additionally, a Victim Advocate can be present for medical exams, court proceedings and interviews with law

enforcement personnel and prosecutors and defense counsel, when requested.

The Community Counseling Center is a part of the Behavioral Health Program, Marine and Family Programs, MCCS and is located at Building 798 behind Building 40 on Brewster Boulevard aboard Camp Lejeune and is open Monday - Friday from 0800 - 1630 and closed on weekends and holidays. The phone number for the Counseling Center is (910) 451-2864.

A victim of domestic violence or sexual assault may reach a victim advocate through the Naval Hospital, Camp Lejeune, Emergency Room at (910) 450-4840. Victims of sexual assault may reach a victim advocate 24 hours a day/7 days a week through the Sexual Assault Response Line at (910) 750-5852. Military police can be contacted at (910) 451-2557.

REPORTING OPTIONS

A victim of a crime, such as sexual assault or domestic violence, may elect either the restricted or unrestricted reporting options. Detailed explanations of the difference between the two options is an issue that will normally be discussed with the Victim Advocate assigned to the case.

Under the restricted reporting option, victims can receive medical treatment, advocacy support, and counseling while maintaining confidentiality and protecting their identity. A restricted report to a Victim Advocate or Uniform Victim Advocate will not cause a formal report to be made to PMO or through the chain of command. The SSARC does report non-personally identifying information to the unit commander. Restricted reporting protects a victim's privacy in almost all cases. The down side to restricted reporting is that a victim may not be able to obtain a military protective order from the military commander. A victim may change a restricted report to an unrestricted report at any time.

An unrestricted report to a Victim Advocate, Uniform Victim Advocate, the SARC, or through the Community Counseling Center

allows a victim to receive medical treatment, advocacy, and counseling. However, an unrestricted report launches a military criminal investigation into the allegations through the accused service member's chain of command and ensures a thorough investigation of the assault or other offense in order to attempt to hold offenders accountable for their criminal conduct.

Other available resources include counselors, psychologists, social workers, psychiatrists, doctors, chaplains, victim/witness assistance personnel (unrestricted reports only) and legal assistance attorneys.

MILITARY PROTECTIVE ORDERS

It is the Department of Defense policy that every available effort be made to protect victims of abuse from further harm. Commanding Officers have the authority to issue Military Protective Orders (MPOs) when necessary to safeguard victims, quell disturbances, and maintain good order and discipline while victims have time to pursue protection orders through the civilian courts. Military protective orders are issued to bar active duty service members from having contact with specified individuals against whom they are alleged to have committed an act of domestic violence or child abuse. Military protective orders are normally issued due to an immediate danger to one of the parties involved - when there is a case of a physical altercation between a Marine and his or her spouse, sexual assault or harassment, cases of child abuse or when there is a realistic, immediate threat of such misconduct. All military protective orders are issued "until terminated by the Commanding Officer" and all MPOs must be reported to both military and civil law enforcement authorities. Commanding Officers can direct a service member to stay away from a specific individual for other, non-violent misconduct or to prevent witness tampering through a standard, written or oral order (not an MPO). Assistance in dealing with a unit or command in obtaining an MPO against a service member is available through the Victim Advocate.

DOMESTIC VIOLENCE PROTECTIVE ORDERS

Chapter 50B-1 of the North Carolina General Statutes defines Domestic Violence as:

"the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or had a **personal relationship**, but does not include acts of self-defense:

(1) Attempting to cause bodily injury, or intentionally causing bodily injury; or

(2) Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in General Statute 14-277.3 (**Criminal Stalking Statute**), that arises to such a level as to inflict substantial emotional distress; or

(3) Committing any act as defined in General Statutes 14-27.2 through 14-27.7 (first degree rape, second degree rape, first degree sexual offense, second degree sexual offense, intercourse and sexual offenses with certain victims)."

The statute defines "**personal relationship**" as a relationship where the parties involved:

(1) Are current or former spouses;

(2) Are persons of opposite sex who live together or have lived together;

(3) Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. An aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;

(4) Have a child in common;

(5) Are current or former household members; or

(6) Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship.

A "**dating relationship**" is a relationship where the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a "dating relationship."

The criminal offense of stalking generally consists of following, being in the presence of, or harassing another person, with the intent to place the person in reasonable fear of safety or with the intent to cause that person to suffer severe emotional distress. The criminal statute requires a showing of "reasonable fear" whereas the civil domestic violence statutes are more lenient using the standard of "actual, subjective fear."

