

Victim Witness Liaison:

[T]he victim witness liaison is not able to represent the victim at all. There is no privileged communication. There is no confidentiality, and they do not have any ability to advocate on their behalf in things like rape shield.¹

[T]he initial intent for the victim liaison was to explain the processes they were going to go through...to provide them a source of knowledge [regarding] this is what you're going to expect, this is what's going on next. But it wasn't to advise them or to represent them.²

They're a member of the Special Victims' Capability Team, so I don't envision that they would go -- ever go away. If anything, they should be -- in my opinion, I think their role is a very valuable role. And I think they should be -- there should be some full-time victim witness liaisons within the system to help them progress that role with the victims.³ [T]here could be a victim witness liaison to each person who is a victim of a crime and a victim [legal counsel]. They would have both.⁴

I think the best way to characterize that would be to say that the victim witness liaison remains primarily an informational role, and the special victims' counsel is in a representative role and representative in all the different venues of military justice, starting with investigative interviews, defense counsel interviews, and so forth.⁵

Army:

Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony:

Background: I have served as a victim witness liaison for over 18 years, and like the majority of victim witness liaisons, I am a civilian paralegal in the Office of the Staff Judge Advocate, who has been appointed by the Staff Judge Advocate or the Chief Legal Advisor of the installation.⁶

I have an Associate's of Arts Degree and a Paralegal Certificate from the University of Southern Colorado. I have worked in several divisions of the legal offices. But I have been a part of the Criminal Law Division for the Prosecution Team for the past 18 years. I have an in-depth practical understanding of the military justice system.⁷

Training:

As for my training, I have attended over 30 victim advocacy-related conferences run by the Department of Justice, State, and national victim organizations, and the Army.⁸ I would estimate

¹ Bette Stebbins Inch testimony, Nov 8 2013 transcript at 112.

² Bette Stebbins Inch testimony, Nov 8, 2013 transcript at 112 (answering question with COL (R) Cook.

³ Bette Stebbins Inch testimony, Nov 8, 2013 transcript at 112 (answering question with COL (R) Cook.

⁴ Bette Stebbins Inch testimony, Nov 8, 2013 transcript at 113 (answering question with COL (R) Cook.

⁵ Major General Patton testimony, Nov 8, 2013 transcript at 114 (answering questions).

⁶ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 219.

⁷ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 219.

⁸ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 220.

that I have met with approximately 2,700 victims over the years, and in a typical year I meet with approximately 150 victims and 100 witnesses.⁹

Duties:

I assist all types of victims, such as victims of robbery, murder, sexual assault, child molestation, domestic violence, and child abuse.¹⁰ When the victim is deceased or a minor, I provide liaison services to the next-of-kin or guardian.

14 The victim or the witness does not have to be a military ID card holder or affiliated with the military to receive my services. He or she must be a victim of a crime or a witness to a crime in which the accused is an active duty soldier and the military is investigating the case.¹¹

Types of assistance provided:

Logistics for these victims or witnesses, [including] prepare subpoenas, letters of instruction for travel orders, and vouchers for witness travel, and requests for civilian witnesses to be paid their witness fee.¹² I arrange for available services, such as transportation, parking, child care, lodging, and court martial translators for victims and witnesses. I coordinate with the victim witness liaisons at the confinement facility, the Army Criminal Appellate Courts, and at the Army Clemency and Parole Board.¹³

I want to ensure that my victims are notified when an offender's case is scheduled for appellate argument and when the case is either affirmed or overturned.¹⁴ I work with victims immediately after trial to provide victim impact statements not just for the immediate post-trial action, but for future proceedings before the parole and clemency board.

The military criminal justice system is a lengthy process, and the Army provides victim support throughout. I have victims contact me long after the court martial is complete with questions about confinement appeals, parole, and I'm glad to help them knowing that I am still a face they can turn to no matter where they are in the process.¹⁵

I also serve as the liaison between the Office of the SJA and my counterparts at other Army installations, the military corrections confinement facilities, local city, county, and state offices, law enforcement, social services, victim advocates, sexual harassment assault response coordinators, commanders and first sergeants, and Federal offices.¹⁶

The victim witness liaison has to be aware of all the services that are available to all victims and government witnesses. When possible, our Special Victims' Team attends a monthly civilian

⁹ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 220.

¹⁰ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 220.

¹¹ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 220.

¹² Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 220-21.

¹³ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 221.

¹⁴ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 221.

¹⁵ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 221-22.

¹⁶ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 222.

policing -- military policing collaborative breakfast and a quarterly special victims' section meeting to maintain an open dialogue with the outpost police and law enforcement agencies. I provide training about the Victim Witness Assistance Program to the military agencies involved in the detection, investigation, and prosecution of crimes, and to the advocates who work with victims, and the agencies responsible for the incarceration of the offender.¹⁷

The most challenging and the most rewarding part of my duties is working with victims to help them understand the military criminal justice process, the role of the victim or witness will play in the process, and how the victim or witness can obtain additional information concerning the process. It is my responsibility to provide comfort and reassurance to victims and witnesses who may be upset by the process and/or reluctant to go through it.¹⁸

In order to meet the needs of each individual victim, I act as a facilitator and a coordinator for services and programs available to victims and government witnesses.¹⁹ I educate victims and witnesses about their rights as outlined in Department of Defense and Army regulations.²⁰

