

MEMORANDUM FOR COMMANDER, NAVY PERSONNEL COMMAND

FROM: CAPT T. E. Broderick *Dict* 5/29/01
Director, Personnel Progression, Performance and Security
Prepared by: Mr. William Peck, PERS-84, (901) 874-4442

SUBJECT: Policy on Discharged Military Prisoners Confined in
Navy Confinement Facilities - ACTION MEMORANDUM

PURPOSE: To provide policy on discharged military prisoners
confined in Navy confinement facilities.

DISCUSSION: There are a growing number of prisoners confined
at Navy confinement facilities with punitive
discharges that have been reviewed, approved and
completed. NAVCONBRIG Miramar's designation as a
DoD Level III (long-term) female confinement
facility and simultaneous U.S. Army MILCON
downsizing the United States Disciplinary
Barracks portends an increase in the number of
discharged prisoners in the future.

Related corrections policy (SECNAVINST 1640.9B,
Department of the Navy Corrections Manual) requires
an update, Attachment 1.

Attachment 2 provides interim policy on discharged
military prisoners confined in Navy confinement
facilities pending updating the SECNAVINST.

RECOMMENDATION: Sign Attachment 2.

Attachments:

1. SECNAVINST 1640.9B, Article 7103.2f
2. Draft Policy on Discharged Military Prisoners Confined in
Navy Confinement Facilities

CHOP	PERS-06L				
DATE					



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

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1640

Ser 841/016

26 Dec 01

From: Commander, Navy Personnel Command
To: Distribution

Subj: POLICY ON DISCHARGED MILITARY PRISONERS CONFINED IN NAVY
CONFINEMENT FACILITIES

Ref: (a) SECNAVINST 1640.9B

1. This correspondence provides policy regarding discharged military prisoners confined in Navy confinement facilities.

2. All prisoners, regardless of discharge status, will not be subject to hazing, harassment, unauthorized exercises, unnecessary restrictions or deprivations, or demeaning treatment.

3. Article 7103.2f of reference (a) establishes policy regarding the naval confinement of civilian prisoners subject to the UCMJ. While this policy was not specifically written to cover the confinement of discharged military prisoners, many of the provisions apply. Discharged military prisoners confined under provisions of the UCMJ;

a. will be afforded the same treatment as non-discharged military prisoners,

b. will observe the rules and regulations governing behavior and security control of prisoners,

c. are allowed to participate in rehabilitative programs,

d. will be assigned appropriate work, and

e. may draw health and comfort items if in a non-pay status.

4. The following supplemental policies apply. These supplemental policies are not all inclusive, nor limited to the following:

a. Military Uniform. The working uniform of the service branch from which discharged will be properly worn per service

Subj: POLICY ON DISCHARGED MILITARY PRISONERS CONFINED IN NAVY
CONFINEMENT FACILITIES

regulations. On the service tape, the letters "DISCHARGED" will precede one character space and the appropriate service branch abbreviation (i.e., USA, USN, USAF, USMC, etc.).

b. Military Training. Discharged military prisoners will not take part in return to duty programs, unless their status changes to that of a non-discharged prisoner. The goal of the correctional program with respect to discharged prisoners is to prepare them for return to offense-free civilian life as part of the greater community-at-large. Participation in formation movements is expected and required, but providing discharged prisoners with military training in close order drill is not authorized.

c. Physical Training. Discharged military prisoners will be allowed the opportunity, but are not required, to participate in organized physical training. When participating, they will follow the same protocols required of non-discharged prisoners. Discharged prisoners who elect not to participate will remain in their cells/rooms during the evolution.

d. Inspections. Discharged military prisoners will participate in all personnel and property inspections to the same degree as non-discharged prisoners.

e. Incentive Program. Discharged military prisoners may participate in the facility's incentive program the same as non-discharged prisoners.

f. Courtesy. Courtesy reflects attitude and adjustment. It is an important sign of progress in correctional treatment. All prisoners will be required to extend normal everyday courtesy to fellow prisoners and staff.

(1) When addressing an officer the term "sir" or "ma'am" will be used as appropriate or include grade and last name. Enlisted staff will be addressed by their rate/grade and last name. Civilians will be addressed as "sir" or "ma'am" as appropriate, or include Mr., Ms. and last name.