Chapter 50B does not make stalking itself a ground for civil violence relief, but does incorporate the definition of the word "harassment" as used in the criminal stalking statute. The criminal statute defines the term "harass" or "harassment" as:

"knowing conduct, including written or printed communication or transmission, telephone or cellular or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voicemail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions, directed at a specific person that **torments, terrorizes, or terrifies that person and that serve no legitimate purpose.**"

North Carolina General Statutes Section 50B-2(a) provides that any person residing in this State may seek relief by filing a civil action or a motion in any existing action filed under Chapter 50 alleging that domestic violence has occurred. An aggrieved party may file an action pro se and a Victim Advocate can assist both in the filing of such an action and to be at any court proceedings. The District Court division has original jurisdiction over domestic violence actions and no costs are

assessed for the filing, issuance, registration or service of a protective order or petition of a protective order.

In order to begin the process, the aggrieved person can go to the Civil Clerk's Office located on the second floor of the District Court building of the Onslow County Courthouse. Once there, the aggrieved person should inform the clerk that he or she needs to file a petition for a domestic violence protective order and the clerk will provide that person with all of the documents required.

Once these documents are turned in with the Clerk's office, the clerk will give the individual further instructions. Normally, one of the District Court Judges will review all Complaints filed that day for Domestic Violence Protection Orders in his or her chambers. The clerk will instruct the individual when to return.

A party may move the Court for emergency relief if he or she believes that there is a danger of serious and immediate injury to himself or herself or a minor child. A hearing on a motion for emergency relief, if no ex parte domestic violence protection order is entered, will be held after 5 days' notice of the hearing to the other party or after 5 days from the date of service of process on the other party, whichever occurs first. No hearing will be held if there is no evidence of service of process on the other party. The clerk sets a date for the hearing, issues a notice of hearing within the time periods provided, and effects service of the summons, complaint, notice and other papers through appropriate law enforcement agents on the defendant.

Prior to a hearing, if it clearly appears to the Judge that from the pleadings filed, that there is a danger of acts of domestic violence against the aggrieved party or a minor child, the Court may enter such orders as it deems necessary to protect the aggrieved party or minor child from such acts.

If an ex parte order is entered, a hearing will be held within 10 days from the date of the issuance of the order or within 7 days from the date of service of process on the other party, whichever occurs later. Again, the clerk sets the date of the hearing, effects service of the summons, complaint,

notice of hearing, order and any other papers through the appropriate law enforcement agency where the defendant is to be served.

At the hearing, the Judge has only 2 courses of action. After considering the evidence and testimony presented by both parties, a Judge can either dismiss the order, if the aggrieved party has failed to show by a preponderance of the evidence that domestic violence has occurred, or the Judge may keep the order in effect for a period of up to 12 months from the date of the hearing. A copy of any order entered and filed will be provided to each party.

VICTIMS ELIGIBLE FOR VWAP SERVICES

The following crime victims are eligible for VWAP services:

1. Military members and dependents.
2. Outside the Continental U.S. - DOD civilian employees, contractors, and family members.
3. If the victim is under 18, incompetent, incapacitated, or deceased, the spouse, guardian, parent, child, sibling, family member, or other person designated by a court.
4. Authorized representative of an Institutional Entity - but not entitled to individual services - such as, transitional compensation, etc.

WITNESSES ELIGIBLE FOR VWAP SERVICES

The following witnesses are eligible for VWAP services:

1. A person who has information or evidence about a crime and provides that knowledge to a DOD component about an offense in the investigative jurisdiction of a DOD component.
2. When a witness is a minor, a witness includes a family member or guardian.
3. The term witness does not include a defense witness or an individual involved in the crime as a perpetrator or accomplice.

VICTIM'S BILL OF RIGHTS

The victim of a crime shall have the following rights; however, these rights do not provide authority for a legal cause of action against the Government:

1. The right to be reasonably protected from the accused.
2. The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or any release or escape of the accused.
3. The right not to be excluded from any public court proceeding, unless the court, after receiving clear and convincing evidence, determines the testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
4. The right to be reasonably heard at any public proceeding involving release, plea, sentencing, or any parole proceeding.
5. The reasonable right to confer with the attorney for the Government in the case.
6. The right to full and timely restitution as provided in law.
7. The right to proceedings free from unreasonable delay.
8. The right to be treated with fairness and with respect for the victim's dignity and privacy.