I am required to provide all victims and witnesses with the standardized Department of Defense forms that cover basic rights throughout the process, post-trial information and rights, and victim rights to notification from the confinement facility regarding prisoner status, parole, and clemency and release.²¹

I am the primary point of contact for victims for information about the progress of their case. I accompany victims to courts martial and provide support and information about the process as it is taking place. In most cases, I act as an intermediary between a witness and a representative of the government and defense for the purpose of arranging witness interviews in preparation for trial. The victim witness liaison's role in arranging witness interviews is to ensure that witnesses are treated with courtesy and respect, and that interference with their private lives is kept to a minimum.²²

I am a part of a larger Army team, particularly when it comes to sexual assault victims. The military has developed a multi-disciplinary approach to assisting victims and witnesses. The special victim CID agent, the special victim prosecutor, and the victim witness liaison work as a cohesive special victim unit in assisting victims of crime.²³

With this team approach, I believe we are seeing better results regarding the investigation, prosecution of these difficult cases. The team relies on the victim witness liaison to assist in setting up interviews and providing support to the victim during the interviews. The prosecutors value my opinion on the victim's demeanor and credibility, but they

¹⁷ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 222-23.

¹⁸ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 223.

¹⁹ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 223.

²⁰ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 223.

²¹ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 223-24.

²² Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 224.

²³ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 224-25.

also want me there to help the victim get through the interview process and to provide the victim with an easily-accessible source for follow up questions.

As we look to the future, the Army intends to continue the professionalization of the victim witness liaison positions. The Army hopes to obtain additional authorizations to hire full-time civilian victim witness liaisons with a social work or legal educational background and experience, and with an additional intensive training requirement similar to the prosecutors to serve as full-time members of the Special Victim Units.²⁴

Recommendations for Improvement:

I would suggest three primary things.

Number one, that the Army would benefit greatly from having full-time civilian professionals as witness liaisons. Most victim witness liaisons have collateral duties that can distract them from their responsibilities to the mission.²⁵

Number two, I think that victim witness liaisons should have privileged communication. The current privilege applies only to victim advocates. I think this is confusing for victims and can hamper communication between myself and victims.²⁶

And number three, I think that the Army should continue to professionalize the victim advocate's position, providing more intensive and longer training in some kind of career track.²⁷ In my experience, not everyone is qualified emotionally or possesses the necessary maturity and temperament to work with victims. It is a job that I think somebody should want and not a job that somebody should be assigned to as an additional duty.²⁸

Air Force: Lt Col Michael Lewis:

Page 48, November 21, 2013 Subcommittee testimony:

I'm the Chief of that Division, which means I have a number of hats, including the Joint Service Committee on Military Justice Air Force position, as well as the Chief of the Division. So my comments will be mostly focused on the Victim Witness Assistance Program.²⁹

The two points that I'd like to make in an opening statement is, first, that the Air Force has a robust training program for its victim liaisons, and that includes our judge advocates as well as our paralegals, and the training that they receive down at the Air Force Judge Advocate General

²⁴ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 225.

²⁵ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 229.

²⁶ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 229.

²⁷ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 229.

²⁸ Ms. Christa Thompson, U.S. Army SHARP Program Victim Advocate testimony, 7 Nov. 2013, page 229.

²⁹ *Transcript of RSP Victim Services Subcommittee Meeting 48-49* (Nov. 21) (testimony of Lt Col Michael Lewis, U.S. Air Force).

School at Maxwell Air Force Base, Alabama.³⁰ I won't go through the length of the courses, but needless to say from the time that our JAGs and paralegals come into the Air Force, they're exposed to what their duties will be in the Victim Witness Assistance Program. And that continues throughout their career at various formal courses, as well as informal on-the-job training that they receive at the installation level.³¹

The second point that I'd like to make is that there is sometimes confusion between the scope of the Victim Witness Assistance Program and the various other sources of support that we provide through SARCs, victim advocates, and now through special victims' counsel. The most important point is to understand that the Victim Witness Assistance Program assists all victims of crime, and that could be a larceny victim. It could be someone who is a victim of a physical assault. And we assist all witnesses who interact with the military justice system.³² So our overall statistics in terms of the percentage of people that we help in the VWAP Program for the Air Force is only about six percent of the victims that we are assisting from initial contact.³³ Only about six percent of those are sexual assault related in any way. So it's just important for us to understand that the VWAP Program is a little bit broader.³⁴

³⁰ *Transcript of RSP Victim Services Subcommittee Meeting 49* (Nov. 21) (testimony of Lt Col Michael Lewis, U.S. Air Force).

³¹ *Transcript of RSP Victim Services Subcommittee Meeting 48-49* (Nov. 21) (testimony of Lt Col Michael Lewis, U.S. Air Force).

³² *Transcript of RSP Victim Services Subcommittee Meeting 50* (Nov. 21) (testimony of Lt Col Michael Lewis, U.S. Air Force).

³³ *Transcript of RSP Victim Services Subcommittee Meeting 50* (Nov. 21) (testimony of Lt Col Michael Lewis, U.S. Air Force).

³⁴ *Transcript of RSP Victim Services Subcommittee Meeting 50* (Nov. 21) (testimony of Lt Col Michael Lewis, U.S. Air Force).