

# U.S. DEPARTMENT OF DEFENSE

## DoD Directive 1030.1 Victim and Witness Assistance

Effective April 13, 2004

- Provides assistance to victims and witnesses of crimes from initial contact through investigation, prosecution, and confinement, without infringing on the constitutional rights of an accused.
- The role of crime victims & witnesses in the criminal justice process should be protected.
- Particular attention should be paid to victims of serious, violent crime, including child abuse, domestic violence and sexual misconduct.
- Law enforcement and legal personnel directly engaged in the detection, investigation, or prosecution of crimes, shall ensure that victims are accorded their rights.

### **Victims' Rights:**

A crime victim has the right to:

- Be treated with fairness and respect for the victim's dignity and privacy.
- Be reasonably protected from the accused offender.
- Be notified of court proceedings.
- Be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.
- Confer with the attorney for the Government in the case.
- Receive available restitution.
- Be provided information about the conviction, sentencing, imprisonment, and release of offender.

## 5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) shall:

5.1.1. Develop overall policy for victim and witness assistance and monitor compliance with this Directive

5.1.2. Approve procedures developed by the Secretaries of the Military Departments that implement this

**5.1.3. Maintain a Victim and Witness Assistance Council to provide a forum for the exchange of information and the consideration of victim and witness policies, and provide a liaison with the Department of Justice Office for Victims of Crime.**

**5.1.4. Ensure the Defense Manpower Data Center assists in formulating a data collection mechanism to track and report victim notifications from initial contact through investigation, prosecution, confinement, and release.**

5.3. The Secretaries of the Military Departments and the Heads of the Other DoD Components shall:

5.3.1. Ensure compliance with this Directive and establish policies and procedures to implement this program within their Component.

5.3.2. Designate the "**Component Responsible Official**," as defined in item [E 1.1.2.](#) of enclosure 1.

**5.3.3. Maintain a central repository, as defined in item [E1.1.1.](#) of enclosure 1, for each Military Service, to ensure that victims shall be notified of changes in a confinee's status.**

5.3.4. Ensure that a multi-disciplinary approach is followed by victim and witness service providers, including law enforcement personnel, criminal investigators, chaplains, family advocacy personnel, emergency room personnel, family service center personnel, judge advocates, unit commanding officers, corrections personnel, and other persons designated by the Secretaries of the Military Departments; and ensure that those providers receive training to assist them in complying with this Directive.

5.3.5. Establish procedures to ensure that local installation responsible officials provide victim and witness services as required in [reference \(e\)](#) at the installation level through coordination with the representatives identified in [paragraph 5.3.4.](#), above.