



# UNITED STATES MARINE CORPS

MARINE CORPS BASE

PSC BOX 20004

CAMP LEJEUNE, NORTH CAROLINA 28542-0004

BO P1640.9E

BRIG

**FEB 03 2003**

BASE ORDER P1640.9E

From: Commanding General

To: Distribution List

Subj: STANDING OPERATING PROCEDURES FOR CONFINEMENT, RESTRAINT  
AND RELEASE (SHORT TITLE: SOP FOR CONFINEMENT, RESTRAINT  
AND RELEASE)

Ref: (a) MCM, 2000  
(b) SECNAVINST 1640.9B  
(c) SECNAVINST 5815.3H  
(d) SECNAVINST 1640.7D  
(e) MCO 1640.3F  
(f) MCO P1640.4C  
(g) NAVMEDCOMINST 6320.11  
(h) BO 1640.10D  
(i) MCO P1050.3H  
(j) MILPERSMAN  
(k) JAGINST 5800.7C  
(l) BO 1640.6D

Encl: (1) LOCATOR SHEET

Reports Required: I. Change of Status (Report Symbol COS-  
1640-01), par 2004.1  
II. Courts-Martial Order (Report Symbol  
CSO-1640-02), par 2004.2  
III. Individuals Confined/Restrained and  
Released Daily (Report Symbol CSO-  
1640-03), par 2004.3

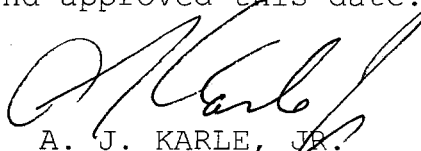
1. Purpose. To publish policy and procedures for confinement,  
restraint, employment and release of detainees, prisoners and  
awardees.

2. Cancellation. BO P1640.9D.

3. Summary of Revision. The revision of this Manual contains a  
substantial number of changes and must be completely reviewed.

**FEB 03 2003**

4. Action. The Commanding Officer, Marine Corps Base Brig, (CO, MCB Brig) Camp Lejeune, will ensure compliance with the regulations, procedures contained in this Manual, provisions of references (a) through (l), and is responsible for the operation of the Base Brig and the Regional Correctional Custody Unit (RCCU).
5. Concurrences. This Manual has been coordinated with and concurred in by the Commanding Generals, II Marine Expeditionary Force; 2D Marine Division; 2D Force Service Support Group; 4<sup>th</sup> Marine Expeditionary Brigade (Antiterrorism); Marine Corps Air Bases, East and 2D Marine Air Wing (2D MAW), Cherry Point; II Marine Expeditionary Force Augmentation Command Element, and the Commanding Officers, Naval Hospital; Naval Dental Center; Marine Corps Air Station (MCAS), New River; Marine Corps Combat Service Support Schools; Marine Corps Engineer School, School of Infantry, and U.S. Coast Guard Port Security Training Detachment.
6. Recommendation. Recommendations concerning the contents of this SOP are invited. Such recommendations will be forwarded to the Commanding Officer, Brig Company, Headquarters and Support Battalion, Marine Corps Base, Camp Lejeune via the appropriate chain of command.
7. Reserve Applicability. This Manual is applicable to the Marine Corps Reserve.
8. Certification. Reviewed and approved this date.

  
A. J. KARLE, JR.  
Chief of Staff

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**FEB 03 2003**

LOCATOR SHEET

Subj: STANDING OPERATING PROCEDURES FOR CONFINEMENT, RESTRAINT AND  
RELEASE (SHORT TITLE: SOP FOR CONFINEMENT, RESTRAINT AND  
RELEASE)

Location: \_\_\_\_\_  
(Indicate location(s) of copy(ies) of this Manual.)

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## RECORD OF CHANGES

Log completed change action as indicated.

Change Number	Date of Change	Date Entered	Signature of Person Incorporating Change

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

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## SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

### REPORTS REQUIRED

	<u>REPORT TITLE</u>	<u>REPORT CONTROL SYMBOL</u>	<u>PARAGRAPH</u>
I.	Change of Status	COS-1640-01	2004.1
II.	Courts-Martial Order	COS-1640-02	2004.2
III.	Individuals Confined/ Restrained and Released Daily	COS-1640-03	2004.3

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 1

### CONFINEMENT/RESTRAINT

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# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 1

### CONFINEMENT/RESTRAINT

1000. POLICY. It is the policy of the Commanding General, Marine Corps Base (CG, MCB), Camp Lejeune, that the treatment of personnel in confinement or restraint be uniform and in accordance with the Uniform Code of Military Justice (UCMJ) as contained in reference (a) and with the regulations provided in reference (b).

1001. AUTHORITY. The Secretary of the Navy (SecNav) designates the Chief of Naval Personnel (NAVPERS) and the Commandant of the Marine Corps (CMC) to administer brigs per reference (b), Navy Regulations, Department of Defense (DoD) Directives, and Title 10 of the United States Code. The CMC designates the CG, MCB, Camp Lejeune to administer correctional custody per references (d) and (f).

1002. APPLICABILITY. The regulations and procedures set forth in this Manual govern the confinement or restraint and administration for prisoners in the Brig and awardees in the Correctional Custody Unit (CCU), MCB, Camp Lejeune, and their subsequent release. This Manual is applicable to the CO, MCB Brig, and all officers, noncommissioned officers, and petty officers authorized to order confinement of military personnel. For purposes of this Manual, and unless specifically mentioned otherwise, the term "prisoner" is used to mean both prisoners and detainees; however, when addressing or referring to confined personnel, the respective terms "prisoner" or "detainee" will be used.

#### 1003. PLACES OF CONFINEMENT/RESTRAINT

1. The CMC has designated the U.S. Disciplinary Barracks (USDB), Fort Leavenworth, Kansas, as the place of confinement for Marine Corps prisoners who have sentences of five (5) years or more remaining to serve to their minimum release date upon Convening Authority (CA) action. Commands will follow the instructions contained in reference (i), pertaining to the request for transport and transfer by service record of these individuals to the USDB.



2. The SecNav and CMC have approved and designated the Base Brig, MCB, Camp Lejeune, as the confinement activity in support of the major commands located at Camp Lejeune; MCAS, Cherry Point; and MCAS, New River. The Brig is an authorized place of confinement for all male armed forces service members. The Brig will be posted as a restricted area.

3. The CMC has designated MCB, Camp Lejeune, as the East Coast RCCU, which is the authorized place of restraint for all male armed forces service members in pay grade E-3 and below.

4. Civilians subject to the UCMJ will not be confined in the Brig, except per the provisions of the U.S. Navy Regulations, and by order of the CG, MCB, Camp Lejeune.

1004. AUTHORITY TO CONFINEMENT. Each officer empowered to confine will adhere to the confinement procedures set forth herein.

1. Any commissioned officer can sign a Confinement Order placing an enlisted person in pretrial confinement or if confinement is awarded by a court-martial, post-trial confinement.

2. A commanding officer (CO) may delegate to a warrant, petty, or noncommissioned officer of his command the authority to sign a Confinement Order placing enlisted members of his command, or subject to his authority, into pretrial confinement or if confinement is awarded by a court-martial, post-trial confinement. Such delegation will be in writing, and a signed copy of the delegation will be provided to the CO, Base Brig, and the Command Inspector (CInsp), MCB, Camp Lejeune, NC (Attn: Initial Review Officer (IRO)).

3. Commanding Generals and CO's may further limit the authority of officers and warrant, noncommissioned, and petty officers of their command to order pretrial confinement.

4. Only a CO in the chain of command of an officer may order that officer into pretrial confinement. The authority to order a commissioned or warrant officer into pretrial confinement may not be delegated.

5. Pretrial confinement of an officer must be ordered in writing. Another officer will escort officers ordered into pretrial

confinement to the Brig. For this particular purpose the term, "Commanding Officer," refers only to an officer authorized to convene a summary court-martial.

6. Individuals returned to their command by cross-country chaser escorts or returning themselves to their command after a period of unauthorized absence or other violation of the UCMJ will be confined at the discretion of their CO. Returned deserters who have been dropped from the rolls of their previous unit will be delivered to the appropriate Command Duty Officer (CDO) for disposition.

#### 1005. DISCUSSION

1. Confinement is the physical restraint of a person. Normally, confinement is a type of punishment imposed by a sentence of courts-martial.

2. A person will not be placed in confinement based solely on impending discharge proceedings. A detainee will be released immediately upon notification that appropriate authority has approved the detainee's administrative discharge. Release of adjudged or sentenced prisoners will be upon remission, suspension, deferment (prior to CA's action), or completion of sentence.

#### 1006. PRETRIAL CONFINEMENT

1. Pretrial confinement may be imposed before trial when deemed necessary to ensure the presence of the accused for trial, or upon showing there exists a danger that, unless pretrial confinement is imposed, the accused is likely to engage in serious misconduct. Serious misconduct includes intimidation of witnesses or other obstructions of justice; injuring others; offenses which pose a serious threat to the safety of the community or to the effectiveness, morale, discipline, readiness, or safety of the command; or threatening to national security.

