



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
BOX 99100  
YUMA, ARIZONA 85369-9100

IN REPLY REFER TO:

StaO 5800.16  
3BC  
22 JAN 2001

STATION ORDER 5800.16

From: Commanding Officer  
To: Distribution List

Subj: DETENTION FACILITY VICTIM AND WITNESS NOTIFICATION  
PROGRAM

Ref: (a) MCO 5800.16  
(b) DoD Directive 1030.1

Encl: (1) Victim/Witness Certification and Election  
(2) Sample Enrollment Request Receipt  
(3) Sample Parole Release Notification  
(4) Sample Permanent Release Notification  
(5) Sample Transfer Notification  
(6) Sample Escape Notification  
(7) Sample Return To Custody Notification  
(8) Sample Prisoner's Death In Custody Notification  
(9) Sample Parole Hearing Notification  
(10) DD Form 2706 Annual Report Victim And Witness  
Assistance

1. Policy

a. General. As stated in reference (a), "The Marine Corps policy is to protect and assist crime victims and witnesses in the military justice process without infringing on the constitutional rights of the accused." Each confinement facility will establish a Victim and Witness Notification Program, (VWNP), and designate the persons responsible for performing the services required.

b. Notification. A right provided to crime victims and witnesses by reference (b), is the notification prior to a prisoner's release from confinement. Any crime victim or witness desiring notification must make their request to the Staff Judge Advocate (SJA), for the cognizant convening authority. The request must be in writing and include a current address and phone number. The SJA's office will forward the request to the commanding officer of the detention facility. Requests for notification received by the detention facility directly from a crime victim or witness will be referred to the SJA for the convening authority of the prisoner in question. It is the responsibility of crime victims and

witnesses to keep the Marine Corps current on any changes of address or telephone number.

c. Victim/Witness Coordinator. Commanding Officers of correctional facilities will appoint a Victim and Witness Coordinator whose duties include acting as a liaison with crime victims and witnesses. Inquiries from victims and witnesses other than release or release related activities, will be referred to the cognizant SJA or the Victim Advocate Coordinator located at the Family Service Center. The identity of crime victim(s) and/or witnesses will have strict confidentiality. The Victim/Witness Coordinator will keep a secure confidential Victim/Witness Log of those crime victims and witnesses (including address and phone number) who elect notification, from form 2704, encl (1), and ensure they are notified as stated in paragraph 5, below. All contacts (e.g. telephone, certified mail, etc.) with a crime victim or witness, including unsuccessful contact attempts shall be documented in the Victim\Witness notification log. All prisoner files will be flagged or annotated indicating the requirement for victim or witness notification.

## 2. Procedures

a. Release. When feasible, the Victim/Witness Coordinator will notify crime victims and witnesses 45 days prior to the prisoner's projected release from confinement. This letter will advise crime victims and witnesses of the prisoner's tentative release date, the reason for release, and if known, the city and state the prisoner gives as his destination. It will be sent by certified mail, return receipt requested. Examples of letters that may be used are provided as enclosure (2) through (9). If the prisoner is unexpectedly released, the Victim/Witness Coordinator will telephonically notify crime victims and witnesses with the information.

b. Escape. Victims and witnesses will be notified telephonically when possible, but no later than 24 hours after the discovery of the escape. They will be notified in the same manner if returned to confinement.

c. Emergency Leave. If time permits, notify crime victims and witnesses in writing prior to the prisoner's release on emergency leave. If this is not possible, the notification will be made telephonically.

d. Transfer

(1) Victims and witnesses will be notified in advance of the transfer and location of transfer of a prisoner to another facility. Crime victim and witness information will be forwarded via separate correspondence to the commanding officer of the receiving facility.

(2) Upon receiving crime victim and witness information on a prisoner transfer, a letter will be sent to the crime victims and witnesses notifying them of the prisoner's new location. The letter will also inform them that they have been enrolled in the brig's Victim/Witness Notification Program and confirm their desire to continue in the program.