(2) When conversing with a commissioned or warrant officer, all prisoners will stand unless told to be seated.

Subj: POLICY ON DISCHARGED MILITARY PRISONERS CONFINED IN NAVY
CONFINEMENT FACILITIES

(3) When being inspected, discharged prisoners will stand quietly until the inspector directs otherwise or departs.

(4) Prisoners outside during reveille, taps and other "colors", will face the flag and render appropriate recognition until the conclusion of the ceremony (i.e., stand silently at attention with headgear removed, or stand silently at attention with the right hand raised to the heart with or without headgear removed).

g. Personal Hygiene and Appearance

(1) General. All prisoners, regardless of discharge status, are required to maintain good daily hygiene and a clean and well-groomed appearance at all times. Prisoners will shower daily. Prior to departing their housing unit the prisoner will ensure their clothing is clean, neat, and in good repair, to include the presence of all buttons; hair is combed/brushed; and footgear is clean and brush-shined.

(2) Shaving. All male discharged prisoners will shave daily unless excused by a medical profile (medical profiles for shaving will specify the length of the beard). Shaving will be accomplished at the beginning of the duty day. During non-duty days prisoners will shave prior to participating in the first activity of the day to include meals and recreation calls.

(3) Mustaches and Beards. Mustaches and beards will not be worn by discharged prisoners (except when specified by medical profile).

(4) Haircuts and hairstyles. Prisoners' hair will be clean and neatly groomed at all times. Unusual, faddish, or eccentric haircuts or hair styles are prohibited. Shags, mohawks, cutting designs, "new wave" hairdos, and more than one hair part (i.e., a line cut in the hair) are prohibited hairstyles. Prisoners are not allowed to color their hair.

(a) All male prisoners are required to receive haircuts as scheduled or when ordered.

(b) Male prisoners' hair will present a tapered appearance, and when combed down it will not fall over the ears,

Subj: POLICY ON DISCHARGED MILITARY PRISONERS CONFINED IN NAVY
CONFINEMENT FACILITIES

eyebrows, or touch the collar, except for the closely cut hair on the back of the neck. With the "block cut", fullness in back is permitted in a moderate degree as long as the tapered appearance is maintained. Prisoners' hair may not be cut shorter than 1/8 inch in length and will not be worn so it exceeds 3 inches in height.

(c) Male prisoners' hair will be neatly groomed and will not present a ragged or unkempt appearance. Hair will not be plaited or braided.

(d) Sideburns will be neatly trimmed and will not extend below the lowest part of the exterior ear opening. The base will not be flared and will have a clean-shaven, horizontal line.

(e) Female prisoners will be scheduled for haircuts on an as-needed basis. The length and bulk of the hair will not be excessive or present a ragged, unkempt or extreme appearance. Hair will not fall over the eyebrows or extend below the bottom edge of the collar. Hair will not be cut so short as to appear unfeminine. Hair may be secured in an appropriate fashion to meet this standard, however, hair-holding ornaments when previously approved (such as barrettes and bands), if used, must be plain and must be transparent or a similar color to the hair, and inconspicuously placed. Female prisoners may wear their hair "plaited", "braided" or in "cornrows" if the hair meets all the requirements for the wearing of hair set forth in this paragraph. In addition, no ornaments (e.g., beads) may be in plaits, braids, or cornrows.

(f) Cosmetics. Female inmates are authorized to wear cosmetics as locally authorized. If worn, however, cosmetics will be applied conservatively. Exaggerated or faddish cosmetic styles will not be worn.

(5) Body Piercing and Tattoos. All prisoners will not incur body piercing or tattoos while in confinement.

5. This policy is effective immediately upon receipt of this letter.

Subj: POLICY ON DISCHARGED MILITARY PRISONERS CONFINED IN NAVY
CONFINEMENT FACILITIES

6. This policy is applicable to all Navy brigs, pretrial confinement facilities, and detention facilities, where applicable. These procedures will be reflected in the next change to reference (a), until then, file a copy of this letter with reference (a) and ensure all personnel are aware of the contents.

7. My point of contact is Mr. Tim Purcell, DSN 882-4469 or (901) 874-4469.



G. L. HOEWING
Rear Admiral, U.S. Navy

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