2. Pretrial confinement should not be ordered as a matter of convenience nor expedience. Commanding officers must weigh the individual merits of absentees who surrender, or even those apprehended, who indicate they will not absent themselves again, as well as senior enlisted personnel facing relatively minor charges

after previous unblemished records, and obviously stable individuals facing minor charges.

3. An individual who is to be tried by a summary court-martial will not be placed in pretrial confinement without specific approval of the officer exercising general court-martial jurisdiction over the individual. If approval is granted, the Brig CO will be made aware of the extraordinary circumstances warranting pretrial confinement.

#### 1007. INITIAL REVIEW OFFICER

1. The CO or officer in charge (OIC) of an individual ordered into pretrial confinement will provide the IRO, MCB, Camp Lejeune, or MCAS, Cherry Point with a letter containing sufficient information to permit a review of the factual basis of the confinement. This letter must be submitted within 72 hours of confinement to the Base Magistrate/Traffic Court Officer, Bldg 4000 (Attn: IRO), and will contain the required information indicated in the current Naval Regulations. Units of MCAS, Cherry Point and its tenant organizations will forward their 72-hour letter to the CG, MCAS, Cherry Point, NC 28533-6001 (Attn: CInsp).

2. In the absence of clear evidence establishing a need for pretrial confinement, the accused will be immediately released from confinement by direction of the IRO. The accused's CO may thereafter impose an authorized form of pretrial restraint other than confinement. Once released by the IRO, the accused may be confined again only upon discovery of new evidence or for misconduct which, either alone or in conjunction with all other available evidence, justifies confinement, or as a result of courts-martial.

3. The IRO's decision is reviewable only by a military judge upon motion for appropriate relief made by the accused after referral of charge(s) to courts-martial. Although appointed by the CG, the IRO derives power directly from the SecNav. In exercising neutral and detached judgment required by their office, IRO's are not subject to the direction or control of the appointing CG.

4. A copy of the Initial Reviewing Officer's results will be delivered to the Brig (Attn: CO) for all IRO hearings the day of

the hearing. A faxed copy may be sent with the original to follow within 48 hours.

5. Guidance on preparation of the IRO letters is found in reference (h).

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 2

### ADMINISTRATION

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# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 2

### ADMINISTRATION

2000. GENERAL. An individual will not be accepted for confinement upon a verbal request or order except in emergency cases. The Brig CO is the proper authority to determine the nature of the situation. A properly executed Confinement Order (figures 1 and 2) must accompany prospective prisoners.

#### 2001. CONFINEMENT ORDER

1. The original and one copy of the Confinement Order is required to confine an individual.

a. The Base Brig retains the original.

b. The copy is returned to the unit as an endorsement of receipt for the prisoner.

2. It is essential that the Brig staff be fully aware of the legal status of each prisoner. A sentence to confinement begins on the date it is adjudged, unless it is deferred or suspended by proper authority per current directives. Terms and definitions regarding prisoner status are listed below:

a. Adjudged Prisoner. A person tried by a courts-martial and ordered into confinement, pending Convening Authority Action.

b. Sentenced Prisoner. A person tried by a courts-martial and ordered into confinement, with Convening Authority Action completed.

c. Detainee. A person subject to the UCMJ who has been legally ordered into confinement. The detainee has been accused of a violation(s) of the UCMJ and is awaiting trial. This includes those persons pending review for continued pretrial confinement by the IRO.

3. The status portion of the Confinement Order for pre-trial confinement must include the UCMJ article(s) allegedly violated and

include a concise statement concerning the act. Examples are:

Article 86: Absent from appointed place of duty, Messhall #4444, at: 0515. 1 March 00, 1330; 2 March 00; and Company formation 0700, 2 July 00.

Article 86: UA from 0730, 1 March 99 until 2000, 20 March 00.

Article 90: Struck the Company Commander with his fist during Office Hours.

Article 92: Violated a lawful order issued by a GySgt to clean his rifle by 1300.

Article 108: Damaged a military typewriter by throwing it through a window to the pavement below.

Article 128: Assaulted a SSgt by hitting him in the head with a piece of steel pipe.

a. The administrative legal status may be indicated on the front or reverse side of the Confinement Order.

b. The officer directing confinement (the officer who signs the Confinement Order) will ensure that an individual to be confined in a detained status has been informed of the alleged offense(s), and that the proper dates and signatures of the accused and witness are placed on the Confinement Order. If the accused refuses to sign, "Refused to Sign" should be written in the place of the signature, and the witness signs in the appropriate place. If an earlier edition of the Confinement Order is used, the information will be recorded on the reverse side.

c. Confinement Orders for prisoners following trial will indicate the type of courts-martial, the complete sentence adjudged, and the date of the courts-martial. All prisoners returning from court must have the Results of Trial returned with them. Brig staff will make immediate calculation to determine the release date. If the release date is verified to be the date of return from trial, the individual will immediately be administratively out-processed and released from confinement.

(1) If a pretrial agreement has been executed, provide the maximum sentence authorized on the reverse side of the Confinement Order.

(2) If the sentence was deferred, the date deferred and the date the deferment was terminated must be indicated on the Confinement Order.

d. A copy of the prisoner's request for deferment and the Convening Authority's approval of the request must accompany the Confinement Order at the time of confinement.

e. When an individual is confined in a detained status, the pre-trial confinement block will be properly executed to indicate the necessity for confinement.

f. For Article 86 offenses, the Confinement Order will indicate whether the individual surrendered or was apprehended, and by what authority, i.e., FBI, state, county, city, or military authorities. This information is required for both detainees and prisoners. If an earlier edition of the Confinement Order is used, this information will be recorded on the reverse side.

g. When an individual is confined as a result of vacation proceedings of a previously suspended sentence, the Confinement Order must list a chronological sequence of events. The following should be indicated on the Confinement Order.

(1) Mark "Vacated Suspension" and the type of courts-martial for which convicted.

(2) List in the appropriate space or on reverse of the Confinement Order the UCMJ article(s) for which originally convicted.

(3) The entire original sentence awarded by the courts-martial, and the date the sentence was adjudged.

(4) If the sentence was deferred, the date of deferment and the date the deferment was terminated.

(5) The appropriate date the Convening Authority approved the sentence.



(6) In the "remarks" section, or on the reverse side, indicate any period of confinement that was served prior to deferment or prior to suspension of the sentence.

(7) A copy of the proceedings in which a sentence has been vacated must accompany the Confinement Order at the time of confinement.

h. The hour and date confinement is directed must be indicated. Ensure that the name, grade, and title of the confining authority are included.

i. A Medical Officer (MO) or Physician's Assistant (PA) will conduct a confinement physical prior to placing an individual in confinement.

(1) Each prospective prisoner will have a pre-confinement physical examination to determine fitness for confinement or the requirement for hospitalization. An MO or PA will perform the pre-confinement physical at the local Battalion Aid Station or Naval Hospital Branch Clinic; the results are recorded on the Confinement Order. The examining MO or PA will accurately describe and record the presence of any lacerations, abrasions, contusions, hematoma, or other unusual marks on the Chronological Record or Temporary Medical Record (SF 600). In cases where the examining MO or PA finds an individual to be medically unfit for confinement, the unit will retain custody until the individual is medically fit. When an individual with alleged offenses warranting a maximum custody classification is found medically unfit for confinement, the Brig CO will make the determination, on a case-by-case basis, of whether to accept the individual into confinement.

(2) Each prisoner's health and dental records must accompany the individual to the Brig at the time of confinement. Units unable to locate health and dental records will prepare temporary health and dental records. Brig medical personnel will prepare a Request for Medical/Dental Records or Information (DD Form 877) to obtain permanent records for the prisoners confined with temporary health and dental records.

(3) When an individual is confined who possesses physical or mental characteristics that may require special custodial status, a statement of explanation will be recorded either in the

"remarks" section of the Confinement Order or on the reverse side. Individuals with known or suspected suicidal, homicidal, or homosexual tendencies and individuals with drug or alcohol problems will be brought to the attention of the Base Brig staff through appropriate remarks on the Confinement Order.

(4) As part of the confinement physical, every prisoner will have a health record review for a valid (less than 12 months old) HIV blood test. If one is not recorded, then an HIV blood test will be performed.

j. The Duty Brig Supervisor (DBS) will complete the bottom portion of the Confinement Order. The signature on the return copy of the Confinement Order is a receipt to the unit for the prisoner.

k. Two copies of the Confinement Order must be signed. Carbon paper may be used.

l. Pay status availability of clothing and health and comfort (H&C) items must be indicated on the reverse of the Confinement Order. The confining authority must determine the pay status of the individual to be confined and indicate the status on the Confinement Order. Valid pay status includes:

(1) Full Pay Status. An individual who is in receipt of pay and allowances. An individual who is overpaid is also considered to be in full pay status.

(2) Unknown Pay Status. Individuals with long-term unauthorized absence fall under this category. It also applies to any case where there is doubt about the individual's actual pay status. When a check for required uniform items is effected on an individual in this category, the disbursing officer (DO) will hold the check in abeyance pending determination of actual pay status.