3. Parole Hearing. MCAS Yuma Detention Facility is considered a short-term confinement facility and will not normally conduct parole hearings. The Naval Clemency Parole Board, Washington, DC, conducts parole hearings. All victims and witnesses will be notified in advance of any scheduled parole hearing.

4. Cancellation of Request. Crime victims and witnesses may request removal from the program by submitting such a request, in writing, to the Victim/Witness Coordinator located at MCAS Yuma Detention Facility.

5. Reports

a. Upon enrolling a crime victim, or witness, into the detention facility Victim and Witness Notification Program, the CMC (MHC) will be provided a copy of the victim(s) or witness' request for notification, and the following in a letter format:

(1) Name, social security number, and Service of the prisoner involved.

(2) Date of confinement (indicate whether a new confinement or transfer from another facility).

(3) Date of admittance into the program.

(4) Minimum release date.

(5) Location (command) where court-martialed.

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b. The CMC (MHC) will be notified within 1 working day of the release, escape, emergency leave, transfer or termination from the program of each prisoner and number of victims and/or witnesses involved.

c. An annual report will be submitted to CMC (MHC), using enclosure (10), providing a roster of those prisoners involved in the Victim and Witness Notification Program. Included will be the number of Victims/Witnesses notified, (if any), for each prisoner during the month. Information regarding the inability to contact a victim/witness due to wrong address, telephone number, ect., will be included in this report. Brigs with no prisoners involved in the program shall submit a negative response.

6. Action. The Victim/Witness Notification Program shall be included in the detention facility operating procedures.



MARK E. CONDRA

DISTRIBUTION : B

## VICTIM/WITNESS CERTIFICATION AND ELECTION CONCERNING INMATE STATUS

*(This form is exempt from Freedom of Information Act Release.)*

### PRIVACY ACT STATEMENT

**AUTHORITY:** 42 U.S.C. 10606 *et sec.*, Victim's Rights and Restitution Act of 1990; 18 U.S.C. 1501 *et sec.*, Victim and Witness Protection Act of 1982.

**PRINCIPAL PURPOSES:** To inform victims and witnesses of their post-trial rights; to determine whether the victim or witness of a crime elects to be notified of changes in the confinement status of a convicted criminal offender; and to record the election by the victim or witness.

**ROUTINE USES:** None.

**DISCLOSURE:** Voluntary; however, failure to provide identifying information will prevent the corrections facility from notifying victim or witness of changes in a criminal offender's status.

### SECTION I - ADMINISTRATIVE INFORMATION

*(Incident Number and Organizational Identifier are obtained from DD Form 1569)*

Installation \_\_\_\_\_ Incident Number \_\_\_\_\_ Organizational Identifier (ORI) \_\_\_\_\_

### SECTION II - REPRESENTATIVE INFORMATION

*(Complete this section only if there are no victims or witnesses who are entitled to notification under the Victim's Rights and Restitution Act of 1990, and DoD Instruction 1030.2.)*

As representative for the Government in the court-martial case of United States v. \_\_\_\_\_ ,  
*(Name of court-martial case)*

convened by \_\_\_\_\_ ,  
*(Court-martial convening order number, date, and issuing command)*

I certify that this case does not involve a victim or witness entitled to receive information about the confinement status of the defendant as required by the Victim's Rights and Restitution Act of 1990 (Public Law 101-647; 104 Stat. 4820).

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Signature, grade, and title of person certifying)*

### SECTION III - NOTIFICATION STATEMENT

*(Complete this section when there are victims or witnesses entitled to notification.)*

I certify that on this date I personally notified the victim(s) and witness(es) in the court-martial case of United States v.

