



DoD INSTRUCTION 5505.19

MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS' SPECIAL VICTIM INVESTIGATION AND PROSECUTION CAPABILITY

Originating Component:	Office of Inspector General of the Department of Defense
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Reissues and Cancels:	DoD Instruction 5505.19, "Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOs)," February 3, 2015, as amended
Approved by:	Robert P. Storch, Inspector General of the Department of Defense

Purpose: In accordance with the authority in DoD Directive (DoDD) 5106.01, this issuance:

- Establishes policy, assigns responsibilities, and provides procedures for the military criminal investigative organizations (MCIOs) to establish a special victim capability in accordance with the authority in Chapter 4 of Title 5, United States Code (U.S.C.) (also known as the "Inspector General Act of 1978," as amended).
- Implements the investigative portion of Section 573 of Public Law (PL) 112-239 (accompanied as a note with Section 1561 of Title 10, U.S.C.) that requires each Military Department to establish a special victim capability comprised of specially trained MCIO investigators, judge advocates, victim witness assistance personnel, and administrative paralegal support personnel to support victims of covered special victim offenses. To avoid confusion with special victims' counsel (SVC) programs, this capability is referred to as the special victim investigation and prosecution (SVIP) capability.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense (IG DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

1.2. POLICY.

a. MCIO investigators must provide a timely, effective, and worldwide SVIP capability for victims of covered special victim offenses, as described in Paragraph 3.2., that occur within the MCIOs’ investigative jurisdiction and responsibility.

b. Specially trained and designated MCIO criminal investigators are SVIP members who must collaborate with other specially trained SVIP members, as listed in Paragraph 3.3., during all stages of the investigative and military justice process for covered special victim offenses.

c. Nothing in this issuance is intended to change or limit an MCIO’s existing authority to investigate any offense; however, only covered special victim offenses will be designated as SVIP incidents.

d. MCIO investigators must document investigation information and actions in their organization’s automated investigation management system and be able to retrieve SVIP investigation information from the system.

SECTION 2: RESPONSIBILITIES

2.1. IG DOD.

In addition to the responsibilities in Paragraph 2.3., the IG DoD oversees and evaluates, as the IG DoD considers appropriate, DoD Component compliance with this issuance.

2.2. UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY.

As the designated Principal Staff Assistant for law enforcement, the Under Secretary of Defense for Intelligence and Security:

- a. May monitor DoD Component execution of this issuance.
- b. Establishes, reviews, and coordinates on training and training requirements related to this issuance.
- c. Monitors resourcing to implement this issuance and advocates for any changes to that resourcing.

2.3. DOD COMPONENT HEADS.

The DoD Component heads:

- a. Require their Component to comply with this issuance and prescribe additional procedures, as necessary, to implement its policy.
- b. Ensure records and information established and created in accordance with this issuance are retained in accordance with DoD Instruction (DoDI) 5015.02 and DoD Component records management disposition schedules.

2.4. SECRETARIES OF THE MILITARY DEPARTMENTS.

In addition to the responsibilities in Paragraph 2.3., the Secretaries of the Military Departments establish SVIP capabilities for their respective Department in accordance with this issuance.

SECTION 3: GENERAL PROVISIONS

3.1. SVIP PROCESS.

The MCIOs must assign a specially trained SVIP criminal investigator to all covered special victim offenses that occur within the MCIOs' investigative jurisdiction and responsibility at the onset of an investigation or as soon as practical after an investigation finds that a covered special victim offense may have occurred. The criminal investigator will collaborate with other specially trained SVIP members as specified in Paragraphs 1.2.b. and 3.3.

3.2. COVERED SPECIAL VICTIM OFFENSES.

Covered special victim offenses include:

- a. Adult sexual assault.
- b. Domestic violence involving sexual assault or aggravated assault with grievous bodily harm.
- c. Child abuse involving child sexual assault or aggravated assault with grievous bodily harm.

3.3. SVIP MEMBERS.

In accordance with Section 573 of PL 112-239, the SVIP members include specially trained and designated:

- a. MCIO criminal investigators.
- b. Judge advocates, including those assigned to the Office of Special Trial Counsel and SVC when appropriate for the offense.
- c. Victim witness assistance personnel.
- d. Paralegal or administrative legal support personnel.