(3) Non-pay Status. A prisoner enters a non-pay status upon expiration of current contract (ECC). Required H&C items will be obtained by the prisoner via a monthly gratuitous payment made by the Brig. The parent command will be responsible for provision of the required clothing and uniform items needed at the Base Brig.

(4) The following statement will be included on the reverse side of the Confinement Order to indicate the appropriate pay status: "(Name of prisoner) is in a (Full) (Unknown) (Non-Pay) status."

m. The prisoner's CO is responsible for ensuring delivery of uniform clothing and H&C items belonging to the prisoner remaining in the unit area, or in government or private quarters in the local area. Prisoners can purchase, through pay checkage, the remaining required H&C items and uniform clothing. Figure 2-3 lists the required minimum H&C items and uniform clothing. Units are responsible for ensuring each prisoner is in possession of all required items at the time of confinement. One of the following statements will appear on the back of the Confinement Orders:

(1) "(Name) has in his possession all clothing and H&C items available in battalion or quarters area," or

(2) "(Name) has uniform clothing and H&C items in the unit or quarters area, and these items will be delivered as soon as possible."

n. Parent commands remain responsible for providing required items for the duration of the individual's confinement. Commands will ensure that all required items listed on figure 2-3 are in the individual's possession upon confinement. Those items not in the individual's possession upon confinement will be obtained by the parent command by the most expeditious means and delivered to the Brig Custodian or R&R NCO.

o. When an enlisted member is ordered into confinement by a commissioned officer other than the individual's CO or by an enlisted Officer of the Day (OOD), the individual ordering the confinement will ensure the prisoner's CO is notified as soon as practical.

p. Every reasonable effort will be made by the confining officer to effect confinement and delivery of individuals to the Brig prior to 1630 on weekdays to facilitate completion of administrative requirements.

## 2002. DOCUMENTATION AND REPORTS

1. Documentation. Along with a properly completed Confinement Order, the Results of Trial must accompany the prisoner to the Brig following a court-martial that directed confinement. In addition, the CA's action and any post-trial agreements must be immediately delivered to the Brig legal section as these actions may reduce,

suspend, or remit confinement. With the exception of the Confinement Order, a certified true copy of such documentation is sufficient. There is also a legal requirement to ensure that sentences of courts-martial are fully carried out. It is imperative that the prisoner is not held in confinement beyond the proper release date. The authority for release rests with the Brig CO.

2. Reports. The Brig legal section will complete the following reports.

a. Daily Report of Prisoners Received and Released. This report is compiled as of 2359 daily and submitted to the Brig CO. Confinement and release from 0001 Friday until 2359 of the day proceeding the next normal working day will be consolidated and submitted on that working day.

b. Weekly Report. This report is compiled on the first working day after the weekend, as of 2359 the past Sunday, of all prisoners confined and released from the prior week. It is submitted by E-mail via the Brig CO to Commanding Generals, Staff Judge Advocates, Joint Law Center, MCAS, New River, OIC Legal Services Support Section (LSSS), 2D FSSG, the Commanding Officer of the prisoner's parent command, the legal office, and all officers having an interest in or responsibility for the processing of courts-martial and Brig operations.

## 2003. VISITATION

### 1. Security Procedures

a. Individuals requesting access to the Brig must have a valid reason, i.e., command, legal, or family visitation, and must be positively identified by picture identification (ID), i.e., an active duty ID card. Civilians will provide a picture ID, i.e., drivers license, family member, or school ID. Those under age nine do not require picture ID but must be accompanied by an adult with positive identification.

b. All visitors will proceed to the metal detector table, empty their pockets into the container provided, and, when directed, walk through the metal detector. No one, regardless of age or grade, will be allowed into the security area without first

going through the metal detector. Visitors with babies will carry the baby through the metal detector. Baby strollers or carriers will be searched for unauthorized items. Young, ambulatory children will be assisted through the metal detector. All items from their pockets will be scanned to ensure no contraband enters the security area. If unauthorized items are found, visitors must return the items to their vehicles, or will be directed by the sentry to place the items in lockers provided.

c. Once through the metal detector, and no unauthorized items found, visitors will be directed onto the sally port of the security area. If visitors go to the bathroom, locker, vehicle, etc., after proceeding through the metal detector, they must repeat the metal detector process and again have all items scanned.

d. If the metal detector is activated while visitors walk through, processing will cease and the hand-held metal detector will be used to locate the activating item(s). Visitors will not be frisk searched or strip-searched. At no time will an individual be allowed entrance into the security area until successfully passing through the metal detector.

2. Command Visits. An officer or staff noncommissioned officer of the prisoner's command who is representing the prisoner's CO will visit each prisoner of that command weekly. This visiting officer (VO) will be other than the unit chaplain. The purpose of this visit will be to inform the prisoner of his status, e.g., pending court progress, options for expeditious discharge, pay and allowances, CO's clemency and other pertinent matters. The VO should have a working knowledge of each prisoner's case, and will keep the prisoner's CO completely informed of problems presented by prisoners, the corrective action taken or anticipated, and conduct such follow-up action as required. Command visits will be accomplished each Friday between 0800 and 1630; all prisoners will be placed as hold-ins during this time. CO's are encouraged to conduct request mast at the Brig during normal working hours or 0800-1630 on Fridays. Persons conducting command visits will be in the uniform of the day.

3. Legal Visits. Their military legal counsel at the Brig; the prisoner's unit or organization; the office of the Staff Judge Advocate; Legal Services Support Section; and the Joint Law Center may interview prisoners. Civilian legal counsel will normally interview prisoners within the Brig. Requests by civilian counsel

to interview a prisoner at a location outside of the Brig will be referred to the Brig Officer. Military counsels will conduct visits in the proper uniform of the day. Visits will not be conducted before reveille or after 2100 hours.

4. Family. Visitation hours are on Saturdays, Sundays, and holidays, from 1200 to 1500. The number of visitors per prisoner at a time will be an amount determined by the Brig CO. No command or legal visitation will be conducted during these times.

a. Visits by persons under the age of 18 will not be permitted unless they are accompanied by their parent(s) or the prisoner's parents.

b. All attire must meet the standards set forth in current Base regulations.

#### 2004. HOLD-INS

1. A hold-in is when a prisoner is kept within the Brig instead of going out on a working party. Units must request a particular prisoner be held-in at a designated time to ensure his availability to go on a temporary absence (TA), or be present for an official visit. Requests must be made by 1000 on the workday prior to the day of the planned visit or TA. Requests will be made to the Brig Programs Section at 451-1486/7476/7477.

2. It is unnecessary to request a hold-in for command visitation on Fridays as this day is set aside for such visitation. The intent of a hold-in request is to ensure the prisoner is available for events not normally scheduled.

## SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

CONFINEMENT ORDER				
1. PERSON TO BE CONFINED			2. DATE (YYYYMMDD)	
a. NAME (Last, First, Middle) DOE, JOHN S.		b. SSN 123 45 6789		20020101
c. BRANCH OF SERVICE USMC	d. GRADE PVT/E-1	e. MILITARY ORGANIZATION (From): 5TH MARINE DIV., 1ST BN, 2D MARINES		
TYPE OF CONFINEMENT				
a. PRE-TRIAL <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		b. RESULT OF NJP <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
c. RESULT OF COURT MARTIAL: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				
TYPE: <input type="checkbox"/> SCM <input type="checkbox"/> SPCM <input type="checkbox"/> GCM <input type="checkbox"/> VACATED SUSPENSION				
4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED: ART 86- UA (0112201-011230)				
5. SENTENCE ADJUDGED:				b. ADJUDGED DATE (YYYYMMDD):
6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED:				
7. PERSON DIRECTING CONFINEMENT				
a. TYPED NAME, GRADE AND TITLE: J.R. JONES, CWO5, COMMANDING OFFICER		b. SIGNATURE		c. DATE (YYYYMMDD) 20020101
8.a. NAME, GRADE, TITLE OF LEGAL REVIEW AND APPROVAL		b. SIGNATURE:		c. DATE (YYYYMMDD)
MEDICAL CERTIFICATE				
9a. The above named inmate was examined by me at <u>1300</u> on <u>20020101</u> and found to be <input checked="" type="checkbox"/> Fit <input type="checkbox"/> Unfit <small>(Time) (YYYYMMDD)</small> for confinement. I certify that from this examination the execution of the foregoing sentence to confinement <input type="checkbox"/> will <input checked="" type="checkbox"/> will not produce serious injury to the inmate's health.				
b. The following irregularities were noted during the examination (If none, so state):				
c. HIV Test administered on (YYYYMMDD): <u>20021001</u>				
d. Pregnancy test administered on (YYYYMMDD): <input checked="" type="checkbox"/> N/A				
10. EXAMINER				
a. TYPED NAME, GRADE AND TITLE: LT JAMES, J.R. /USN/ PA		b. SIGNATURE		c. DATE (YYYYMMDD) 20020101
				d. TIME 1330
RECEIPT FOR INMATE				
11.a. THE INMATE NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT: <u>MCB BRIG CAMLEJ NC 28542</u> <small>(Facility Name and Location)</small>				
ON <u>20020101</u> AND TIME: <u>1700</u> <small>(YYYYMMDD) (Time)</small>				
b. PERSON RECEIPTING FOR INMATE TYPED NAME, GRADE AND TITLE: GYSGT SMITH, R.M./DBS		c. SIGNATURE:		d. DATE (YYYYMMDD) 20020101
				e. TIME 1700

