

**Victim Services Subcommittee
Of the Response Systems to Adult Sexual Assault Crimes Panel**

TERMS OF REFERENCE

These terms of reference establish the Secretary of Defense (SecDef) objectives for an independent subcommittee review of military and civilian systems for providing support and protection to victims in the investigation, prosecution, and adjudication of adult sexual assault crimes. At SecDef direction, the Victim Services Subcommittee ("the Subcommittee") has been established under the Response Systems to Adult Sexual Assault Crimes Panel (Response Systems Panel) to conduct this assessment.

Mission Statement: Assess the adequacy of military systems and proceedings for providing support and protection to victims in the investigation, prosecution, and adjudication of crimes involving adult sexual assault and related offenses, under 10 U.S.C. 920 (Article 120, Uniform Code of Military Justice (UCMJ)).

Issue Statement: Section 576(d)(1) of the FY 2013 National Defense Authorization Act provides that in conducting a systems review and assessment, the Response Systems Panel shall provide recommendations on how to improve the effectiveness of the investigation, prosecution, and adjudication of crimes involving adult sexual assault and related offenses, under 10 U.S.C. 920 (Article 120 of the UCMJ). This includes an assessment of military systems for providing support and protection to victims in the investigation, prosecution, and adjudication of crimes involving adult sexual assault and related offenses. In addition, the Subcommittee should identify systems or methods for strengthening the effectiveness of military systems.

Objectives and Scope: The Subcommittee will address the following specific objectives.

- Assess the adequacy of military systems and proceedings to support and protect victims in all phases of the investigation, prosecution, and adjudication of adult sexual assault crimes.
- Assess whether military systems and proceedings provide victims the rights afforded by 18 U.S.C. § 3771, Department of Defense Directive 1030.1, and Department of Defense Instruction 1030.2.
- Assess differences between military and civilian systems in providing support and protection to victims of adult sexual assault crimes.
- Identify best practices for victim support and protection from civilian jurisdictions that may be incorporated into any phase of the military system.
- Assess the effectiveness of proposed legislative initiatives modifying military justice processes in providing support and protection to victims of adult sexual assault crimes.

The Subcommittee shall develop conclusions and recommendations on the above matters and report them to the Response Systems Panel.

Methodology:

1. The Subcommittee assessment will be conducted in compliance with the Federal Advisory Committee Act (FACA).
2. The Subcommittee is authorized to access, consistent with law, documents and records from the Department of Defense and military departments, which the Subcommittee deems necessary, and DoD personnel the Subcommittee determines necessary to complete its task.

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Subcommittee participants may be required to execute a non-disclosure agreement, consistent with FACA.

3. The Subcommittee may conduct interviews as appropriate.
4. As appropriate, the Subcommittee may seek input from other sources with pertinent knowledge or experience.

Deliverable:

The Subcommittee will complete its work and report to the Response Systems Panel in a public forum for full deliberation and discussion. The Response Systems Panel will then report to the Secretary of Defense.

Support:

1. The DoD Office of the General Counsel and the Washington Headquarters Services will provide any necessary administrative and logistical support for the Subcommittee.
2. The DoD, through the DoD Office of the General Counsel, the Washington Headquarters Services, and the Office of the Under Secretary of Defense for Personnel and Readiness, will support the Subcommittee's review by providing personnel, policies, and procedures required to conduct a thorough review of civilian and military systems used to investigate, prosecute, and adjudicate adult sexual assault crimes.