



**DEPARTMENT OF THE NAVY**

**NAVY PERSONNEL COMMAND  
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MILLINGTON TN 38055-0000**

5800  
Ser 84/137  
6 Jul 00

MEMORANDUM FOR PERS-84 STAFF

Subj: OFFICE PROCEDURES FOR LEVEL II BRIG ASSIGNMENT AND  
TRANSFER OF SEX OFFENDERS AND VIOLENT OFFENDERS

Ref: (a) DCNP ltr of 31 May 00

Encl: (1) Designation of Naval Consolidated Brigs  
(NAVCONBRIGs) Charleston and Miramar as the  
exclusive sites for violent offender and sex  
offender treatment programs respectively

1. Recent consolidation of the treatment program for sex offenders (SOTP) at Navy Consolidated Brig (NAVCONBRIG) Miramar and the treatment program for violent offenders (VOTP) at NAVCONBRIG Charleston will result in changes in the assignment and transfer of prisoners targeted for these programs. It will be important for the PERS-84 staff to be aware of these changes and to have a basic understanding of the assignment criteria. The below information is provided to give PERS-84 staff a general understanding of the criteria for brig assignment or transfer for offense-specific treatment. **The normal procedure for dealing with inquiries regarding placement or transfer for offense-specific treatment will be to refer the inquirer to the appropriate PERS-84 regional correctional specialists.** If the regional correctional specialist is not available the inquirer should be referred to PERS-841, corrections branch head or PERS-84B, division deputy director. Recommendations from PERS-84 regional correctional specialists for placement or transfer will be submitted for approval by PERS-84, division director, or PERS-84B, division deputy director and in their absence PERS-841, corrections branch head.

2. Reference (a) designates NAVCONBRIG Charleston as the site for offence-specific treatment for violent offenders and NAVCONBRIG Miramar as the site for offence-specific treatment for sex offenders. Enclosure (1) provides the details of the treatment programs as well as the assignment and transfer criteria for these programs. This consolidation of treatment programs within Navy corrections will allow for in-depth specialized treatment, as well as, efficient use of staff and

Subj: OFFICE PROCEDURES FOR LEVEL II BRIG ASSIGNMENT AND  
TRANSFER OF SEX OFFENDERS AND VIOLENT OFFENDERS

resources. Please contact this office if further information or assistance is required.

Offense-Specific Assignment Criteria. Enclosure (1) lists the UCMJ articles which will be the criteria for assignment to SOTP or VOTP. The length of sentence will be the determining factor in brig assignment for offense-specific treatment. These programs must have some flexibility in scheduling, in the event modules need to be repeated for example, so the prisoners' sentences should allow for this, and for any time needed for appropriate supervision after release, if paroled. It is also important to be aware of other factors which may significantly impact treatment eligibility, such as, the requirement for treatment to be voluntary or the existence of a pre-trial agreement. Time left to serve upon entry into each program will preferably allow for release on parole under supervision. The following is a summary of the cut-offs used to determine if an inmate has sufficient **sentence length remaining** to make an assignment to a particular brig based on treatment needs:

- Child molesters - **2 years**
- Sexually violent offender, adult victim (rapist) - **19 months**
- Domestic violence (non-sexual assault of spouse or child) - **13 months**
- General violence (assault) - **7 months**

For each of the above treatment programs it is important to consider sentence length remaining at time of actual entry into treatment to insure completion of the entire program. In some cases partial treatment may be less helpful than no treatment. Remember, time left to serve upon entry into a treatment program would hopefully allow for release on parole under supervision.