DD FORM 2707, NOV 1999

Figure 2-1.--Example of DD Form 2707 Confinement Order - Pre-Trial

## SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

CONFINEMENT ORDER				
1. PERSON TO BE CONFINED			2. DATE (YYYYMMDD)	
a. NAME (Last, First, Middle) DOE, JOHN S.		b. SSN 123 45 6789		20020101
c. BRANCH OF SERVICE USMC	d. GRADE PVT/E-1	e. MILITARY ORGANIZATION (From): 5TH MARINE DIV., 1ST BN, 2D MARINES		
TYPE OF CONFINEMENT				
a. PRE-TRIAL <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		b. RESULT OF NJP <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
c. RESULT OF COURT MARTIAL: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES				
TYPE: <input checked="" type="checkbox"/> SCM <input type="checkbox"/> SPCM <input type="checkbox"/> GCM <input type="checkbox"/> VACATED SUSPENSION				
4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED: ART 86- UA (0112201-011230)				
5. SENTENCE ADJUDGED: 30 DAS CONFINEMENT, FORFEITURE \$736 FOR ONE MONTH				b. ADJUDGED DATE (YYYYMMDD): 20020101
6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED:				
7. PERSON DIRECTING CONFINEMENT				
a. TYPED NAME, GRADE AND TITLE: J.R. JONES, CWO5, COMMANDING OFFICER		b. SIGNATURE		c. DATE (YYYYMMDD) 20020101
8.a. NAME, GRADE, TITLE OF LEGAL REVIEW AND APPROVAL CAPT BERKLEY M.N./TRIAL COUNSEL		b. SIGNATURE:		c. DATE (YYYYMMDD) 20020101
MEDICAL CERTIFICATE				
9a. The above named inmate was examined by me at <u>1300</u> on <u>20020101</u> and found to be <input checked="" type="checkbox"/> Fit <input type="checkbox"/> Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement <input type="checkbox"/> will <input checked="" type="checkbox"/> will not produce serious injury to the inmate's health.				
b. The following irregularities were noted during the examination (If none, so state):				
c. HIV Test administered on (YYYYMMDD): <u>20021001</u>				
d. Pregnancy test administered on (YYYYMMDD): <input checked="" type="checkbox"/> N/A				
10. EXAMINER				
a. TYPED NAME, GRADE AND TITLE: LT JAMES, J.R. /USN/ PA		b. SIGNATURE		c. DATE (YYYYMMDD) 20020101
				d. TIME 1330
RECEIPT FOR INMATE				
11.a. THE INMATE NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT: <u>MCB BRIG CAMLEJ NC 28542</u> ON <u>20020101</u> AND TIME: <u>1700</u> (Facility Name and Location) (YYYYMMDD) (Time)				
b. PERSON RECEIPTING FOR INMATE TYPED NAME, GRADE AND TITLE: GYSGT SMITH, R.M./DBS		c. SIGNATURE:		d. DATE (YYYYMMDD) 20020101
				e. TIME 1700

DD FORM 2707, NOV 1999

Figure 2-2.--Example of DD Form 2707 Confinement Order - Post-Trial



## SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

### ADMINISTRATIVE RECORDS

Confinement Order  
Results of Trial (Adjudged Prisoner Only)  
Health Record  
Dental Record

### CLOTHING ARTICLES

- 6 Green T-shirts
- 6 White Skivvy Drawers
- 6 Pairs Black Socks
- 1 Pair Boots (Combat/Jungle) (no steel toes)
- 1 Pair Running Shoes
- 1 Pair Boot Bands (no metal)
- 1 Pair Physical Training Shorts (Green)
- 1 Pair of Green/Gray/Blue Seats (depending on branch of service)
- 2 Pairs White Socks

### AUTHORIZED HEALTH AND COMFORT ITEMS (MAXIMUM AMOUNT)

- 10 Disposable Razors
- 1 Can Shaving Cream (No plug in bottom)
- 1 Tooth Brush w/Holder
- 2 Tubes of Toothpaste
- 4 Bars of Soap
- 1 Soap Dish
- 2 White Face Cloths
- 2 White Bath Towels
- 1 Pair Shower Shoes
- 1 Bottle of Shampoo
- 4 Deodorants (Stick Only)
- 1 Comb or Palm Brush (No handle and not to exceed 5 inches)
- 1 Nail Clipper (Small)
- 4 Pads of Writing Paper
- 40 Stamped Envelopes
- 2 Pens/Non-Government
- 2 Large Cans of Boot Polish
- 1 Boot Brush/Shine Cloth

\*\* No opened or used health and comfort items will be accepted  
\*\* It is recommended that the person being confined have \$75.00

Figure 2-3.--Minimum Requirement List for Confinement

SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

CHAPTER 3

RELEASE FROM CONFINEMENT

	<u>PARAGRAPH</u>	<u>PAGE</u>
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PERMANENT RELEASE . . . . .	3001	3-4
TEMPORARY ABSENCE . . . . .	3002	3-5

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3-1	EXAMPLE OF DD Form 2708, RECEIPT FOR INMATE OR DETAINED PERSON . . . . .	3-8
3-2	EXAMPLE OF DD Form 2718, INMATE'S RELEASE ORDER . . . . .	3-9

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 3

### RELEASE FROM CONFINEMENT

#### 3000. GENERAL

1. The UCMJ gives the Armed Services Board authority to punish its own members for various offenses. It also gives the service the authority to reduce punishment. The authority to make reductions, which collectively is known as "clemency," extends from minor punishments imposed under the UCMJ, Article 15, up to the most severe punishment. Clemency may be exercised during legal review, after legal review is final, or at any time prior to completion of supplementary action taken by either the CA or the appropriate service clemency and parole board to reduce the severity of a courts-martial sentence. Clemency may consist of mitigating, remitting, or suspending the sentence in whole or in part. Generally, any officer exercising general court-martial jurisdiction over the command to which the accused is attached is empowered to remit or suspend any part or amount of the unexecuted portion of the sentence, including any uncollected forfeitures, other than a sentence approved by the President of the United States, and in cases involving commissioned officers and warrant officers. Officers who take such clemency action on any sentence, which includes a punitive discharge or confinement of 12 months or more will coordinate such action with the Naval Clemency and Parole Board per the provisions of reference (c). Further detailed guidance concerning the administration of clemency is contained in references (c) and (k).

2. A CA cannot arbitrarily order the release of a sentenced or adjudged prisoner without first remitting, deferring, or suspending the sentence. The Brig CO is the proper authority to effect release of a prisoner from confinement. Therefore, officers desiring release of a prisoner must present legal documents to the Brig CO. These legal documents must accompany a signed Inmate's Release Order, DD Form 2718 (figure 3-2) for the release to be effected.

3. The IRO may direct the release of a detainee after a hearing or rehearing has demonstrated no grounds for confinement.

4. The military judge may direct the release of a detainee upon motion for appropriate relief made by the accused after referral of charge(s) to a court-martial. Documentation of a release directed by a military judge must be presented to the Brig CO to effect the release.

3001. PERMANENT RELEASE

1. Prisoners. The Brig CO will effect permanent release of a prisoner upon:

a. Expiration of Sentence. The release will be effected on the actual date of completion of confinement, unless sooner remitted or suspended. The prisoner's command will be notified during the week prior to the prisoner's release to ensure a unit representative is present to receipt for the prisoner on the release date.

b. Receipt of one of the following legal documents from the CA directing:

- (1) Disapproval of sentence to confinement.
- (2) Suspension or remission of remaining confinement.
- (3) Deferment of confinement (only prior to CA's action).
- (4) Rehearing on findings or sentence.

c. Transfer to the U.S. Disciplinary Barracks, Fort Leavenworth, Kansas, or other correctional facility upon proper service authorization. Guidance and criteria for such transfers are contained in reference (e).

2. Detainees. The Brig CO will effect permanent release of a detainee upon receipt of an Inmate's Release Order (DD Form 2718) signed by the IRO, the detainee's CO, or once charges have been referred, a military judge detailed to the courts-martial to which the charges against the detainee have been referred. Permanent release will also be effected by the Brig CO upon receipt of approval of a detainee's request for a Good of the Service discharge.

3. A command representative will pick up prisoners and detainees being permanently released from confinement during the hours of 0730 to 1630 on the day of release. No escorts are required for a prisoner or detainee being permanently released.

3002. TEMPORARY ABSENCE (TA)

1. Request for TA will be provided to the Receiving and Release (R&R) NCO on a DD Form 2708, Receipt for Inmate or Detained Person (figure 3-1). The "Remarks" section will indicate the reason for the TA. All escorts must present an Armed Forces ID and an escort certification card to the R&R NCO prior to receipting for a prisoner.

2. Examples of valid reasons for TA include medical appointments, appearance at trial, etc. Emergency leave and hospitalization are also causes for TA.

