



UNITED STATES MARINE CORPS  
MARINE FORCES RESERVE  
MARINE FORCES NORTH  
2000 OPELOUSAS AVE  
NEW ORLEANS, LA 70114-1500

ForO 5800.2B

SJA

JUL 08 2015

FORCE ORDER 5800.2B

From: Commander

To: Distribution List

Subj: MARINE FORCES RESERVE (MARFORRES) AND MARINE FORCES NORTH  
(MARFORNORTH) VICTIM WITNESS ASSISTANCE PROGRAM (VWAP)

Ref: (a) MCO 5800.14  
(b) DODD 1030.01  
(c) DODI 1030.2  
(d) SECNAVINST 5800.11B  
(e) MCO 1752.5B  
(f) MARADMIN 346/12

Encl: (1) Definitions  
(2) VWAP Reporting

1. Situation. To set forth procedures and responsibilities under the VWAP established by references (a) through (f), and define the policies, responsibilities, and procedures throughout MARFORRES and MARFORNORTH in order to ensure compliance with the references. The VWAP was added to the Commanding General Inspection Program in 2012. This Order is a complete revision and should be read in its entirety.

2. Cancellation. ForO 5800.2A.

3. Mission. To ensure that crime victims and witnesses are afforded specific rights and services in accordance with the references.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) This Order applies to all personnel attached to MARFORRES and MARFORNORTH units engaged in detecting,

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investigating, or prosecuting crime and to personnel assisting victims and witnesses of crime. This Order is not applicable to members in the Individual Ready Reserve (IRR) or the Standby Reserve. This Order is intended to assist victims and witnesses of offenses committed in violation of the Uniform Code of Military Justice (UCMJ). This Order is not limited to criminal offenses prosecuted at courts-martial. Crime victims and witnesses do not forfeit their status when offenses are referred to non-judicial punishment or administrative separation proceedings.

(b) All victims and witnesses shall be treated with respect for their dignity and privacy. They will be afforded specific rights as set forth in enclosure (2) of reference (a).

(c) The geographic dispersion of MARFORRES units creates unique challenges to the implementation of VWAP. This Order is intended to address those unique challenges in order to ensure compliance with the intent of the VWAP as directed in reference (a).

## (2) Concept of Operations

(a) Commander, MARFORRES (COMMARFORRES) will ensure that the Major Subordinate Commands (MSC) properly implement the VWAP within their commands. COMMARFORRES will ensure the appointment in writing of a Regional Victim and Witness Liaison Officer (RVWLO), the commander's primary representative responsible for VWAP within MARFORRES. The MARFORRES RVWLO will also serve as the MARFORNORTH and Headquarters Battalion (HQBN), MARFORRES Victim and Witness Assistance Council (VWAC) representative.

(b) The Commanding General of each MSC will appoint in writing a Victim and Witness Liaison Officer (VWLO) to serve as the MSC Commander's primary representative responsible for VWAP within their respective commands. The respective MSC Commanding General will ensure their subordinate commanders implement the VWAP. For the purposes of executing this Order and compliance with the references, MSC Commanding Generals shall be considered the equivalent of installation commanders.

(c) All MARFORRES units, regardless of type or size of unit, will be required to appoint a VWAC. This requirement is more expansive than that required within reference (a) due to the geographic dispersion of MARFORRES units. Some MARFORRES units may receive VWAP support through other Department of

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Defense (DoD) installations due to their location on the DoD installation or close proximity to said installation. Regardless of whether a unit is supported by other DoD installation VWAPs, the unit shall still appoint a VWAC.

(d) Any MARFORRES unit that is supported by another DoD installation shall have a documented support agreement reflecting the support relationship. Units shall ensure that their respective MSC's VWLO is notified of the Non-MARFORRES DoD Installation support agreement.

(e) MARFORNORTH and all MARFORRES Inspector-Instructors, Site Commanders, Commanding Officers, and Officers in Charge are responsible for understanding and supporting VWAP. Commanders shall ensure that the appointed VWAC is notified immediately when a member of the unit is a victim or witness as defined in enclosure (1). Commanders shall make every appropriate effort to protect victims of violence or abuse from further harm to include the use of military protective orders.

