



# Victim-Witness Assistance Program (VWAP)



**Victim.** A person who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime in violation of the Uniform Code of Military Justice or the laws of another jurisdiction in any case where military authorities have been notified.

**Victim Rights:**

- A. Be reasonably protected from the accused offender.
- B. Be provided with reasonable, accurate, and timely notice of:
  - (1) A public hearing concerning the continuation of pretrial confinement of the accused.
  - (2) A preliminary hearing pursuant to Article 32, UCMJ, relating to the offense. Including the right to receive a copy of the appointing order directing the preliminary hearing.
  - (3) A court-martial relating to the offense, including any open hearing held pursuant
  - (4) A public proceeding of the Military Department Clemency and Parole Board relating to the offense.
  - (5) The release or escape of the accused, unless such notice may endanger the safety of any person.
  - (6) The date and time of any review of the accused's case by an appellate court, the scheduling (including changes and delays) of each public appellate court proceeding the victim is entitled to attend, and the decision of any appellate court or judge advocate review.
  - (7) Any post-trial motion, filing, or hearing that addresses either the findings or sentence of a court-martial involving the accused, the unsealing of privileged or private information of the victim, or which may result in the release of the accused.
- C. The right to receive, upon request, a copy of, or access to, the recording of a preliminary hearing held under Article 32, UCMJ, as soon as practicable following the conclusion of the hearing.
- D. The right to not be excluded from any public hearing or proceeding described in paragraph 040401.E. of this chapter except under such circumstances as permitted exclusion under Military Rule of Evidence 615 of reference (g).
- E. Be reasonably heard, personally or through counsel, at:
  - (1) A public hearing concerning the continuation of confinement before the court-martial of the accused.
  - (2) Preliminary hearings conducted pursuant to Article 32, UCMJ, and court-martial proceedings relating to Rules 412, 513, and 514 of the Military Rules of Evidence or regarding other rights provided by statute, regulation, or case law.
  - (3) A public sentencing hearing relating to the offense.
  - (4) A public Military Department Clemency and Parole Board hearing relating to the offense.
- G. The right to be consulted and express their opinion concerning:
  - (1) Pretrial confinement of the accused and release of the accused from pretrial confinement.
  - (2) Regarding offense(s) committed against the victim, any decision to not prefer charges and any decision to dispose of the charges by means other than court-martial.
  - (3) Regarding offense(s) committed against the victim, any decision concerning whether to dismiss or refer charges.
  - (4) The proposed terms and conditions of any plea agreement.
  - (5) About testifying as a witness. Note: while the convening authority and trial counsel should strongly consider the victim preference concerning whether to provide testimony, the victim's to Article 39a, UCMJ, and any post-trial vacation hearing. preference against testimony does not prevent the government using subpoena, or other appropriate legal process, to require victim testimony in the interest of justice.
- Y. Notification of disposition of the case, to include the acceptance of a plea of "guilty." The also includes the right to be notified of any decision to dispose of an alleged offense at NJP or ADSEP proceeding, and the right to notification of the time, location, and outcome of the NJP or ADSEP proceeding.

SEE MCO 5800.16 VOL 16. CHAPTER 4 FOR THE COMPLETE LIST OF VICTIMS' RIGHTS

**Witness.** A person possessing information or evidence about a crime within the investigative jurisdiction of the Marine Corps and who provides that knowledge to investigative and law enforcement personnel or to a Marine Corps representative. When the witness is a minor, the term "witness" includes an adult family member, legal guardian, or other person responsible for the minor witness. The term does not include a non-percipient character witness, expert witnesses, or any individual involved in the crime as a perpetrator or accomplice.

**Witness Rights:**

- A. To be treated with fairness and respect for the witness's dignity and privacy.
- B. To be reasonably protected from the accused.
- C. To be notified of any scheduling changes that will affect the witness's appearance at court-martial or ADSEP proceeding.
- D. To be notified of any decision to dispose of an alleged offense at court-martial, NJP, or ADSEP proceedings.
- E. To be provided information about the resolution of the case to include ADSEP decisions, any punishment awarded to the offender, sentencing, imprisonment and release of the offender, if confined.
- F. 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, any escape of the accused, and the time and location of any trial, NJP, or ADSEP proceedings (including entry of guilty pleas and sentencing).

**Points of Contacts:**

Unit: \_\_\_\_\_

VWAC: \_\_\_\_\_ (910) \_\_\_\_ - \_\_\_\_

UVA: \_\_\_\_\_ (910) \_\_\_\_ - \_\_\_\_

UVA: \_\_\_\_\_ (910) \_\_\_\_ - \_\_\_\_

Installation Victim Witness Liaison Officer: Ms. Golda Sherman-Burns  
(910) 451-5043

Installation Sexual Assault Prevention and Response Office: (910) 451-5973

MCB Camp Lejeune 24/7 Sexual Assault Hotline: (910) 750-5852

Marine and Family Services - Victim Advocates: (910) 449-9563

MCB Camp Lejeune Domestic Violence 24/7 Helpline: (910) 376-5675

Victim Legal Counsel Organization: (910) 451-8519

Law Enforcement (CID/PMO) Representative: (910) 451-2571

Law Enforcement (NCIS) Representative: (910) 451-8071

Installation Chaplain: (910) 451-3210 / (910) 451-2144

Legal Services Support Section (LSSS) Representative: (910) 546-0456

Medical Representative: (910) 450-4300

Installation Equal Opportunity Representative: (910) 451-4411

MCB Camp Lejeune Legal Assistance Office: (910) 451-7085