3. Emergency Leave. CA's may grant emergency leave to prisoners, per references (b), (i), and (j). Per reference (e), CA's will coordinate all leave procedures and, as soon as possible, provide (by message) required information to CMC (PSL).

a. CA's may request a recommendation from the Brig CO in regard to a prisoner's being considered for emergency leave. The Brig CO's recommendation will take into consideration the prisoner's confining offenses, length of sentence, release date, past offenses, any pending civil charges, conduct and performance since confined, and any other factors deemed appropriate.

b. Travel and incidental costs of prisoner's travel will be at no expense to the government. Prisoners on emergency leave may be authorized to travel without escort; however, if required, the escort's travel expenses and other necessary incidentals must be borne by the government. Requests for escorts should be made to CMC (PSL) per reference (e).

c. Prisoners on emergency leave will wear the appropriate service uniform. Those prisoners whose discharges have been executed will travel in appropriate civilian attire. Commands are responsible for proper travel attire. The Brig CO will ensure the prisoner is carefully briefed on the conduct expected of him while traveling to, from, and at his destination.

d. Periods of emergency leave will be considered as time served in confinement. The leave will be charged against the prisoner's leave balance, if any, for the period of absence.

e. A physical examination is required when a prisoner returns from emergency leave. The medical certification portion of the Confinement Order will be completed and presented at the time of reconfinement.

4. Hospitalization. The following procedures will be adhered to for prisoners or detainees requiring hospitalization.

a. Hospitalization of Prisoners. Prisoners requiring admission, as determined by competent medical authority, to the Naval Hospital at Camp Lejeune will be transferred from the Brig and delivered per reference (b), and as amplified herein. The Brig CO will ensure that a DD Form 2708 is completed and accompanies the prisoner to the hospital. Security for hospitalized prisoners remains the responsibility of the Brig staff, which will provide escorts for this purpose. Prisoners admitted while on TA from the Brig will be the responsibility of the unit until escorts from the Brig and be dispatched to relieve them and assume custody of the prisoner.

(1) The prisoner's H&C items will accompany the prisoner to the hospital. If a prisoner is admitted to the hospital, his personal effects and valuables will be inventoried per current directives and receipted for by a unit representative.

(2) A prisoner hospitalized while serving a sentence will be considered as serving time in confinement during the period of hospitalization. Upon termination of required hospitalization, a prisoner who has not completed the sentence to confinement will be returned to the Brig. Prisoners will not be placed on convalescent leave.

b. Hospitalization of Detainees. Detainees requiring hospitalization will be released from the Brig to their parent commands for subsequent admission to the hospital. If hospitalization is effected during nonworking hours, the detainee will be released during normal hours on the first workday following hospitalization. Once the detainee is released from the hospital

and found fit for confinement, the detainee may be confined again utilizing the same procedures as noted for an initial confinement. Should commands decide to continue pretrial confinement, it will then be the unit's responsibility to provide escorts. Escorts will follow all current regulations governing the responsibilities of a unit escort as set forth by brig policy and procedures. Escorts will maintain hourly contact with the Brig and immediately report to the Brig all situations not covered.

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

RECEIPT FOR INMATE OR DETAINED PERSON		
1. RECEIVED FROM (Unit or Agency and Station) MCB BRIG CAMLEJ NC 28542	2. TIME 1700	3. DATE (YYYYMMDD) 20020101
4. INMATE NAME (Last, First, Middle) DOE, JOHN S.	5. SSN 123 45 6789	6. GRADE MAX/PRIS
7. ORGANIZATION MCB, HQSPTBN, HQ CO	8. STATION CAMP LEJEUNE	
9. OFFENSE		
10. PERSONAL PROPERTY 1 SET HAND RESTRAINTS, 1 TRANSPORT BELT, 1 MEDICAL RECORD, 1 DENTAL RECORD		
11. REMARKS BLDG 15		
12. NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL SGT JOHNSON/CHASER	13. SSN 321 45 7896	14. GRADE SGT/E-5
15. RECEIVING UNIT OR AGENCY AND STATION MCB, HQSPT BN, HQ CO	16. SIGNATURE	

DD FORM 2708, NOV 1999

Figure 3-1.--Example of DD Form 2708, Receipt for  
Inmate or Detained Person



# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

INMATE'S RELEASE ORDER		
1. TO: Confinement or Brig Officer	2. INSTALLATION: MCB BRIG CAMLEJ NC 28542	3. DATE (YYYYMMDD): 20020101
4. THE INMATE NAMED BELOW WILL BE RELEASED FROM CONFINEMENT THE ORGANIZATION SHOWN.		20020101 (YYYYMMDD) AND DELIVERED TO
5. INMATE NAME (Last, First, Middle) DOE, JOHN S.	6. SSN 123 45 6789	7. GRADE PVT/E-1
8. SERVICE BRANCH USMC	9. ORGANIZATION 5THMAR DIV, 1/2	
10. REASON FOR RELEASE : <u>END OF SENTENCE</u>		
FOR THE COMMANDER		
11. AUTHENTICATING OFFICER NAME (Last, First, MI) J.R. JONES	12. SIGNATURE	
13. GRADE, ORGANIZATION, AND TITLE CW05, USMC, COMMANDING OFFICER		
RECEIPT		
14. RECEIPT OF THE ABOVE NAMED RELEASED PERSON IS ACKNOWLEDGED.	15. DATE (YYYYMMDD) 20020101	16. TIME 1630
17. NAME, GRADE, ORGANIZATION, TITLE R.S. ALLEN	18. SIGNATURE	
19. REMARKS: 910 123-4567		

DD FORM 2718, NOV 1999

Figure 3-2.--Example of DD Form 2718, Inmate's Release Order

SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

CHAPTER 4

CONFINEMENT OF WOMEN

	<u>PARAGRAPH</u>	<u>PAGE</u>
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# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 4

### CONFINEMENT OF WOMEN

#### 4000. ADMINISTRATION

1. Per reference (e), a message report is required to be submitted to CMC (PSL) or the Chief of Naval Personnel, (CNP, Code PERS-84), as appropriate, upon confinement and release of a woman service member from a civilian facility. The officer directing the confinement or release of female Marines or Sailors into a civilian facility must ensure such report is submitted within 24 hours of the action.

a. The message reporting confinement will contain the following:

- (1) Name, grade, and SSN.
- (2) Date confined.
- (3) Reason for confinement.
- (4) Length of sentence, if applicable.
- (5) Number of days credit for pretrial confinement and/or judicial credit.
- (6) Name, telephone number, location of the confinement facility, and a point of contact (POC) at the confinement facility.
- (7) Daily cost of confinement.
- (8) Projected release date.
- (9) Name and telephone number of POC at confining command.

b. When the woman service member has been released from the civilian confinement facility, a message will be submitted containing the following:

- (1) Name, grade, SSN.

(2) Date confined and date released.

(3) Name, telephone number, location of the confinement facility, and a POC at the confinement facility.

(4) Daily cost of confinement.

(5) Name and telephone number of POC at confining command.

c. It is required that the appropriate Staff Judge Advocate (SJA) be notified in writing within 24 hours of a female Marine's or Sailor's being placed into pretrial confinement.

2. All female confinements must be brought to the Marine Corps Base Brig first so that the Brig staff can effect certain administrative procedures. These procedures, covered by applicable Brig Orders, are internal to the Brig. The Brig staff will create and maintain a confinement record on each female confined. The confining command is required to provide the Brig legal section with copies of various documents pertaining to the confined female. The Brig legal section must be kept informed at all times of the female's current status. Documents required to be provided to the Brig include but are not limited to:

a. Confinement Order.

b. Results of Trial.

c. Reconvening Authority Action.

d. Release Order.

e. Visiting Officers Forms.

f. Message reporting confinement or release of women from civilian facilities.

g. Other documentation applicable or pertaining to the individual's confinement in a civilian facility.

3. The authority to confine women Marines or Sailors is the same as that for the confinement of male Marines or Sailors. Prior to effecting confinement of women Marines, the command will notify the

CMC (PSL), via telephone, DSN 224-1375/1480, and the CNP (PERS-84), via telephone, DSN 882-4689/4445, of its intention. Following appropriate notification, women may be placed in pretrial confinement, or post-trial confinement serving sentence of 30 days or less. If circumstances warrant pre-trial confinement in a civilian facility in excess of 30 days, message notification must be submitted to proper authority as soon as the situation becomes apparent.

4. Pending decision by the approving authority of the initial telephone and message notification ordering confinement, such individuals may nevertheless be confined in an authorized civilian facility for up to 72 hours. It is, therefore, imperative that such notification is made immediately in order to comply with the commander's intent to confine.

5. In instances of a confined female pending a court-martial where a finding of guilt may result in adjudged confinement exceeding 30 days, prior notification will be made to CMC (PSL) or CNP (PERS-84) of such circumstances. In instances of adjudged confinement exceeding 30 days, notification will be made to CMC (PSL) or CNP (PERS-84) to arrange for transfer per reference (e).