\_\_\_\_\_, convened by \_\_\_\_\_ ,  
*(Name of court-martial case)* *(Court-martial convening order number, date, and issuing command)*

whose sentence included confinement, of their right under the Victim's Rights and Restitution Act of 1990 (Public Law 101-647, 104 Stat. 4820), to receive information about the status of the inmate, to include length of sentence, anticipated earliest release date, likely place of confinement, the possibility of transfer, and the right to receive notification of a new place of confinement. I advised of the possibility of parole or clemency with an explanation of these terms. Additionally, I advised of the right to prior notification of the inmate's parole hearings, release from confinement, escape and death. Finally, I advised that to receive notification of the inmate's transfer, parole hearings, and release from confinement, the victim or witness must provide the information required in Section IV of this form.

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Signature, grade, and title of person providing notification)*



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22 JAN 2001



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
BOX 99160  
YUMA, ARIZONA 85369-9160

date

Dear \_\_\_\_\_:

This is to inform you that your request for enrollment into the Victim and Witness Notification Program has been received. You will be notified of the pending release date of ( \_\_\_\_\_ SNP \_\_\_\_\_ ). We fully recognize that the impact of crime is devastating to victims, witnesses and their families and we will make every effort to be responsive to your request.

Your request for notification will remain confidential. However, if this prisoner learns through other means that you have made this request and threatens or attempts to intimidate you in any manner, please notify this office.

Please keep us informed of any changes in your address or telephone number so prompt notification can be made to you. Also, should you decide to remove yourself from the program you must submit the request, in writing, to this office.

Be assured that, unless otherwise requested, we will keep you apprised of all significant release related activities pertaining to this prisoner during the period of incarceration. If at any time you have any questions or concerns regarding this program, please do not hesitate to contact me at

Sincerely,

Victim/Witness Coordinator

ENCLOSURE (2)

StaO 5800.16  
22 JAN 2001



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
BOX 99160  
YUMA, ARIZONA 85369-9160

date

Dear \_\_\_\_\_:

Our records reflect that you previously requested notification regarding all significant release related activities pertaining to ( \_\_\_\_\_ SNP \_\_\_\_\_ ).

This letter is to inform you that ( \_\_\_\_\_ SNP \_\_\_\_\_ ) will be released on parole from this institution on or about (date). His/her parole destination is (city/state). His/her parole officer is (name and address).

Should any questions arise while ( \_\_\_\_\_ SNP \_\_\_\_\_ ) is on parole contact Headquarters Marine Corps (Code MHC) Washington DC 20380 telephone number (703) 696-1149/50, or the Department of the Navy, Naval Clemency and Parole Board, 801 North Randolph Street, Suite 905, Arlington, Virginia 22203-1989 telephone number (703) 696-4170.

Sincerely,

Victim/Witness Coordinator

ENCLOSURE (3)



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
BOX 99160  
YUMA, ARIZONA 85369-9160

date

Dear \_\_\_\_\_:

Our records reflect that you previously requested notification regarding all significant release related activities pertaining to ( \_\_\_\_\_ SNP \_\_\_\_\_ ).

This letter is to inform you that ( \_\_\_\_\_ SNP \_\_\_\_\_ ) will be released from this institution on or about (date).  
( \_\_\_\_\_ SNP \_\_\_\_\_ ) has stated his/her release destination is (city/state).

sincerely,

Victim/Witness Coordinator

ENCLOSURE (4)



UNITED STATES MARINE CORPS  
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BOX 99160  
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date

Dear \_\_\_\_\_:

Our records reflect that you previously requested notification regarding all significant release information on ( \_\_\_\_\_ SNP \_\_\_\_\_ ). The purpose of this letter is to inform you that he/she will be transferred to (new confinement facility and address). This transfer will occur on or about (date).

Your request for notification of any further changes has been referred to the Victim/Witness Coordinator at (new confinement facility). The Victim/Witness Coordinator at (new confinement facility) will contact you in the near future to confirm your desire to continue in the Victim/Witness Notification Program.

Sincerely,

Victim/Witness Coordinator

ENCLOSURE (5)



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
BOX 99160  
YUMA, ARIZONA 85369-9160

date

Dear \_\_\_\_\_:

Our records reflect that you previously requested notification regarding all significant release related activities pertaining to ( SNP ). This letter is a follow-up to our phone conversation on (date Victim/Witness telephonically notified of escape). ( SNP ) escaped from this institution on (time/date). You will be notified telephonically and in writing upon his/her return to custody.