3.4. TRAINING.

The MCIO lead criminal investigator assigned to a covered special victim offense investigation must be specially trained by MCIO or other personnel to respond to and investigate such offenses. Selecting and certifying MCIO lead criminal investigators for the SVIP capability is contingent on them completing basic criminal investigator training at their respective law enforcement training institution (including military training schools) and SVIP specialized training. The MCIOs are permitted to provide the SVIP specialized training during the basic criminal investigator training course and can document that the criminal investigators are fully

trained for SVIP investigations. The MCIO lead criminal investigator for a covered special victim offense must receive SVIP specialized training that at least includes:

- a. Legal jurisdiction for conducting criminal investigations.
- b. The elements of proof for criminal offenses associated with all covered special victim offenses.
- c. Crime scene management.
- d. DNA and serology evidence collection.
- e. Identifying, preserving, obtaining, and transporting forensic evidence.
- f. Crime victims' rights and available victim witness assistance, support, legal assistance, and counseling services in accordance with DoDI 1030.02 and Section 806b of Title 10, U.S.C.
- g. Sensitivities and risk factors associated with child abuse, including, but not limited to:
 - (1) Various interviewing techniques used by the law enforcement community to help victims recall specific details about a crime.
 - (2) Working with a family advocacy program (FAP) manager in accordance with DoDIs 6400.01 and 6400.06.
 - (3) Working with a domestic abuse victim advocate (DAVA) to ensure the victim and their family receives support and required services, in accordance with DoDIs 1030.02 and 6400.06.
- h. Sensitivities and risk factors associated with domestic violence and sexual assault victims, including, but not limited to:
 - (1) Various interviewing techniques used by the law enforcement community to help victims recall specific details about the crime.
 - (2) Determining the impact and involvement of alcohol and drugs.
 - (3) Understanding the requirements associated with obtaining and executing protection orders in accordance with Section 1561a of Title 10, U.S.C. for civilian protection orders and DoDI 6400.06 for military protection orders.
 - (4) Understanding aspects of restricted reporting for domestic violence in accordance with DoDI 6400.06.
 - (5) Recognizing the dynamics of domestic violence, including behaviors used by abusers to control or dominate their victims.
 - (6) Working with a DAVA.

i. The adult sexual assault training requirements specified in DoDI 5505.18 and Volume 1 of DoDI 6495.02.

j. Awareness of the prosecution and legal support requirements specified in DoDI 1030.02 and relevant procedures and functions of the Office of Special Trial Counsel.

k. Awareness of the SVC programs specified in DoDI 1030.04.

3.5. CRITERIA AND CERTIFICATION.

The MCIOs will select and certify those investigators that will serve as lead criminal investigators for covered special victim offenses after they complete all required training, as specified in Paragraph 3.4.

3.6. MCIO LEAD CRIMINAL INVESTIGATOR OR SUPERVISORY SPECIAL AGENT.

The designated MCIO lead criminal investigator or supervisory special agent must:

a. Notify or ensure each SVIP member and victim advocacy personnel are notified, as appropriate for the reported offense, within 24 hours (regardless of the day of the week) after determining that the reported offense meets the special victim covered offense criteria. The notification will be completed via personal meeting, telephone conference call, electronic mail, or video teleconference (VTC). Nothing in Paragraph 3.6. is intended to change how investigators collaborate with judge advocates in early investigative processes. When covered offense determination is unclear, the criminal investigator or supervisory special agent will coordinate with the supporting judge advocate to determine whether the reported incident includes a covered offense.

b. Complete initial collaboration with all SVIP members and victim advocacy personnel, as appropriate for the reported offense, within 2 business days after determining that an allegation meets the criteria of a special victim covered offense. The collaboration will occur via personal meeting, telephone conference call, electronic mail, or VTC. This initial collaboration can be completed at the same time the notification specified in Paragraph 3.6.a. is made, if sufficient information about the reported incident is available to discuss.

c. Collaborate monthly with respective SVIP members and victim advocacy personnel, as appropriate for the reported offense, to assess progress in the investigation or prosecution of a covered special victim offense and to ensure all aspects of the victim's needs are being met. The monthly collaboration:

(1) Will occur via personal meetings, telephone conference calls, electronic mail, or VTCs.

(2) Can be completed during other monthly installation meetings if the other SVIP members are in attendance and only those with a need to know about the offense(s) to be discussed are present.

(3) Must be completed during the active investigation and continue until action against the subject(s) identified in the investigation has been taken and the investigation is closed.

d. Document the respective MCIO's SVIP member notifications and collaboration in the corresponding investigation report or file. The documentation will include the name, position, and organization of the SVIP members involved in the consultation and the date of the consultation.

e. Collaborate as necessary and appropriate for the investigated offense with sexual assault response coordinators, sexual assault prevention and response victim advocates, FAP managers, and DAVAs.

f. Investigate unrestricted reports of adult sexual assaults in accordance with DoDIs 5505.03 and 5505.18 and Volume 1 of DoDI 6495.02.

g. Investigate unrestricted reports of domestic violence involving sexual assault or aggravated assault with grievous bodily harm in accordance with DoDIs 5505.03, 5505.18, 6400.01, and 6400.06.

h. Investigate allegations of child abuse involving child sexual assault or aggravated assault with grievous bodily harm in accordance with DoDIs 5505.03, 6400.01, and 6400.06.

i. Provide releasable applicable investigation information to SVIP members except when it may hinder or compromise the criminal investigation.