#### 4001. AUTHORIZED FACILITIES

1. Confinement of women in the Camp Lejeune Base Brig is not authorized.

2. The following facilities will be contacted in the order listed to determine if space is available.

- a. Craven County Jail, New Bern, NC  
Telephone Number - Jail: (252) 636-6639  
Sheriff's Office: (252) 636-6620  
Approximate Mileage: 35 miles
- b. New Hanover County Jail, Wilmington, NC  
Telephone Number - Jail: (910) 341-4242  
Sheriff's Office: (910) 341-4200  
Approximate Mileage: 45 miles

- c. Cumberland County Jail, Fayetteville, NC  
Telephone Number - Jail: (910) 323-1500  
Sheriff's Office: (910) 323-1500  
Approximate Mileage: 75 miles

NOTE: Contact the Brig Officer for additional confinement facilities if needed.

3. Confining commands will notify the civilian authority to remit bills directly to the address listed below for Marine Corps prisoners and detainees. The bill must include the daily cost of confinement.

Commandant of the Marine Corps (PSL)  
Headquarters, U.S. Marine Corps  
Washington, D.C. 20380-0001

4. Commands confining female Navy prisoners and detainees in civilian facilities are responsible for any cost incurred.

#### 4002. CONFINEMENT

1. In case of pretrial confinement involving a female Marine or Sailor, the necessary documentation must be presented to the IRO in the same manner as prescribed for male Marines or Sailors. The hearing location will be designated by the IRO.

2. A confinement physical, including a pregnancy test, will be conducted at the Hadnot Point Branch Medical Clinic, Camp Lejeune, prior to confinement of a female Marine or Sailor.

3. A Confinement Order is the only document necessary to confine female Marines and Sailors in a civilian confinement facility. A Release Order is the only document necessary to effect release from a civilian facility.

4. Liaison must be made with the confining facility prior to confinement to determine authorized clothing and H&C items while confined. Commanders are responsible for providing transportation and escorts for confined female Marines or Sailors to and from a civilian confinement facility.

5. Command and legal visitation will be accomplished in the same manner as prescribed for male Marines or Sailors, subject to the confining facility's regulations.

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 5

### CORRECTIONAL CUSTODY

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# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 5

### CORRECTIONAL CUSTODY

#### 5000. BACKGROUND

1. The basic authority to impose the punishment of correctional custody is contained in Article 15, Uniform Code of Military Justice (UCMJ), which authorizes company grade CO's and OIC's to impose correctional custody on members in grades E-3 and below for not more than seven consecutive days; if imposed by a field grade CO or above, for not more than 30 consecutive days. Service members pending administrative separation or serving sentence of courts-martial will not be accepted into correctional custody. Correctional custody is the physical restraint of a person served in a facility designed specifically for that purpose and which has no special security features. Restraint will be effective by the presence of the supervisor.
2. The Brig CO designates the Correctional Custody Unit (CCU) OIC as OIC, MCB CCU.
3. Correctional custody will attempt to correct the attitude and motivation of enlisted personnel through a regimen of hard work, intensive counseling, physical training, and motivational and attitudinal training conducted in a strict military environment. The program is designed to have the greatest positive impact on the young, immature, first-term service member who has not yet fully developed self-discipline, a sense of responsibility, and an understanding of the expected fundamental standards of acceptable behavior.
4. Persons placed in correctional custody will not be considered prisoners nor treated as such. Correctional custody does not carry the same stigma as confinement. The objective of imposing correctional custody is to exercise close and continuous supervision over offenders in order to detect, identify, and correct the motivational factors prompting the individual to commit an offense.

5001. PLACE OF RESTRAINT. CMC has designated MCB, Camp Lejeune, as the East Coast RCCU.

1. The CCU, Building 318, MCB, Camp Lejeune, is an authorized place of restraint for all male service personnel, pay grade E-3 and below.
2. Restraint of women at the CCU is not authorized.
3. The CCU will be posted as a restricted area.

#### 5002. DISCUSSION

1. Correctional custody is one of the most severe forms of non-judicial punishment. It is imposed as a means of disposing of minor offenses without stigmatizing the offender with a courts-martial conviction.
2. Correctional custody is not intended for chronic or serious offenders. Individuals who have been previously awarded correctional custody or sentenced by courts-martial should not be reassigned to correctional custody. However, CO's having individuals who they believe are salvageable and who can be returned to duty as productive service members will be accepted. Correctional custody is not intended nor will it be used as a "holding agency" for pending disciplinary or administrative processing. Personnel being processed for discharge or awaiting trial by courts-martial will not be accepted. Awardees will only be accepted at CCU during normal working hours, 0800-1630, Monday through Friday.
3. Prior to awarding unsuspended correctional custody, commands must contact CCU to ensure space is available. The telephone number is: Commercial (910) 451-7356/7355/6897, or DSN 751-7356/7355/6897.

#### 5003. RESTRAINING ORDER

1. Awardees are in a restraint status and therefore not considered to be confined. The Confinement Order that is used to direct confinement will also be used to direct restraint. For CCU purposes, the Confinement Order is referred to as a Restraint Order (figure 5-1).

- a. CCU retains the original.
  - b. A copy is returned to the unit as endorsement or receipt for the awardee.
  - c. Upon receipt of an awardee, an entry will be made in the CCU Log identifying the name, grade, SSN, branch of service, organization, and date.
2. Restraint Orders must be complete and accurate.
- a. The Restraint Order will state the individual's full name, SSN, rate or grade, branch of service, organization, and date restraint is to be imposed.
  - b. The Restraint Order must be signed by the officer who awarded punishment at the Article 15.
  - c. When an individual is restrained as a result of vacation proceedings of a previously suspended sentence, the Restraint Order must list a chronological sequence of events. The following will be indicated on the Restraint Order:
    - (1) Date of NJP and sentence awarded.
    - (2) The article(s) originally violated.
    - (3) If the sentence was deferred or suspended, the date deferment was terminated or suspension was vacated.
- On the reverse side, indicate any period of restraint served prior to deferment or prior to suspension of the punishment.
- d. The hour and date correctional custody was directed must be indicated. Ensure to include the name, grade, and title of the officer who awarded the punishment.
  - e. A pre-restraint physical must be conducted and signed by a MO or PA within 24 hours, in the space provided, indicating that the service member is fit for full duty. The examining medical personnel will pay special attention and accurately describe and record the presence of any lacerations, abrasions, contusions, hematomas, or other unusual marks on the awardee on the Chronological Record of Medical Care (SF 600). The health and

dental records of each prospective awardee must accompany the individual to the CCU at the time of restraint. For individuals unable to locate their health and dental records locally, their units will prepare temporary records.

NOTE: An individual will not be accepted for Correctional Custody if they are in a light duty or limited duty status, or if the individual is not within a reasonable deviation of his service height and weight standards, i.e., 15 pounds over the maximum weight allowance or four percent above maximum body fat percentage.

f. The CCU will not take any service member who requires acclimatization time to the Camp Lejeune area. Personnel will be required to complete a CCU health questionnaire before being accepted into restraint.

g. The Receiving and Release (R&R) NCO will complete the bottom portion of the Restraint Order. The signature on the return copy of the Restraint Order is a receipt to the unit for the awardee.

h. A copy of the Unit Punishment Book (UPB), figure 5-2, must accompany the Restraint Order, identifying the final disposition, suspensions, and signature of the CO awarding the punishment(s).

3. CO's and OIC's are responsible for ensuring the awardee has all required clothing, money, and H&C items prior to restraint. Minimum uniform clothing, money and H&C items required for restraint are listed in figure 5-3.

a. H&C items, other than those listed in figure 5-3, will be receipted for by the awardee's chaser and returned to the parent command. Thirty-five dollars (\$35) in cash is required for restraint; however, no more than \$35 will be accepted. An awardee who does not have the required clothing or H&C items will not be accepted for restraint.

b. Certain items not required for the initial restraint period may be approved and retained or purchased at the awardee's request. No arbitrary limit will be placed on the quantity of any item or the total cost of the H&C items for those having sufficient personal funds. An awardee is not, however, authorized to purchase items in excess of reasonable needs. Requests for approval of such

a. Expiration of Restraint. To facilitate administration an awardee whose release date is on a weekend or holiday will have all necessary administrative procedures completed by the working day immediately preceding the release date. However, the release will be effected on the actual date of completion of restraint. When an awardee is to be released on a weekend or holiday, the parent command will be notified the week prior to the awardee's release. The CCU OIC will sign a permanent Release Order (figure 5-4).

b. Awardee Misconduct. The Brig CO is authorized to terminate the correctional custody of any awardee that has become disruptive and/or a disciplinary problem. These types of actions adversely affect other awardees and deter them from gaining maximum benefit from the objectives of correctional custody. Such actions will cause permanent release from correctional custody.

## 2. Temporary Absence

a. A request for TA (figure 5-5) should normally be signed by the awardee's CO, Executive Officer (XO), or Legal Officer. However, any staff member under the command or staff cognizance of the awardee's CO or OIC may initiate a valid request for TA. Valid reasons for TA include request mast and medical or dental appointments.

b. Reasons for holding an awardee inside the facility include request masts, TA's, special visits, etc. Requests for holding an awardee, such as visiting officers, will be approved by the CCU OIC or SNCOIC, or in their absence, the Senior Watch-Stander (SWS). All awardees will be routinely held in on Fridays from 0800 to 1100 for visiting officers.