3. Criteria for Later Transfer from Charleston to Miramar For SOTP. Clinicians will recommend transfer of the sex offenders, specified below, with adult victims for NAVCONBRIG Miramar SOTP if they have sufficient time for treatment:

Subj: OFFICE PROCEDURES FOR LEVEL II BRIG ASSIGNMENT AND  
TRANSFER OF SEX OFFENDERS AND VIOLENT OFFENDERS

- Offenders who experience their own sexual urges as difficult to control (which may result in coercing others to deal with the urges)
- Those with frequent, impulsive rape fantasies
- Sexually deviant interest in minors as determined by self-report (polygraph and plethysmograph)

4. Criteria For Later Transfer From Miramar To Charleston For VOTP. Clinicians will recommend transfer of inmates who are found to have histories as specified below and have sufficient time for treatment after arrival (10 to 19 months, depending on the program):

- General or domestic violence history (or current assaultive behavior in confinement)
- Sexual assault against an adult history (in addition to child molestation) who is more suitable for rapist treatment than sexual deviance treatment

5. Every effort to facilitate this referral process should be taken, such as, obtaining detailed information from the inquiring individual and passing it on to all appropriate decision-makers.

  
W. E. PECK

**VIOLENT OFFENDER PROGRAM AND SEX OFFENDER TREATMENT**  
**PROGRAM CONSOLIDATION PROPOSAL**

23 Feb 00

**VIOLENT OFFENDER PROGRAM (VOP)**

*Note: This is a plan in progress, considered to be a "pilot" program initially with flexibility for adjustment pending further specialized training and tweaking as the program is implemented.*

**PROPOSED START DATE: 1 JUNE 2000**

**DESCRIPTION:** (See also descriptive chart, following.). The VOP will consist of cognitive-behavioral treatment methods with a motivational interviewing approach. All inmates convicted of a violent offense against an adult will have access to this program. The program begins with a psychoeducational course for all violent offenders. Upon completion, voluntary participants will be entered into the treatment phase, subdivided by offense type: general violence (non-familial, non-sexual violence), domestic violence or sexual violence ("rapists").

**Mandatory Sex Offender Education Course:** 7 weeks, once weekly for 2 hours. No change from current course: dynamics of sexual perpetration and preparation for treatment. Includes education material for rapists. For child molesters who arrive with insufficient time remaining (under 22 months) for Miramar's SOTP.

**Mandatory Violent Offender Education:** No change from current course. 6 weeks, one 2-hour seminar weekly. Reserved for all violent offenders who initially refuse to volunteer for treatment or those who arrive with less than 4 months left to serve. Dynamics of violent, abusive and aggressive behavior and introduction to treatment.

**Assessment:** Interview plus assessment instruments (including plethysmograph and polygraph for sexually violent offenders)

**Core Modules:** Twice weekly for 12 weeks. For all violent offenders volunteering for treatment. Conducted by VOP combined staff. Psychoeducation (didactic) introduction to violence, values clarification, anger management, stress management, cognitive restructuring/ transactional analysis (theory), assertiveness, conflict resolution, decision making/ problem-solving, chemical abuse and violence. For those inmates who do not have sufficient time for treatment, this will be the only offense-specific course available to them. It will be referred to as education, not treatment (i.e., in parole reports, treatment summaries).

**Treatment:** Follows assessment and core modules. Offenders split out into crime-specific types of violence. In addition to continued examination in greater depth of the topics from "Core Modules", the following will be offered:

**General Violence:** 6 months. For those committing assaultive crimes other than domestic violence or sexual violence against an adult. Cognitive restructuring (application), crime

story, victim empathy, Men's Work, autobiography, cognitive restructuring, recognizing and regulating emotions.

**Domestic Violence: 9 months.** Crime story, autobiography, parenting skills, relationships/ communication, relapse prevention, personal change plan, victim empathy, recognizing and regulating emotions.

**Sexual Violence: 15 months.** Crime story, autobiography, victim empathy, cognitive restructuring (application), relapse prevention, sexuality and sexual deviance, personal change plan, social competence, recognizing and regulating emotions.

## **SEXUAL OFFENDER PROGRAM (SOP)**

### **DESCRIPTION**

No major changes from current SOTP Program.

**Mandatory Sex Offender Education Program:** 12 – 14 weeks, one hour weekly for all inmates convicted of a sexual offense against a minor and for those with adult victims who have insufficient time for transfer to Charleston.