(f) Service providers, such as Marine and Family Services personnel, Family Readiness Officers, Family Advocacy counselors, Sexual Assault Prevention and Response personnel, Chaplains, and Staff Judge Advocates are responsible for providing available services to victims and witnesses, and when appropriate, shall provide referrals to community-based or state-based services.

b. Tasks

(1) RVWLO

(a) Shall be an officer, Senior Staff Noncommissioned Officers (SNCO), or equivalent civilian employee.

(b) Ensure Force-wide compliance with this Order.

(c) Maintain a list of VWLOs from the MSCs and ensure copies of this list are provided to Commandant of the Marine Corps (CMC) (JA-2).

(d) Ensure basic VWAP training is available to all new VWLOs and VWACs.

(e) Collect and maintain data from the VWLOs of the number of victims and witnesses in MARFORRES who receive DD

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Forms 2701-2703 and who elect notification via DD Form 2704 and ensure the information is forwarded to CMC (JA-2) on a quarterly basis.

(f) Assist inspectors during the preparation and conduct of functional area inspections of MARFORRES units pursuant to the Commanding General's Inspection Program.

(g) Chair and conduct the regional/installation VWLO semi-annual meetings to discuss VWAP related issues, ensure program compliance, training, and address Force-wide program compliance challenges.

(h) Chair and conduct a quarterly installation-level Victim Witness Assistance Council meeting. The Council shall include the RVWLO and MSC VWLOs. The Council may include the attendance of various service providers such as the Sexual Assault Prevention and Response (SAPR) Office, Naval Criminal Investigative Service, Marine Corps Police, legal services, Chaplain, and Family Services. The primary focus of the quarterly meetings shall be on how to improve access to various services for victims and witnesses throughout the Force.

(i) Maintain a MARFORRES VWAP website that includes, at a minimum, a directory of Force-wide VWAP personnel, military and civilian victim programs, local services providing counseling, treatment, and other victim support services. The website will also include information concerning crime victim compensation funds.

(j) Liaise and maintain a memorandum of understanding with Naval Air Station Joint Reserve Base, New Orleans Fleet and Family Services to ensure continued support for all of MARFORRES commands and units.

(k) Liaise with the Headquarters, Marine Corps VWAP manager.

(l) Serve and perform the duties as the MARFORRES and MARFORNORTH VWAC.

(2) VWLO

(a) The VWLO shall be an officer, Senior SNCO, or equivalent civilian employee.

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(b) Ensure compliance with VWAP orders within their respective MSC.

(c) Ensure that each organization within their respective MSC appoints a VWAC, in writing, by name, title, duty address, and telephone number.

(d) Maintain a list of VWACs within their respective MSC.

(e) Maintain a list of units within their MSC that are supported by other DoD installation VWAPs and confirm the supported relationships are documented through memorandums of agreement.

(f) Obtain and distribute new or update VWAP information and provide annual training to VWACs.

(g) Ensure basic VWAP training is available to all new VWACs.

(h) In coordination with VWACs, law enforcement, legal, medical, SAPR, and Marine and Family Services (MFS) ensure victims and witnesses within their respective MSCs are notified of their rights and that they are provided the names and contact information of their VWAC.

(i) Compile, maintain, and forward data to the RWVLO on a quarterly basis per the reporting requirements of enclosure (2). In order to avoid duplicate reporting of VWAP data, it is important for VWLOs to establish clear guidance to their VWACs regarding quarterly reporting procedures. MSC VWAP data will not include information reported through other DoD installation VWAPs.

(j) Ensure that deploying units receive appropriate VWAP training and VWAP materials prior to deployment.

(k) Ensure that CMC (JA-2) and the RWVLO are notified when a new VWLO is appointed.

(3) VWAC

(a) May be an officer, SNCO, or equivalent civilian employee. A picture of the VWAC along with billet description and contact information shall be posted where it is visible to all members of the unit.

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(b) Ensure victims and witnesses understand their rights and are provided with a completed DD Form 2701.