WITNESS RIGHTS

A witness of a crime will have the following rights; however, these rights do not provide authority for a legal cause of action against the Government:

1. To be treated with fairness and respect for the witness' dignity and privacy.
2. To be reasonably protected from the accused.
3. To be notified of any scheduling changes which will affect their appearance at court-martial.

4. To be notified of the apprehension of an accused, the initial appearance of an accused before a military judge, the release of the accused pending court-martial, and trial proceedings (including entry of guilty pleas and sentencing).

5. To receive information about the conviction, sentence, confinement, and release of the accused.

ROLE OF INVESTIGATORS

NCIS, or CID, or PMO normally have the initial responsibility to inform crime victims and witnesses of their rights under the VWAP program and issue a DD FORM 2701. The DD FORM 2710 provides initial rights advisement, discusses impact of various crimes, explains basic services and notifies the victim/witness where to get further assistance. If a law enforcement agency is not conducting an investigation, the prosecution provides the DD FORM 2701 to the victim/witness.

ROLE OF MILITARY JUSTICE OFFICE

Upon initial contact with a victim or witness, the prosecutor or military justice office provides a DD FORM 2702. This form explains the military trial process, gives tips and restates rights. The form addresses the victim/witness's rights regarding participating in the trial process and provides VWAP responsible official contact information and prosecutor contact information.

At the conclusion of the trial, the prosecutor will provide the victim or witness with the DD FORM 2703. This form explains post-trial matters and informs the victim or witness that they have the right to receive information about the conviction, sentencing, imprisonment, parole eligibility and release of the accused. It also provides contact information for Service Central Repository (CMC PSL (Corrections)), Confinement Facility, Service Clemency and Parole Board and any other necessary agency/office. The trial counsel also provides the brig with a DD FORM 2704 at the conclusion of trial. It requires an election by each victim or witness whether to receive information on confinement status.

POST-TRIAL NOTIFICATIONS

Corrections personnel ensure that notifications are made to victims or witnesses listed on the DD FORM 2704 regarding the

perpetrator's eligibility for clemency and parole and any change of status of the perpetrator such as the approval of parole or clemency, the release, escape, transfer, work release or death.

EXPLAINING THE MILITARY JUSTICE SYSTEM

The legal assistance officer should be familiar with the military justice system in order to provide an overview when asked by a victim or witness. The following information should suffice.

In the military, the prosecutor is called the Trial Counsel. It is the Trial Counsel's responsibility to represent the Government and the command in the prosecution of an accused. It is important that the victim or witness keep the Trial Counsel informed of their current address and telephone numbers and any changes. A victim or witness will normally be asked to speak with the Trial Counsel at least once before they are called to testify. If a victim or witness is threatened or harassed due to their cooperation with an investigation, the victim or witness should report such threats or harassment immediately to the investigator, trial counsel, or Victim/Witness Advocate.

It is the Defense Counsel's responsibility to represent the service member accused of a crime. A victim or witness will normally be asked to speak with the Defense Counsel prior to trial. A victim or witness is not required to participate in any pretrial interviews with the Defense Counsel, but if a victim does participate in such an interview, the victim can request that their Victim Advocate or Trial Counsel be present for such interview.

In the civilian sector, the trial process begins when a complaint is filed by law enforcement agents. Under the military justice system, the criminal trial process begins upon a charge being "preferred."

Serious crimes in the military are dealt with at a "General Court-Martial." Before a case can be heard by a general court-martial, the case must first be presented at an "Article 32 Investigation." This hearing is similar to a grand jury hearing and is a preliminary investigation into the charges to determine if reasonable grounds exist to believe that a crime has been committed and that the accused committed the crimes alleged. At the hearing, testimony and other evidence is presented to the

investigating officer who, at the conclusion of the hearing, makes recommendations regarding the charges and the disposition of the charges. A victim or witness may be invited to provide testimony at this hearing. The ultimate decision whether or not to refer the charges to trial and what level of trial is within the discretion of the Convening Authority. In less serious cases, the Article 32 Investigation is not required and these cases are normally referred to a Special Court-Marital.

Pretrial Agreements are contracts made between the accused and the Convening Authority regarding the entry of a guilty plea to certain offenses normally in exchange for limitations on the type and degree of punishment. A victim has the right to be heard regarding a pretrial agreement; however, the decision to enter or not enter into a pretrial agreement is at the discretion of the Convening Authority. Likewise, it is within the Convening Authority's discretion as to what charges will be brought against an accused or to not prosecute a case, depending on all of the facts and circumstances. A victim's decision to "drop the charges" will be weighed and balanced against all other factors when the Convening Authority make his or her decision to go forward with the charges or dismiss the matter.

