

## VICTIM AND WITNESS ASSISTANCE INFORMATION PACKET

The Beale Air Force base Victim and Witness Assistance Program was designed to ensure all victims and witnesses of crime who suffer physical, financial, or emotional trauma receive the assistance and protection to which they are entitled. This information packet outlines your rights and entitlements as a victim of an offense prosecuted by the Air Force under the Uniform Code of Military Justice.

### **A crime victim or witness has the following rights:**

To be treated with fairness and respect for your dignity and privacy;

To reasonable protection from a suspect or the accused;

To notification of all court-martial proceedings;

To be present at all public court-martial proceedings, unless the military judge determines your testimony would be materially affected by hearing other testimony;

To confer with trial counsel in the case;

To appropriate restitution, when available; and,

To information about an accused's conviction, sentencing, confinement, and release.

**Information on Resources.** The services below may be available. If assistance is needed in contacting the providers, please notify either the base Victim/Witness Assistance Program Coordinator at (530) 634-2928.

#### 1. Emergency medical, Law Enforcement, Crisis Intervention services:

##### a. Military Resources

Ambulance service: 911

Base Clinic/Pediatrics: 15301 Warren Shingle Road  
634-4444

Law Enforcement 17798 24th street  
634-2131

Chaplain 15001 Camp Beale Hwy  
634-2306/4701  
634-5700 (after duty hours)

b. Civilian Resources

Rideout Memorial Hospital	749-4300
Law Enforcement	741-6621 (Marysville PD) 822-4661 (Yuba City PD)
Crisis Intervention	674-5400 (Casa de Esperanza) 673-8255 (Yuba Sutter Mental Health)

2. Social Services:

a. Military Resources

Family Advocacy:	(530) 634-3423
Chaplain: (Emergency on-duty)	(530) 634-2306/4701
(Emergency off-duty)	(530) 634-5700
Family Support Center:	(530) 634-2241
Military Equal Opportunity:	(530) 634-2075
Equal Employment Office:	(530) 634-2075
TRICARE Service Center	1-800-660-4272
Child Development Center	634-4717
American Red Cross	634-2078/1-800-242-6788

b. Civilian Resources

Yuba County

Victim Witness Assistance	741-6275
Social Services	741-6305
Child Protective Services	741-6361

Sutter County

Victim Witness Assistance	822-7345
Child Protective Services	822-7227
Mental Health	833-7200

3. Financial Aid

(a) Emergency financial aid may be available through the Air Force Aid Society. Contact them at 634-3146.

(b) If property is stolen or vandalized on base, compensation may be available through the base legal office (claims) at 634-3294.

(c) Certain dependents of members separated from the Air Force for dependent abuse may receive transitional compensation. Contact the VWAP Coordinator at 634-2928.

(d) Compensation may also be available through the California Victims of Crime Program through the Board of Control at 1-800-777-9229.

#### 4. Victim and Witness Protection

(a) On base. Contact victim liaison to report threats/harassment. For immediate help contact Law Enforcement desk (634-2131)

(b) Off-base. Contact your police department or 911 for emergency.

#### 5. Additional Hot Line Numbers

(a) National Child Abuse Hot Line 1-800-422-4453

(b) Parents Anonymous of California 1-909-621-6184

(c) National Resource Center for Domestic Violence 1-800-799-7231

(d) National Victim Center 1-800-FYI-CALL

(e) Resource Center for Domestic Violence, Child Protection and Custody 1-800-527-3223

(f) National Organization for Victim Assistance 1-800-TRY-NOVA

**Financial Issues:** For information regarding any restitution or other relief to which you may be entitled and how to obtain that relief, contact either the base Victim/Witness Assistance Program Coordinator or victim liaison at (530) 634-2928.

1. The Department of Defense offers a program called Transitional Compensation. References: DOD Instruction 1342.24, and AFI 36-3024 implements policy, assigns responsibilities, and prescribes procedures under 10 U.S.C. 1059 (reference (b)) *for the payment of monthly transitional compensation to dependents of members separated for dependent abuse.* Transitional compensation was created within the DOD as a cushion to aid families who have suffered such abuse during transition time if the active duty sponsor is discharged as a result of a court-martial or administrative board based on domestic abuse.

#### Program Eligibility:

- a. Dependents of members of the Armed Forces who have been on active duty for more than 30 days and who on or after November 30, 1993;
- b. Separated from active duty under a court-martial sentence resulting from a dependent-abuse offense;
- c. Administratively separated from active duty if the basis for separation includes a dependent-abuse offense; or,

d. Sentenced to forfeiture of all pay and allowances by a court-martial which has convicted the member of a dependent-abuse offense.

2. The State of California offers a compensation program through the California Victims of Crime Program (VOCP). The VOCP was statutorily created to assist eligible victims of crimes and eligible family members by providing financial assistance for qualifying pecuniary losses incurred as a direct result of crimes committed against them. Please consult the Victim Witness Coordinator for details.

