Confidentiality with Victim Advocates…
The New Privilege Under Military Rule of Evidence 514

- Under Military Rule of Evidence (MRE) 514, a victim can now refuse to disclose communications made with his or her victim advocate when those conversations:
  - are made for the purpose of facilitating advice or supportive assistance, and
  - when they are not intended to be disclosed to a third party

- A victim advocate, which includes the Sexual Assault Response Coordinator (SARC), can refuse to disclose these conversations on behalf of the victim
  - This privilege applies to all stages of a UCMJ proceeding—from an initial investigation of the crime by law enforcement to a court-martial

- With this privilege, statements between a victim and victim advocate are given similar protection as statements between a patient and a mental health professional