The Court-Martial is the trial of the accused. It is divided into two parts: the findings (where guilt or innocence is determined) and sentencing (where a punishment is awarded if the accused is found guilty of an offense). In the findings phase, an accused has the right to choose where to be tried by either the military judge alone or by a panel of "members" (jury) who will determine whether the accused is guilty of any offenses.

If a victim or witness is called to testify, they will be placed under oath and asked questions by the Trial Counsel and, in most cases, cross-examined by the Defense Counsel. Normally, counsel for both sides will have spoken to the victim or witness prior to testifying so there will be very few surprises. If the victim or witness is having problems at work because of the crime or the investigation, the victim or witness should inform the Trial Counsel or Victim/Witness Advocate in order that they may discuss the importance of the role that the victim or witness plays in the trial to the employer.

After all evidence is received by the court, each side will make a closing argument. After argument, the judge or members will adjourn to deliberate on the issue of guilt or innocence. If there is a finding of "not guilty" on all charges, the

accused will be released and the court-martial process ends. If there is a finding of guilty on any charge, the trial immediately proceeds to the sentencing phase.

In the sentencing phase, the judge or the members decide the appropriate type and amount of punishment. The Trial Counsel may call witnesses to show aggravating factors and/or the impact of the crime committed. The Defense Counsel may call witnesses to show mitigating factors or to show that the offense may be less serious than otherwise indicated. A victim or witness may be asked to return to testify during this portion of the trial to testify as to how the crime has affected them. At the conclusion of all evidence, both sides have the opportunity to present closing arguments on sentencing to the judge or the members who will then adjourn to determine an appropriate sentence.

The court-martial ends when the judge reads the sentence of the court to the accused. Normally, any confinement ordered begins at the time sentence is announced. Other punishments such as forfeiture of pay and reduction in rank take effect after the Convening Authority takes his or her action on the case or 14 days after sentence is adjudged, whichever event occurs first. Any discharge that is adjudged does not take effect until after the case is reviewed on appeal.

The case does not end with the completion of the court-martial. The Convening Authority must take action on the case which generally takes anywhere from 3 to 6 months. The Convening Authority may disapprove the findings, disapprove or reduce any part of the sentence, or approve everything except a punitive discharge. The Convening Authority cannot increase any part of the sentence. A victim or witness has the right to submit a statement to the Convening Authority on how they feel about the accused receiving clemency.

Military inmates are generally eligible for parole consideration when they have completed one-third of their confinement, and every year thereafter. A victim has the right to make a statement to the Clemency and Parole Board on how the crime affected him or her. The statement may be on audio or video tape or in writing and a personal appearance before the Board may also be permitted.

A victim or witness has the right to be notified in writing of any change of status of an inmate, such as a transfer, parole, escape, release from confinement, or death while in

confinement. If a victim or witness wants to exercise these rights and be notified of the dates of any parole or clemency hearings or changes in the inmate's status, the victim or witness must complete the DD FORM 2704, "Victim/Witness Certification and Election Concerning Inmate Status." This information will be kept confidential and any change of address or telephone number should be sent to the Service Central Repository.

TRANSITIONAL COMPENSATION FOR ABUSED FAMILY MEMBERS

The Transitional Compensation for Abused Family Members (TCAFM) Program provides 12 to 36 months of monetary benefits, medical and dental care, and commissary and MCCS privileges to family members of service members separated from active duty due to domestic abuse. Monetary benefits are designed to assist family members in establishing a life apart from the abusive service member.

This program applies in cases of service members on active duty for more than 30 days and who are:

1. Convicted of a family member abuse offense resulting in separation from active duty pursuant to a court-martial sentence; or,
2. Administratively separated from active duty if the basis for separation includes a family member abuse offense.

Family member abuse involves criminal offenses by service members against their spouse or dependent child(ren), as defined by the UCMJ or other criminal codes applicable to the jurisdiction where the abuse was committed.

Payments are made monthly to the spouse of the service member based on the rate in effect for dependency and indemnity. If the spouse is ineligible to receive payments because of remarriage, cohabitation, or active participation in the maltreatment of a family member, payment is made to each dependent child of the service member not residing in the household of the service member or the ineligible spouse.

