



**Headquarters, U.S.
Marine Corps**

**MCO P1640.4C
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**MARINE CORPS
CORRECTIONAL CUSTODY MANUAL
(SHORT TITLE: CCM)**

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MARINE CORPS ORDER P1640.4C

From: Commandant of the Marine Corps
To: Distribution List

Subj: MARINE CORPS CORRECTIONAL CUSTODY MANUAL
(SHORT TITLE: CCM)

Ref: (a) Manual for Courts-Martial, United States (1995 edition)
(b) SECNAVINST 1640.7D
(c) SECNAVINST 1640.9B
(d) MCO P5600.31G

Encl: (1) LOCATOR SHEET

1. Purpose. To publish basic policies, standards, and procedures for the operation of Marine Corps Correctional Custody Units (CCU'S).

2. Cancellation. MCO P1640.4B

3. Information. Reference (a) delineates the policies governing nonjudicial punishment and the actions that can be taken under Article 15, UCMJ. Correctional custody (CC) and other punishments authorized under Article 15, UCMJ are corrective in nature and are designed to provide commanding officers and officers in charge with a means of disposing minor infractions of discipline without having to resort to the court-martial system. Reference (b) outlines the Secretary of the Navy policy in regard to CC as a punishment awarded under reference (a).

4. Action. Commanders operating CCU's shall ensure that CC procedures are in effect within their jurisdictions and comply with references (a), (b), (c), and this Manual.

5. Reserve Applicability. This Manual is not applicable to the Marine Corps Reserve.


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6. Certification. Reviewed and approved this date.

{li 16404c02.gif:Signature}

A handwritten signature in black ink, appearing to read "MR Steele", is positioned above the printed name and title.

M. R. STEELE
Deputy Chief of Staff
for Plans, Policies and Operations

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ENCLOSURE (1)

MARINE CORPS CORRECTIONAL CUSTODY MANUAL

RECORD OF CHANGES

Log completed change action as indicated.

Change Number	Date of Change	Date Received	Date Entered	Signature of Person Entering Change

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CHAPTER 1

GENERAL POLICY

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CHAPTER 1

GENERAL POLICY

1001. POLICY. Correctional custody is the physical restraint of a person during duty or non-duty hours, or both, imposed (hence, an awardee) as a punishment under Article 15, and may include extra duties, fatigue duties, or hard labor and an incident of correctional custody. The Secretary of the Navy has prescribed that correctional custody (CC) will be served in a centralized, ashore correctional custody unit (CCU), and that the program will provide effective guidance and assistance to offenders in discovering and correcting the cause of their misconduct. CCU's shall accept both male and female awardees; however, females will be accepted at CCU's only if females are assigned to the staff.

1002. AUTHORITY. The basic authority to impose the punishment of CC is contained in Uniform Code of Military Justice (UCMJ), Article 15, and Part V of reference (a), which authorizes commanding officers and officers in charge to impose CC on all but commissioned and warrant officers for not more than 7 consecutive days or, if imposed by an officer in the grade of O-4 or above, for not more than 30 consecutive days. Section 0111b of the Manual of the Judge Advocate General limits the imposition of correctional custody to E-3's and below.

1003. SCOPE. This Manual contains instructions which govern the administration and function of Marine Corps CCU's. It does not take the place of directives set forth by higher authority, but rather amplifies and interprets those directives.

1004. CORRECTIONAL CUSTODY PHILOSOPHY

1. CC is the most serious deprivation of liberty authorized as a punishment under the UCMJ, Article 15. Article 15 is designed to be a means of disposing of minor infractions of discipline without having to stigmatize the offender with a court-martial conviction.

2. CC in the Marine Corps will attempt to correct the negative attitudes and motivations of junior enlisted personnel through a regimen of hard work, intensive counseling, and physical training conducted in a strict, military environment. It is designed to have the greatest positive impact on the first-term Marine who has not yet fully developed self-discipline, a sense of responsibility,

and an understanding of the Marine Corps' fundamental standards of acceptable behavior. CC is specifically designed for Marines returning to duty and will not be used for personnel who are pending administrative separation.