**Assessment:** Interviews, paper and pencil tests, polygraph, plethysmograph.

**Sex Offender Treatment Program (SOTP):** 2-year program (5 groups & classes weekly), followed by maintenance treatment (weekly). Voluntary, for inmates who have offended against a minor (age 17/ under). On a case-by-case basis, inmates with approximately 20 months remaining may enter the program.

**Proposed start date:** April 2000 (the next module commences then) for the first group. By June/ September for the rest.

# VIOLENT OFFENDER PROGRAM NAVCONBRIG Charleston

Mandatory Violent Offender Education (6 weeks, 12 hours total)  
OR

Mandatory Sexual Offender Education Course (7 weeks, 14 hours total)

## Assessment Process

*Violence*

*Emotional Quotient Inventory (Pre- Post-tests)*

*Rapist/SO Assessments*

## Core Modules: (2/week for 12 weeks)

*(Didactically Administered-Voluntary)*

**Intro to Violence**

**Values Clarification**

**Anger Management**

**Stress Management**

**Cognitive Restructuring/Transactional Analysis**

**Assertiveness Training**

**Conflict Resolution/Doing Time**

**Decision Making/Problem Solving**

**Chemical Abuse and Violence**

*Treatment*

*(Meet twice weekly)*

*(to include continuation of  
core modules)*

Knowledge  
Level

### Rapists (15 months)

Crime Story  
Autobiography  
Cognitive Restructuring  
Relapse Prevention  
Sexuality/Sexual Deviance  
Personal Change Plan  
Recognizing and Regulating Emotions  
Social Competence

### General Violence (6 months)

Cognitive Restructuring (Application)  
Crime Story  
Victim Empathy  
Men's Work  
Autobiography  
Cognitive Restructuring  
Recognizing/Regulating  
Emotions

### Domestic Violence (9 months)

Crime Story  
Parenting Skills  
-Child Development  
-Practical Application  
-Parenting From Prison  
Autobiography  
Relationships/Communication  
Relapse Prevention  
Personal Change Plan  
Victim Empathy  
Recognizing and Regulating Emotions

### UCMJ CRITERIA FOR VOTP ASSIGNMENT:

|         |   |        |  |
|---------|---|--------|--|
| 116A    | Riot  | 118A   | Premeditated murder                          |
| 094B1   | Sedition  | 118B   | Murder: intent to kill/inflct bodily harm    |
| 114     | Dueling   | 094-A1 | Mutiny: by violence or disturbance           |
| 093     | Cruelty of subordinates                                 | 091-A3 | Assault of other NCO/PO                      |
| 091-A2  | Assault of Sr NCO/ PO                                   | 091-A  | Assault of CWO                               |
| 090-A2  | Assault in time of war                                  | 090-A1 | Assault of officer executing duty            |
| 082-B4  | Solicit: act of sedition                                | 128-B  | Assault by battery                           |
| 134-C9  | Negligent homicide                                      | 134-N2 | Willful discharge of a firearm               |
| 134-A1  | Abusing an animal                                       | 128-J2 | Assault: other harm inflicted                |
| 128-J1  | Assault, harm inflicted, firearm                        | 128-H2 | Assault: other harm intended                 |
| 128-H1  | Assault, harm intended, firearm                         | 128-G  | Assault of child under 16                    |
| 128-F   | Assault of mil./ civ. law enforcer                      | 128-E  | Assault of NCO or PO                         |
| 134-X1  | Bomb threat   | 128-C  | Assault of commissioned officer              |
| 118-C   | Murder: Dangerous act to others                         | 128-A  | Simple assault                               |
| 134-X   | Communicating a threat                                  | 082-B  | Solicitation of mutiny                       |
| 124     | Maiming   | 122-A  | Robbery with a firearm                       |
| 134-S1  | Kidnapping  | 126-A  | Aggravated arson                             |
| 119-A   | Voluntary manslaughter                                  | 118-D  | Murder: with specified offenses              |
| 128-D   | Assault of CWO  | 134-C2 | Assault, intent to murder (if adult victim)* |
| 134-C3  | Assault, with intent to manslaughter (if adult victim)* | 134-C5 | Assault with intent to rob                   |
| 134-C4  | Assault with intent to rape *                           | 134-C6 | Assault with intent to sodomize *            |
| 120-A   | Rape *  | 134-C7 | Assault with intent to housebreak*           |
| 134-C8, | Assault with arson/ burglary intent*                    |        |  |