In the case of a service member convicted by a court-martial of a family member-abuse offense, payment to the abused family member(s) commences as of the results of trial if a sentence includes a dismissal, dishonorable discharge, or a bad conduct discharge.

In the case of enlisted service members who are administratively separated from active duty for a family member-abuse offense, payment to the abused family member(s) commences as of the date on which the letter of notification of separation is served to the service member. For officers, the date of the Board of Inquiry (BOI) determines when payment begins.

Payments would cease in the case of a service member sentence by a court-martial and receiving a punishment including forfeiture of pay and allowances, dismissal, dishonorable discharge or a bad conduct discharge for a family member abuse offense, and such punishment is remitted, set aside, or mitigated to a lesser punishment that does not include any such punishment.

Payments would cease in the case of a service member administratively separated on the basis of a family member-abuse offense if the administrative discharge is disapproved by competent authority.

When the Secretary of the Navy notifies a recipient, in writing, that payments will stop, the final payment occurs on the first day of the month following that notification.

Eligibility for this program may be forfeited by any of the following:

1. Remarriage: If a spouse receiving payments remarries, payments terminate as of the date of remarriage. Payments are not renewed if the remarriage is terminated. A dependent child not living in the same household as the remarried spouse or former service member continues to receive payments.

2. Cohabitation: If a former service member resides in the same household as the spouse, former spouse, or dependent child to whom compensation is otherwise payable, payment terminates as of the date the former service member begins residing in the household. Once terminated for this reason, payment does not resume, regardless of subsequent living arrangements with the former service member.

3. Active Participant: The spouse, and dependent child(ren) living with the spouse, are not paid if the victim is a dependent child, and the spouse is found by competent authority designated by the Secretary of the Navy to be an active participant in the conduct constituting the criminal offense, or

to have actively aided or abetted the service member in such conduct.

The spouse annually certifies to the Defense Finance and Accounting Service (DFAS)-Denver that he or she is not remarried and is not cohabitating with the former service member by completing a Certificate of Eligibility (COE). Dependent children certify annually that they are not living in the same household with the former service member or ineligible spouse using the same COE. In the event of remarriage or cohabitation, the spouse, or former spouse, must notify DFAS-Denver within 30 days.

Recipients are entitled to use Commissary and MCCA privileges for the duration of payments. If a recipient eligible or entitled to use Commissary or MCCA privileges under another provision of law, eligibility is determined under the other provision of law. Recipients of Transitional Compensation receive medical and/or dental care in facilities of the Uniformed Services or through TRICARE.

Those eligible for Transitional Compensation should be provided with a DD FORM 2698, Application for Transitional Compensation. Once this form is completed and certified, it should be faxed or mailed along with a copy of the results of trial or, in the case of administrative separation, a copy of the letter of notification to:

Commandant of the Marine Corps, HQMC
Manpower and Reserve Affairs (M&RA)
Personal and Family Readiness Division
Attn: Transitional Compensation Program Manager
3280 Russell Road
Quantico, VA 22134-5103

FAX: (703) 784-9825

OTHER RESOURCES FOR CITIZENS OF NORTH CAROLINA

Victims of crimes in North Carolina have special rights to know more about their case and seek restitution. The North Carolina Department of Justice - Victims and Citizens Services Office - can talk to victims, connect them with community services, and explain how to find out about eligibility for financial assistance, medical care and lost wages.

North Carolinians who need medical care or who miss work because they were a victim of a crime may also qualify for compensation. Through the Crime Victims Compensation Act, North Carolina helps victims recover the costs of medical care and lost wages. Victims and their families may be eligible to be compensated for financial losses that are not covered by insurance, worker's compensation funds, Medicare, or restitution payments. For additional information, contact Victims Compensation Services toll free at 1-800-826-6200 or (919) 733-7974 or visit their web site. Under North Carolina law, crime victims are supposed to be the first in line for payment when criminals pay restitution to the court. The Victims Compensation Services office can help crime victims get their just compensation.

North Carolina has a North Carolina Victim Assistance Network. This organization provides valuable information and assistance for victims and family members of crime victims. They can be reached toll free at 1-800-348-5068 or (919) 831-2857 or at their web site. The North Carolina Coalition Against Sexual Assault can provide assistance either through their web site or by calling 1-888-737-2272. The Rape Victims Assistance Program is also available either through their web site or by calling toll free 1-800-826-6200. Victims may also contact the North Carolina Coalition Against Domestic Violence at their web site or by calling toll free 1-888-232-9124.