(c) Maintain data on the number of victims and witnesses who receive DD Form 2701 and report this number to the VWLO on a quarterly basis. VWACs should take measures to avoid duplicate reporting of VWAP data. If VWACs are required to report VWAP data through another DoD installation VWAP, then the data shall not be reported to their respective MSC VWLO.

(d) Coordinate with MFS and other service providers to ensure the victim or witness receives information concerning services and compensation programs.

(e) Assist the victim and witness in obtaining counseling when requested.

(f) If the victim or witnesses are from a different command, notify and coordinate with the appropriate VWAC.

(g) Ensure through the trial counsel on the case that the victim's views concerning case disposition are considered by the convening authority. Ensure that the trial counsel keeps the victim informed concerning the various stages of the case disposition.

(h) Notify victims or witnesses requesting notice of change in pretrial confinement status if there is a change in such status.

(i) Assist the victim or witness, as appropriate and necessary, in the exercise of their rights.

(j) Assist the commander in providing annual VWAP training to unit personnel.

(4) MARFORRES SJA

(a) Provide advice and guidance to convening authorities and commanders regarding VWAP.

(b) Ensure compliance with VWAP requirements during review of command investigations, administrative separations, and when in receipt of Requests for Legal Services.

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(c) Review Memorandums of Agreement between commands and civilian agencies to provide victim/witness services.

5. Administration and Logistics

a. The MARFORRES SJA is the sponsor for this Order. Recommendations for changes to this Order will be provided to the SJA for staffing.

b. VWAP resources such as DD Forms, training materials and sample appointment letters may be found at the following websites:

(1) MARFORRES VWAP:

<http://www.marforres.marines.mil/GeneralSpecialStaff/StaffJudgeAdvocate.aspx>

(2) Headquarters Marine Corps VWAP:

<http://www.hqmc.marines.mil/sja/Branches/victimswitnessassistanceprogram.aspx>

(3) DoD VWAP Council page:

<http://www.defenselink.mil/vwac/>

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Reserve and MARFORNORTH, except for members of the IRR and Standby Reserve.

b. Signal. This Order is effective the date signed.



G. T. HABEL  
Executive Director

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Definitions

1. Victim. A person who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime committed in violation of the Uniform Code of Military Justice (UCMJ), or in violation of the law of another jurisdiction if any portion of the investigation is conducted primarily by a DoD Component. Such individuals shall include, but are not limited to, the following:

a. Military members and their dependent family members.

b. When stationed outside the continental United States, Department of Defense (DoD) civilian employees and contractors, and their family members. This applies to services not available to DoD civilian employees and contractors and their family members in stateside locations, such as medical care in military medical facilities.

c. When a victim is under 18 years of age, incompetent, incapacitated, or deceased the term includes one of the following (in order of precedence): spouse; legal guardian; parent; child; sibling; another family member; or another person designated by a court or a component responsible official or designee.

d. The term "victim" does not include an individual involved in the crime as a perpetrator or accomplice.

e. For a victim that is an institutional entity, an authorized representative of the entity. Federal departments and State and local agencies, as entities, are not eligible for services available to individual victims.

f. Civilians.

2. Witness. A person who has information or evidence about a crime, and provides that information to a DoD Component representative regarding an offense within the investigative jurisdiction of a DoD component. When the actual witness is a minor, the term witness includes a family member or legal guardian of the minor witness. The term witness does not include a defense witness or any individual involved in the crime as a perpetrator or accomplice.

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VWAP Reporting

1. Every quarter commands must report the total number of victims and witnesses who received DD Forms 2701-2703 and the total number of victims and witnesses who elected via DD Form 2704 to be notified of changes in prisoner status.
2. The MARFORRES RVWLO will report this information to CMC (JA-2) on 20 April, 20 July, 20 September, and 20 January with the data for the previous quarter.
3. The MSC VWLOs will provide this information to the RVWLO during the quarterly Council meeting held during the beginning of April, July, September, and January.
4. Victim Service Providers (e.g. SAPR, MFP, VWAC, etc.). Maintain data, as appropriate, and forward to the installation VWLO in a timely manner to ensure quarterly reports are submitted in accordance with this Order.