3 Article 139 of the Uniform Code of Military Justice may also provide relief if property loss or damage resulted from a wrongful taking or from willful damage done by a member of the Armed Forces.

**Notice.** The earliest possible notice of the following stages of the criminal investigation and prosecution shall be provided by contacting: \_\_\_\_\_ or the base Victim/Witness Assistance Program Coordinator at (530) 634-2928.

1. Status of investigation (to the extent appropriate without interfering with investigation.)
2. Arrest of suspected offender.
3. Preferral of charges against suspected offender.
4. Schedule of judicial proceedings (where required or entitled to attend.)
5. Release or detention status of suspected offender.
6. Acceptance of guilty plea or verdict after trial.
7. Sentence imposed.

**Consultation.** Consultation with the appropriate commander or designee concerning pretrial decisions, such as negotiated pleas or dismissal of charges, is available under certain circumstances (see AFI 51-201, paragraph 7.10.10.) by contacting: \_\_\_\_\_ or the Victim/Witness Assistance Program Coordinator at (530) 634-2928.

**Care of Evidentiary Property.** Property of a victim being held for evidentiary purposes will be maintained in good condition and returned as soon as no longer needed for such purposes. Direct questions as to the care or return of evidentiary property to: \_\_\_\_\_ or the Victim/Witness Assistance Program Coordinator at (530) 634-2928.

**Separate Waiting Area.** During court proceedings, the 9th RW Legal Office will do its best to provide a waiting area removed from and out of the sight and hearing of the accused and defense witnesses.

**Convening Authority Action.** The convening authority reviews the record of trial of any court-martial that may be held regarding this offense. The convening authority has the authority to reduce any sentence imposed by the court-martial and the authority to overturn any findings of guilty. If you wish to submit matters for the convening authority's consideration, you must do this as soon as possible after the court-martial. Submit such matters in writing to the following:

9 RW/JA

Attn: Victim/Witness Assistance Program Coordinator  
17801 Warren Shingle Road  
Beale AFB, CA 95903

**Post-Trial Notice.** To receive the following post-trial information about the case, contact the base Victim/Witness Assistance Program Coordinator at (530) 634-2928. A liaison will have you complete a DD Form 2704 and an election notification letter with the option of requesting any of the following notifications.

1. Convening authority's action.
2. Appellate Court proceedings.
3. Appellate Court decisions.
4. The offender's place of confinement and minimum release date (the date on which the offender currently is scheduled to be released with credit for good conduct or other confinement abatement activities);
5. Scheduled dates of boards to consider the offender for parole (if eligible), clemency, or restoration to duty;
6. Any form of release from custody of the offender, including parole, temporary home parole, deferment of sentence, or escape; and
7. The death of the offender, if the offender dies while in custody.

**NOTE:** Where the offender is serving a sentence to confinement of six months or more, obtain notice by providing a current address or telephone number to HQ AFSFC/SFC, 1720 Patrick Street, Lackland AFB, TX 78236-5226. *This information will initially be provided to HQ AFSFC/SFC on a DD Form 2704. Please ensure you get with the base Victim/Witness Program Coordinator or your assigned liaison and fill out the DD Form 2704. This form will be forwarded to the appropriate organizations by a Victim/Witness Liaison located within the 9 RW/JA office.*

**NOTE: Once the initial DD Form 2704 has been submitted to HQ AFSFC/SFC by the 9 RW/JA, it is the victim's responsibility to keep the Air Force officials informed of their current address and/or phone number.**

**Disclaimer.** Failure to provide the information or services above does not create a cause of action or defense in favor of any person. No limits are hereby placed on the lawful prerogatives of the Air Force or its officials.

**Your participation in the Victim and Witness Assistance Program:** The key to receiving the most benefit from the Victim and Witness Assistance Program is your knowledge and understanding of your rights and entitlements and informing your Victim/Witness Liaison of what your needs are.

This information packet was designed to advise you of what you can expect from the Air Force as you participate in the military justice process. You should read it carefully and keep a copy of it for future reference. You should also feel free to call on your Victim/Witness Liaison for

assistance as you need it. Your Victim/Witness Liaison is specifically selected to assist you throughout the case and, if necessary, will coordinate with each of the different agencies to assure you receive the services you require. The base Victim/Witness Assistance Program Coordinator is located at the 9 RW/JA legal office and can be reached by calling (530) 634-2928.

1<sup>st</sup> Ind, to Victim Information Packet

TO: 9 RW/JA (Victim/Witness Liaison)

I hereby acknowledge notice of my rights and entitlements under the Victim and Witness Assistance Program. I have been introduced to the base Victim/Witness Liaisons, and I understand that I must keep a Victim/Witness Liaison informed of my needs throughout my participation in the military justice process. I have retained a copy of this Victim Information Packet for my personal reference.

Victim/Witness Name:

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Full Address:

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Home Phone:

Cell Phone:

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Work Phone:

Other Contact Info:

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PRP Status:    YES    NO

\_\_\_\_\_  
Victim/Witness Signature

\_\_\_\_\_  
Date