If you have any questions contact me at \_\_\_\_\_

Sincerely,

Victim/Witness Coordinator

ENCLOSURE (6)



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
BOX 99160  
YUMA, ARIZONA 85369-9160

date

Dear \_\_\_\_\_:

This letter is a follow-up to our (date/time telephonic notification was made regarding return to custody) phone conversation. ( SNP ) was returned to custody on (date/time).

He/she is currently confined at (name of institution where being held pending return). It is anticipated that ( SNP ) will be transported to this institution on or about (date).

( SNP ) release date may be adjusted due to this escape from confinement. Should this occur you will be notified of his/her new release date. If you have any questions please contact me at \_\_\_\_\_.

Sincerely,

Victim/Witness Coordinator

ENCLOSURE (1)



UNITED STATES MARINE CORPS  
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date

Dear \_\_\_\_\_:

This letter is to notify you that (        SNP        ) died while confined in this institution on (date). If you have any questions please contact me at

Sincerely,

Victim/Witness Coordinator

ENCLOSURE (8)



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
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YUMA, ARIZONA 85369-9160

date

Dear \_\_\_\_\_:

This letter is to inform you that (          SNP          ) will have a parole hearing on or about (date). For information regarding the hearing contact the Department of the Navy, Naval Clemency and Parole Board, 801 North Randolph Street, Suite 905, Arlington, Virginia 22203-1989 telephone number (703) 696-4170.

Sincerely,

Victim/Witness Coordinator

ENCLOSURE (9)

## ANNUAL REPORT ON VICTIM AND WITNESS ASSISTANCE

REPORT CONTROL  
SYMBOL

This report summarizes delivery of services to victims and witnesses as prescribed by the Victim and Witness Protection Act of 1982 (18 USC 1512) and the Victim's Rights and Restitution Act of 1990 (42 USC 10601-10607). It is submitted annually in accordance with DoD Instruction 1030.2.

## 1. REPORTING OFFICE

## 2. REPORTING PERIOD

a. FROM

b. TO

January 1,

December 31,

## 3. DURING THE REPORTING PERIOD, OUR LAW ENFORCEMENT, SPECIAL INVESTIGATION, TRIAL COUNSEL, AND RELATED OFFICES ASSISTED:

## a. UPON INITIAL CONTACT:

\_\_\_\_\_ crime victims and \_\_\_\_\_ witnesses were informed of their rights to assistance (DD Form 2701).

## b. UPON REFERRAL TO COURT-MARTIAL:

\_\_\_\_\_ crime victims were informed of their consultation rights in courts-martial (DD Form 2702).

## c. UPON SENTENCING TO CONFINEMENT:

\_\_\_\_\_ crime victims and \_\_\_\_\_ witnesses were informed of their right to be notified of changes in the confinee's status in prison (i.e., escape, parole, death) (DD Form 2703).

## d. ONCE INFORMED OF THEIR RIGHT TO BE NOTIFIED OF CHANGES IN THE CONFINEE'S STATUS:

\_\_\_\_\_ crime victims and \_\_\_\_\_ witnesses, using the DD Form 2704, elected to be notified of confinee status changes.

## 4. DURING THE REPORTING PERIOD:

\_\_\_\_\_ confinee status changes resulted in \_\_\_\_\_ notification letters (DD Form 2705) being sent from our confinement facilities.

## 5. AS OF DECEMBER 31, \_\_\_\_\_

Our confinement facilities reported the cumulative total of Service confinees for whom they must make victim or witness notifications as follows:

(1) ARMY	(2) NAVY	(3) AIR FORCE	(4) MARINES	(5) COAST GUARD	(6) OTHER

## 6. DOD COMPONENT RESPONSIBLE OFFICIAL

a. NAME (Last, First, Middle Initial)

b. SIGNATURE

c. DATE SIGNED  
(YYYYMMDD)