3.7. ASSESSMENT.

In accordance with Section 573 of PL 112-239 (accompanied as a note with Section 1561 of Title 10, U.S.C.), the Military Departments will collect data and report on the effectiveness and impact of the investigative portion of the SVIP to the Secretary of Defense as needed. These reports will assess the performance and effectiveness of Military Service programs, policies, training, and services. The Military Departments will, at a minimum, collect data regarding compliance with the following requirements:

a. The appropriate SVIP members were notified within 24 hours when a reported offense meets the criteria of a covered special victim offense.

b. The appropriate SVIP members collaborated within 2 business days when a reported offense meets the criteria of a covered special victim offense.

c. The MCIO criminal investigators identified to conduct investigations of covered special victim offenses were trained and certified in accordance with this issuance.

d. The MCIO investigators provided, or ensured a DD Form 2701, “Initial Information for Victims and Witnesses of Crime” (located at <https://www.esd.whs.mil/Directives/forms/>) was provided, to all victims and witnesses identified in a covered special victim offense in accordance with DoDIs 1030.02 and 5505.18.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
DAVA	domestic abuse victim advocate
DNA	deoxyribonucleic acid
DoDD	DoD directive
DoDI	DoD instruction
FAP	family advocacy program
IG DoD	Inspector General of the Department of Defense
MCIO	military criminal investigative organization
PL	public law
SVC	special victims' counsel
SVIP	special victim investigation and prosecution
U.S.C.	United States Code
VTC	video teleconference

G.2. DEFINITIONS.

Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
active duty	Defined in Section 101 of Title 10, U.S.C.
adult	A person who has attained the age of 18 years, or a person who is under 18 years of age and is married or is an active duty Service member.
child	A person who has not attained the age of 18 years and is unmarried or is not an active duty Service member.

TERM	DEFINITION
covered special victim offenses	The designated criminal offenses of adult sexual assault, child abuse involving child sexual assault or aggravated assault with grievous bodily harm, and domestic violence involving sexual assault or aggravated assault with grievous bodily harm.
DAVA	An appointed advocate who provides safety planning services and comprehensive assistance and liaison to and for victims of domestic abuse.
domestic violence	Defined in DoDI 6400.06.
grievous bodily harm	Serious bodily injury that includes fractures or dislocated bones, deep cuts, torn members of the body, serious damage to internal organs, and other severe bodily injuries. It does not include minor injuries such as a black eye or bloody lip.
MCIO	The Department of the Army Criminal Investigation Division, the Naval Criminal Investigative Service, and the Air Force Office of Special Investigations.
sexual assault	Defined in DoDD 6495.01.
sexual assault prevention and response victim advocate	Defined in DoDD 6495.01.
sexual assault response coordinator	Defined in DoDD 6495.01.
SVIP	A distinct, recognizable group of appropriately skilled professionals, consisting of specially trained and selected MCIO investigators, judge advocates, victim witness assistance personnel, and paralegal or administrative legal support personnel who work collaboratively to support victims of adult sexual assault, domestic violence involving sexual assault or aggravated assault with grievous bodily harm, and child abuse involving child sexual assault or aggravated assault with grievous bodily harm.

REFERENCES

- DoD Directive 5106.01, “Inspector General of the Department of Defense (IG DoD),” April 20, 2012, as amended
- DoD Directive 6495.01, “Sexual Assault Prevention and Response (SAPR) Program,” January 23, 2012, as amended
- DoD Instruction 1030.02, “Victim and Witness Assistance,” July 27, 2023
- DoD Instruction 1030.04, “Special Victims’ Counsel Programs,” April 29, 2024
- DoD Instruction 5015.02, “DoD Records Management Program,” February 24, 2015, as amended
- DoD Instruction 5505.03, “Initiation of Investigations by Defense Criminal Investigative Organizations,” August 2, 2023
- DoD Instruction 5505.18, “Investigation of Adult Sexual Assault in the Department of Defense,” March 22, 2017, as amended
- DoD Instruction 6400.01, “Family Advocacy Program (FAP),” May 1, 2019
- DoD Instruction 6400.06, “DoD Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel,” December 15, 2021, as amended
- DoD Instruction 6495.02, Volume 1, “Sexual Assault Prevention and Response: Program Procedures,” March 28, 2013, as amended
- Public Law 112-239, Section 573, “National Defense Authorization Act for Fiscal Year 2013,” January 2, 2013
- United States Code, Title 5, Chapter 4 (also known as the “Inspector General Act of 1978, as amended”)
- United States Code, Title 10