



DEPARTMENT OF THE NAVY  
NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

1640  
Ser 84B/167  
7 Dec 01

From: Commander, Navy Personnel Command  
To: Distribution

Subj: POLICY ON CLASSIFICATION AND USE OF NAVY CONFINEMENT  
FACILITIES

Ref: (a) DOD Corrections Council Mtg of 21 Feb 01  
(b) DOD Instruction 1325.7  
(c) SECNAVINST 1640.9B  
(d) BUPERSINST 1640.17D  
(e) MOA btwn ASA(M&RA) and ASN(M&RA) of 24 Mar 00  
(f) BUPERSINST 5450.47B  
(g) DNCP ltr of 31 May 00

1. Purpose. To establish and update policy on confinement length parameters for Navy confinement facilities.

2. Background

a. Per reference (a), to accommodate downsizing of the United States Disciplinary Barracks (USDB), Fort Leavenworth, KS, the Services agreed to transfer post-trial officer prisoners using the same criteria as enlisted prisoners and to "temporarily" re-define Level III confinement as sentences greater than 7 years, i.e., 7 years plus 1 day. The Services also agreed to screen and, where feasible, retain as many prisoners as possible with sentences from 7 years and 1 day to 10 years. The final choice on transferring any prisoner with longer than 7 years to the USDB will be made by the Service headquarters. This agreement will increase Navy prisoner populations and measures must be taken immediately to balance populations against available bed space.

b. Paragraph 6.13.2.1 of reference (b) defines a DOD Level I facility as "capable of providing pretrial and post-trial confinement (up to 1 year). The maximum period of post-trial confinement that any Level I facility will be capable of providing shall be determined by the Secretary concerned (or designee). Level I facilities shall provide crisis intervention, work opportunities, access to counseling services,

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and drug and alcohol education." References (c) and (d) will be updated to reflect this policy.

c. Reference (e) essentially consolidated all DOD female Level II and III confinement at NAVCONBRIG Miramar, CA. Future revisions to references (c), (d) and (f) will reflect this change.

d. Reference (g) designated NAVCONBRIG Charleston, SC as the site for offense-specific treatment for violent offenders and NAVCONBRIG Miramar for offense-specific treatment for sex offenders.

3. Policy

a. Pretrial Confinement Facilities (PCFs). Post-trial confinement shall not exceed 30 days beyond the adjudged date.

b. Waterfront Brig (Level I). Post-trial confinement, minus Naval Brig Norfolk, shall not exceed 6 months of confinement remaining beyond the adjudged date.

c. Naval Brig Norfolk. As a matter of necessity, due to its size and location in our major Fleet Concentration Area (FCA), Naval Brig Norfolk is authorized to confine male and female personnel for longer periods of time than other waterfront brigs. However, post-trial confinement shall not exceed 3 years confinement remaining beyond the adjudged date.

d. Naval Consolidated Brigs (NAVCONBRIGs)

(1) Males (Level II). Post-trial confinement will not exceed sentences greater than 10 years. Prisoners with sentences of 7 to 10 years will be reviewed for transfer to the USDB, Fort Leavenworth based on offense(s), level of danger, etc., and a recommendation made to PERS-84.

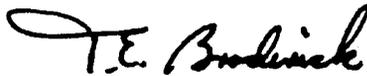
(2) Females (Level II/III). Reference (e) essentially consolidated all DOD female Level II and III confinement at NAVCONBRIG Miramar, CA.

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4. Exceptions to policy will be referred to PERS-84 via Regional Correctional Specialists.

5. This policy is applicable to all Navy brigs and pretrial confinement facilities. These procedures will be reflected in the next change to references (c), (d), and (f). Until then, file a copy of this letter with the appropriate references and ensure all personnel are aware of the contents.

6. My point of contact is Mr. Tim Purcell, PERS-84B, DSN 882-4469 or (901) 874-4469.



T. E. BRODERICK  
By direction

Distribution:  
Navy Brigs/CCUs  
PCFs  
CINCPACFLT (N01HR)  
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