3. Should a situation arise warranting emergency leave, the CCU OIC or SNCOIC will contact the awardee's command. If authorized by the awardee's CO, the individual may be granted emergency leave. The awardee's time continues to run while the awardee is on emergency leave. All preparations, uniforms, transportation, and money transactions are the responsibility of the awardee and his command.

4. An awardee required to be admitted to the Naval Hospital will be permanently released from correctional custody. The awardee's personal effects will be inventoried and listed on the Valuable and Personal Effects Inventory and Receipt. A unit representative will receipt for and return to the command the items on the inventory form, which will be retained in the awardee's file at CCU.

## 2. Temporary Absence

a. The awardee's CO, Executive Officer (XO), or Legal Officer should normally sign a request for temporary absence (TA), figure 5-5. However, any staff member under the command or staff cognizance of the awardee's CO or OIC may initiate a valid request for TA. Valid reasons for TA include request mast and medical or dental appointments.

b. Reasons for holding an awardee inside the facility include request masts, TA's, special visits, etc. Requests for holding an awardee, such as visiting officers, will be approved by the CCU OIC or SNCOIC, or in their absence, the Senior Watch-Stander (SWS). All awardees will be routinely held in on Fridays from 0800 to 1100 for visiting officers.

3. Should a situation arise warranting emergency leave, the CCU OIC or SNCOIC will contact the awardee's command. If authorized by the awardee's CO, the individual may be granted emergency leave. The awardee's time continues to run while the awardee is on emergency leave. All preparations, uniforms, transportation, and money transactions are the responsibility of the awardee and his command.

4. An awardee required to be admitted to the Naval Hospital will be permanently released from correctional custody. The awardee's personal effects will be inventoried and listed on the Valuable and Personal Effects Inventory and Receipt. A unit representative will receipt for and return to the command the items on the inventory form, which will be retained in the awardee's file at CCU.

## 5005. ESCORT REQUIREMENTS

1. It is the responsibility of the officer requesting the TA of an awardee to provide an NCO or SNCO escort.

a. Use of government vehicles to transport awardees is recommended. Privately owned vehicles (POV's) will be used as a last resort.

b. Escorts will ensure each awardee is returned to the CCU by 1600 the same day. Escorts are responsible for ensuring that the

awardee(s) is fed during regularly scheduled meal hours. Awardees are only authorized to eat in military messing facilities.

c. TA's will not normally be granted during the first 24 hours of restraint due to administrative requirements of the CCU.

2. Although an escort is not required for an awardee being released due to expiration or deferment of the restraint period, or clemency action, it is recommended the awardee be released to a representative of his unit, preferably an NCO or SNCO.

#### 5006. APPEAL

1. An awardee has five days from the date of imposition of NJP to appeal. If he desires additional time, he should advise the officer who imposed the NJP of the reason and request an extension. If he fails to request an extension within the allotted time, the officer determining the appeal will determine whether there was good cause for filing a late appeal.

2. If an awardee desires a deferment of restraint, he must request it in his appeal. The restraint continues unless action is not taken upon the appeal within five days of the date it is submitted. If the appeal is not acted upon within the five-day period, the awardee must be released until his appeal is decided.

3. If the awardee decides to appeal while in correctional custody, the CCU OIC will immediately notify the awardee's CO.

5007. CCU HEALTH QUESTIONNAIRE. CCU Health Questionnaire must be completed prior to acceptance into the CCU program. See figure 5-6.

CONFINEMENT ORDER				
1. PERSON TO BE CONFINED			2. DATE (YYYYMMDD)	
a. NAME (Last, First, Middle) DOE, JOHN S.		b. SSN 123 45 6789		20020101
c. BRANCH OF SERVICE USMC	d. GRADE PVT/E-1	e. MILITARY ORGANIZATION (From): 5TH MARINE DIV., 1ST BN, 2D MARINES		
TYPE OF CONFINEMENT				
a. PRE-TRIAL <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		b. RESULT OF NJP <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
c. RESULT OF COURT MARTIAL: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				
TYPE: <input type="checkbox"/> SCM <input type="checkbox"/> SPCM <input type="checkbox"/> GCM <input type="checkbox"/> VACATED SUSPENSION				
4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED: ART 86- UA (0112201-011230)				
5. SENTENCE ADJUDGED:			b. ADJUDGED DATE (YYYYMMDD):	
6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED:				
7. PERSON DIRECTING CONFINEMENT				
a. TYPED NAME, GRADE AND TITLE: J.R. JONES, CWO5, COMMANDING OFFICER		b. SIGNATURE		c. DATE (YYYYMMDD) 20020101
d. TIME 1641				
8.a. NAME, GRADE, TITLE OF LEGAL REVIEW AND APPROVAL		b. SIGNATURE:		c. DATE (YYYYMMDD)
MEDICAL CERTIFICATE				
9a. The above named inmate was examined by me at <u>1300</u> on <u>20020101</u> and found to be <input checked="" type="checkbox"/> Fit <input type="checkbox"/> Unfit (Time) (YYYYMMDD) for confinement. I certify that from this examination the execution of the foregoing sentence to confinement <input type="checkbox"/> will <input checked="" type="checkbox"/> will not produce serious injury to the inmate's health.				
b. The following irregularities were noted during the examination (If none, so state):				
c. HIV Test administered on (YYYYMMDD): <u>20021001</u>				
d. Pregnancy test administered on (YYYYMMDD): <input checked="" type="checkbox"/> N/A				
10. EXAMINER				
a. TYPED NAME, GRADE AND TITLE: LT JAMES, J.R. /USN/ PA		b. SIGNATURE		c. DATE (YYYYMMDD) 20020101
d. TIME 1330				
RECEIPT FOR INMATE				
11.a. THE INMATE NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT: <u>MCB CCU CAMLEJ NC 28542</u> (Facility Name and Location)				
ON <u>20020101</u> AND TIME: <u>1700</u> (YYYYMMDD) (Time)				
b. PERSON RECEIPTING FOR INMATE TYPED NAME, GRADE AND TITLE: SSGT SMITH, R.M./SWS		c. SIGNATURE:		d. DATE (YYYYMMDD) 20020101
e. TIME 1700				

DD FORM 2707, NOV 1999

Figure 5-1.--Example of DD Form 2707, Restraint Order



BAG, DUI  
BAG, LAI  
\*BELT, I  
BLOUSING  
BOOT PO  
\*BOOTS,  
BRASS PC  
BRUSH, I  
BRUSH, S  
\*\*CAP, I  
\*CAP, C  
\*DEODOR  
\*DOG TAG  
DRAWERS,  
ENVELOPI  
FACE CL  
GLOVES,  
\*GUIDEB  
INSIGNIA  
LOCKS, C  
MARKING  
PENCIL/I  
\*PT SHO  
\*RAZOR,  
\*RUNNING  
\*SHAMPO  
\*SHAVING  
\*SHIRT,  
SHOWER S  
\*SOAP, I  
\*SOAP, I  
SOCKS, I  
\*SOCKS,  
STAMPS,  
\*\*SWEATS  
TABLET,  
\*TOOTHBR  
\*TOOTHPI  
\*TOWELS,  
\*TROUSE  
\*UNDERS  
\*DENTAL  
\*MONEY,

\*Require  
\*\*Winter

F:

UNIT PUNISHMENT BOOK (5812)  
NAVMC 10132 (REV. 4-02) (Previous editions will not be used.) (EF)  
SN: 0109-LF-984-4100

UNIT PUNISHMENT BOOK (5812)  
NAVMC 10132 (REV. 4-02) (Previous editions will not be used.) (EF)  
SN: 0109-LF-984-4100

Staple Additional pages here.

