



AIR FORCE

SPECIAL VICTIMS' COUNSEL PROGRAM

- The Air Force (AF) Special Victims' Counsel (SVC) Program was implemented on 28 January 2013.
- **On 14 August 2013, the Secretary of Defense directed each of the Services to implement special victim's advocacy programs to provide legal advice and representation to victims.**
- As of 6 September 2013, **458** victims have requested SVC representation and been detailed an SVC
 - SVCs have attended and represented clients in 74 Article 32 hearings and 78 courts-martial
 - SVCs have attended and represented clients in over 500 interviews their clients have had with investigators, defense counsel, and trial counsel
 - 77% of victims indicated their SVC assisted them with a privacy issue
- The AF JAG Corps has implemented a Victim Impact Survey that sexual assault victims have the opportunity to complete:
 - 92% indicated they are "extremely satisfied" with the advice and support SVC provided during the Article 32 hearing and court-martial; remaining 8% "satisfied"
 - 97% would recommend other victims request an SVC
 - 94% indicated their SVC advocated effectively on their behalf; 6% neutral
 - 97% indicated their SVC helped them understand the investigation and court-martial processes
- Example of feedback from victim: "The legal process started December 2012 so SVC was not available yet. I was told that I would be interviewed by the defense and at the time I was going to be attending that interview with someone who didn't have the legal experience. However, I felt a lot more comfortable that come the time of the Article 32, an SVC had been appointed to me and I was confident during the interview and not intimidated. The same thing goes for testifying as well. **Since having an SVC, I felt much more a part of both the legal and investigation process.**"
- On 18 July 2013, the United States Court of Appeals for the Armed Forces (CAAF) ruled in favor of the victim in *L.R.M. v. Kastenber*, finding that a victim's lawyer is permitted to argue/speak on his client's behalf in hearings under Military Rules of Evidence (MRE) 412 (rape shield) and 513 (psychotherapist-patient privilege). The ruling will ensure that the interests of sexual assault victims are represented by SVCs in pre-trial evidentiary hearings in which victims have a privacy interest.
- Quote from SVC on representing victims: "After a lengthy investigation process and trial where my client had to take the stand and talk about this incredibly personal and invasive thing that happened to her, she did not get the result she had hoped for – she was devastated. Initially I felt like I had failed her. However, shortly after the trial her husband approached me. He told me how much having me there meant to his wife. That she felt she had a voice in the system and the court listened to her, that she had someone to call with questions, that someone was in her corner. He thanked me, then took a step back and saluted me, not because customs and courtesies required it, but as a sign of gratitude. It was an incredibly moving moment and it was then that I realized this program isn't about outcomes, it is about people – **victims' rights are not about ensuring a conviction, they are about promoting respect, dignity, and meaningful participation in the justice system.**"
- Sexual assault victims can find contact information for SVC Offices at www.afjag.af.mil and can also contact their local Sexual Assault Response Coordinator (SARC) to request an SVC.
- The SVC Program has established a Facebook Page at www.facebook.com/airforcesvc