### UCMJ CRITERIA FOR SOTP ASSIGNMENT:

|        |                                       |        |                                     |
|--------|---------------------------------------|--------|-------------------------------------|
| 125-C  | Sodomy, other                         | 120-B1 | Carnal knowledge, child 12 – 16     |
| 120-B2 | Carnal knowledge, child under 12      | 125-A  | Sodomy                              |
| 125-B1 | Sodomy, child 12 to 16 years old      | 125-B2 | Sodomy, child under 12              |
| 134-C1 | Indecent assault                      | 134-C2 | Assault, intent to murder *         |
| 134-C3 | Assault, intent to manslaughter *     | 134-C4 | Assault, intent to rape *           |
| 134-C6 | Assault, intent to sodomize *         | 134-R3 | Indecent language to child under 16 |
| 134-R5 | Indecent acts with others             | 134-R3 | Indecent language, all other *      |
| 134-R2 | Indecent exposure                     | 134-R1 | Indecent acts/ liberties with child |
| 134-C8 | Assault with arson/ burglary intent * | 134-C7 | Assault with intent to housebreak   |
| 120-A  | Rape *                                |        |                                     |

*\* Requires assignment specialist to determine the age of the victim – if under age 18, assign to Miramar; if adult, assign to Charleston. This offense article is frequently used in child molestation offenses. Especially if there are other offenses against a minor, an included rape charge is likely to be a Miramar assignment.*

• If the inmate is convicted of rape and child molestation and no other information is known, the assignment would be to Miramar SOTP. In all known cases in the brigs, if there is a child molestation charge and a rape charge, the rape was against a child.

• Some of the UCMJ articles are listed under the PERS 84 list as a sexual offense which do not

appear sexual – such as assault with intent for arson/ burglary/ housebreak. Mr. King explained that sexual offenses are often plea-bargained down or convicted under these articles but the offense is a sexual one.

### **TIME TO SERVE ASSIGNMENT CRITERIA:**

If an inmate will not have time for his offense-specific treatment at the brig that specializes in his offense, that inmate will be assigned to the brig in their region. These are the cut-offs to determine if there is sufficient time to assign an inmate to a particular brig based on treatment needs:

Child molesters: **2 years** left to serve at time of assignment

Sexually violent offender, adult victim (rapists): **24 months**

Domestic violence (non-sexual assault of spouse or child): **15 months**

General violence (assault): **12 months**

### **CRITERIA FOR LATER TRANSFER FROM CHARLESTON TO MIRAMAR FOR SOTP:**

Clinicians will recommend transfer of these sex offenders with adult victims for Miramar SOTP if they have sufficient time for treatment:

- 1) Offenders who experience their own sexual urges as difficult to control (which may result in coercing others to deal with the urges);
- 2) those with frequent, intrusive rape fantasies; or with
- 3) sexually deviant interest in minors as determined by self-report (polygraph) &/ plethysmograph.

### **CRITERIA FOR LATER TRANSFER FROM MIRAMAR TO CHARLESTON VOTP:**

Clinicians will recommend transfer of inmates who were found to have these histories and have sufficient time for treatment (10 to 19 months, depending on which program):

- 1) General or domestic violence history (or current assaultive behavior in confinement)
- 2) Sexual assault against an adult history (in addition to child molestation) who is more suitable for rapist treatment than sexual deviance treatment