Distribution:  
Original copy to SRB/OQR  
Copy to: OMPF, UNIT FILES, MEMBER

1. OFFENSES (To include specific circumstances and the date and place of commission of the offense.)  
Art 86, In that PFC Doe was UA from his appointed place of duty on 01 Jan 02 from 1230-1630 and 1800-2200  
Art 86, In that PFC Doe failed to report for duty at 0730 on 01 Jan 02 and was over 2 hours late  
Art 92, In that PFC Doe did disobey a lawful order while on restriction by not being in his room the morning of 3 Jan 02

2. I have been advised of and understand my rights under Article 31, UCMJ. I also have been advised of and understand my right to demand trial by court martial in lieu of non-judicial punishment. I (do) (do not) demand trial and (will) (will not) accept non-judicial punishment subject to my right of appeal. I further certify that I (have) (have not) been given the opportunity to consult with a military lawyer, provided at no expense to me, prior to my decision to accept non-judicial punishment.  
(DATE) 2002/01/13 (Signature of accused)  
3. The accused has been afforded these rights under Article 31, UCMJ, and the right to demand trial by court-martial in lieu of non-judicial punishment.  
(DATE) 2002/01/18 (Signature of immediate CO of accused)  
4. BOOKER STATEMENT: I have been given the opportunity to consult with a lawyer, provided by the Government at no cost to me, in regard to a pending NJP for violation of Article (s) Art 86x2 and Art 92 of the UCMJ. I understand I have the right to refuse that NJP; I (do) (do not) choose to exercise that right. I further understand that acceptance of NJP does not preclude my command from taking other adverse administrative action against me.  
(DATE) 2002/01/13 (Signature)  
5. UNAUTHORIZED ABSENCES (in excess of 24 hours) AND MARKS OF DESERTION  
6. FINAL DISPOSITION TAKEN AND DATE  
Red to Pvt, forf of \$552 pay per month for 2 months, Correctional Custody for 30 das  
7. SUSPENSION OF EXECUTION OF PUNISHMENT, IF ANY.  
Red Pvt, forf of \$552 pay per month for 2 months, susp for 6 mos at which time, unless sooner vacated the susp punishment  
8. FINAL DISPOSITION TAKEN BY (Name, grade, title)  
R.L. Smith, Lt Col, Commanding Officer  
9. Upon consideration of the facts and circumstances surrounding (this offense) (these offenses) and upon further consideration of the needs of military discipline in this command, I have determined the offense (s) involved herein to be minor and properly punishable under Article 15, UCMJ, such punishment to be that indicated.  
(Signature of CO who took final disposition in 6)  
10. DATE OF NOTICE TO ACCUSED OF FINAL DISPOSITION TAKEN.  
2002/01/13  
11. The accused has been advised of the right of appeal.  
2002/01/13 (DATE) (Signature of CO who took final action in 9)  
12. Having been advised of and understanding my right of appeal, at this time I (intend) (do not intend) to file an appeal.  
2002/01/13 (DATE) (Signature of accused)  
13. DATE OF APPEAL, IF ANY.  
14. DECISION ON APPEAL (IF APPEAL IS MADE), DATE THEREOF, AND SIGNATURE OF CO WHO MADE DECISION.  
(DATE) (Signature of CO making decision on appeal)  
15. DATE OF NOTICE TO ACCUSED OF DECISION ON APPEAL.  
16. REMARKS  
17. Final administrative action, as appropriate, has been completed.  
UD# DTD INIT  
18. UNIT  
5th Marine Division, 1st Bn ,6th Marines, E Co  
19. INDIVIDUAL (Last name, first name, middle initial)  
Doe, John S.  
20. GRADE  
PFC/E-2  
21. SSN  
123 45 6789

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

INMATE'S RELEASE ORDER		
1. TO: Confinement or Brig Officer	2. INSTALLATION: MCB BRIG CAMLEJ NC 28542	3. DATE (YYYYMMDD): 20020101
4. THE INMATE NAMED BELOW WILL BE RELEASED FROM CONFINEMENT <u>20020101</u> AND DELIVERED TO THE ORGANIZATION SHOWN. <u>(YYYYMMDD)</u>		
5. INMATE NAME (Last, First, Middle) DOE, JOHN S.	6. SSN 123 45 6789	7. GRADE PVT/E-1
8. SERVICE BRANCH USMC	9. ORGANIZATION 5THMAR DIV, 1/2	
10. REASON FOR RELEASE : <u>END OF SENTENCE</u>		
FOR THE COMMANDER		
11. AUTHENTICATING OFFICER NAME (Last, First, MI) J.R. JONES	12. SIGNATURE	
13. GRADE, ORGANIZATION, AND TITLE CW05, USMC, COMMANDING OFFICER		
RECEIPT		
14. RECEIPT OF THE ABOVE NAMED RELEASED PERSON IS ACKNOWLEDGED.	15. DATE (YYYYMMDD) 20020101	16. TIME 1630
17. NAME, GRADE, ORGANIZATION, TITLE R.S. ALLEN	18. SIGNATURE	
19. REMARKS: <u>910 123-4567</u>		

DD FORM 2718, NOV 1999

Figure 5-4.--Example of DD Form 2718, Inmate's Release Order

## SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

RECEIPT FOR INMATE OR DETAINED PERSON		
1. RECEIVED FROM (Unit or Agency and Station) MCB CCU CAMLEJ NC 28542	2. TIME 1700	3. DATE (YYYYMMDD) 20020101
4. INMATE NAME (Last, First, Middle) DOE, JOHN S.	5. SSN 123 45 6789	6. GRADE PVT/E-1
7. ORGANIZATION MCB, HQSPT BN, HQ CO	8. STATION CAMP LEJEUNE	
9. OFFENSE		
10. PERSONAL PROPERTY		
11. REMARKS BLDG 15		
12. NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL SGT JOHNSON/ CHASER	13. SSN 321 45 7896	14. GRADE SGT/E-5
15. RECEIVING UNIT OR AGENCY AND STATION MCB, HQSPT BN, HQ CO	16. SIGNATURE	

DD FORM 2708, NOV 1999

Figure 5-5.--Example of DD Form 2708, Receipt for Inmate or Detained Person

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

AUTHORITY Title 5, U.S. Code, section 301 is the basic authority for maintaining personnel and pay records. Use of Social Security Number as a means of personal identification is authorized by Executive Order 9397 of 23 Nov. 1943. PURPOSES Information requested is needed to establish accountability for equipment and property issued, purchase of clothing, administer pay, provide education and training, to administer appeals, **grievances**, discipline, litigation, investigations, and claims. ROUTINE USES Information included in personal and pay records is used by officials and employees of the Marine Corps in the execution of their official duties. The information is also used under certain conditions, by officials and employees elsewhere in the Department of Defense; by other Federal Agencies such as the Veterans Administration, the Federal Bureau of Investigation, and other Federal, state, and local law enforcement agencies. Information is also furnished to Congressional sources. Your Social Security Number is used as a means of personal identification. Disclosure of your Social Security Number is mandatory.

NAME: \_\_\_\_\_

SSN: \_\_\_\_\_

UNIT/SHIP: \_\_\_\_\_

1. HEIGHT (inches) \_\_\_\_\_ 2. WEIGHT (lb) \_\_\_\_\_

3. MAX WT (lbs) \_\_\_\_\_ 4. BODY FAT (%) \_\_\_\_\_

5. Have you ever been a heat casualty? ☐ YES ☐ NO

If yes, when, and what was the diagnosis: \_\_\_\_\_

6. Have you ever been hospitalized? ☐ YES ☐ NO

7. When was the last time you were in a limited duty status and why ? ☐ YES ☐ NO

8. List any physical problems you have encountered in the last six months.

9. Are you currently taking any medication? ☐ YES ☐ NO

If yes, what medications are you taking? \_\_\_\_\_

10. Are you pending or have recently had surgery? ☐ YES ☐ NO

11. Are you currently under a doctor's care for physical therapy ? ☐ YES ☐ NO

If yes, what type? \_\_\_\_\_

12. How long have you been at your present assignment? \_\_\_\_\_

13. What was the date and score of your last physical fitness test? \_\_\_\_\_

PRINT NAME/GRADE/TITLE OF VERIFIER \_\_\_\_\_

SIGNATURE OF VERIFIER \_\_\_\_\_

Figure 5-6. --CCU Health Questionnaire

SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

CHAPTER 6

EMPLOYMENT OF PRISONERS/AWARDEES

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POLICY . . . . .	6001	6-3
PROCEDURES . . . . .	6002	6-4

# SOP FOR CONFINEMENT, RESTRAINT AND RELEASE

## CHAPTER 6

### EMPLOYMENT OF PRISONERS AND AWARDEES

6000. GENERAL. In order to increase the productive utilization of prisoner and awardee labor aboard the installation, commanders and tenant commands are encouraged to consider such labor utilization and are authorized to solicit prisoners and awardees for productive work.

#### 6001. POLICY

1. The following work assignments are prohibited:

a. Duties that place one prisoner or awardee in authority over another, except for training and, then, only when directly supervised.

b. Duties that are for the exclusive benefit of a private individual or private organization, including individual staff members of the Base Brig or CCU.

c. Work that is inherently dangerous or hazardous to the prisoner or awardee, except in emergency situations.

d. Assignments that require the handling of or access to drugs, narcotics, intoxicants, uncrated explosives or weapons, money, security equipment, classified material, or personnel records.

2. Suitable work for prisoners and awardees includes:

a. Maintenance and repair of government facilities and grounds.

b. Salvage and conservation of government property.

c. Manufacturing articles for government use or approved organizations.

d. General janitorial tasks are permissible, but do not include cleaning personal ashtrays or coffee cups, watering personal plants or flowers, or making up duty bunks.

e. Services for military functions and approved social service organizations (i.e., Red Cross, Navy/Marine Corps Relief Society, DoD Wives' Clubs, Boy or Girl Scouts, Recreation Division events, and services of a nature that are not for the exclusive benefit of a private individual's gain).

6002. PROCEDURES. Organizations and groups desiring prisoner working parties or having work requests, will submit their request to the Brig Industries Chief, Building 1041, for approval. Organizations desiring awardee working parties will submit their written request to the SNCOIC, CCU, Building 318, MCB, Camp Lejeune, NC, for approval.