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CHAPTER 2

PHYSICAL PLANT AND MAJOR EQUIPMENT

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CHAPTER 2

PHYSICAL PLANT AND MAJOR EQUIPMENT

2001. DESIGNATION. The CMC (POS-40) designates and authorizes the establishment and disestablishment of CCU's.

2002. CONSTRUCTION AND ALTERATION

1. Functional adequacy and the accompanying authority to use a facility for CC is dependent upon an on-site evaluation of the facility for configuration, space utilization, and design by the CMC (POS-40).

2. CC spaces shall have adequate lighting, heating, and ventilation. They must meet the standards prescribed by the Surgeon General of the Navy and the Navy Facility Design Manual for unaccompanied enlisted personnel housing.

3. Berthing shall be in an open squadbay where possible. Separate male and female berthing areas (to include separate heads and shower facilities for males and females when applicable) shall allow for a minimum of 72 square feet of space for each awardee, excluding head and shower areas. Each dormitory shall have a drinking fountain and its own head facilities with adequate toilets, wash basins, and showers for the personnel assigned. Each awardee shall be assigned a bed and a locker for storage of personal effects. Lockers shall be secured with a combination or key-type lock provided by the awardee.

4. Each CCU will have access to a multipurpose room equipped with tables and chairs which can be used for classroom lectures, study, visits, and other group functions.

5. There shall be adequate office space for the officer in charge (OIC), staff noncommissioned officer in charge (SNCOIC), counselor, and administrative personnel.

6. All facilities will have emergency exits in case of fire or other disaster. Fire doors will not be locked but may be alarmed so as to notify staff and awardees in the event of an emergency.

Adequate fire extinguishers, smoke alarms, and any other equipment prescribed by the local fire and safety codes will be installed.

7. All units will have telephones for communications.

2003. ALTERATIONS. Request for alterations to existing physical plants or new construction will be submitted to the CMC (POS-40).

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CHAPTER 3

ORGANIZATION AND STAFF RELATIONS

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CHAPTER 3

ORGANIZATION AND STAFF RELATIONS

3001. ORGANIZATION AND STAFFING RELATIONS

1. Commanding Officer (CO). The CO is normally the commanding officer of the brig under which the CCU is assigned.

2. Staffing. The specialized nature of correctional duties require that the CCU be staffed with carefully selected and supervised personnel trained in techniques of control, management, and rehabilitation. Successful operation of the CCU depends upon understanding and accepting the basic objectives of the corrections program and training in the policies, procedures and standards provided in this Manual. The CCU staff requires individuals who are alert and possess a high degree of initiative, personal integrity, temperament, and mature judgement. All personnel assigned correctional duties in a CCU shall meet the criteria established by SECNAVINST 1640.9B and shall have a corrections Military Occupational Specialty (MOS).

3002. MANPOWER. Command tables of organization detail the billets and functions for each CCU. The key billets and related functions are:

1. OIC. The OIC is appointed in writing by the commanding officer of the brig under which the CCU operates. The OIC shall provide for liaison and coordination of staff specialists and nonmilitary personnel who provide support and guidance to the CC program.

2. CC SNCOIC. The SNCOIC performs those tasks assigned by the OIC and acts in the absence of that person. The SNCOIC is responsible to the OIC for the control and accountability of awardees, emergency plans, training of awardees and staff personnel and all other duties assigned by the OIC.

3. CC Counselor. The CC counselor is responsible to the OIC for counseling and education programs. Counseling duties will include, but not be limited to, individual and group counseling, coordination of military subjects instruction, and establishing and maintaining liaison with agencies that can assist in the overall program; such as banks, family service centers, and chaplains. The counselor should possess the additional MOS 5832.

4. Senior Watchstander. Senior watchstanders are responsible for the execution of the CCU Plan of the Day. They are directly responsible to the OIC for:

- a. Supervision of duty watchstanders.
- b. Control of awardees.
- c. Dispatching and supervising work details.
- d. Conduct of physical training.
- e. Verification of counts.
- f. Coordination of CCU activities.
- g. Maintaining the CCU log.

3003. STAFF TRAINING

1. Pre-Service. Pre-service training is conducted at the brig and precedes assumption of duties at the CCU. In addition to the pre-service classes contained in SECNAVINST 1640.9B, training will include orientation and on-the-job training at the CCU.

2. In-Service. In-service training shall be included as mission-oriented training on the monthly training schedule. Normal brig in-service training conducted, as directed in MCO 1510.86A, may fulfill this requirement.

3004. GENERAL REGULATIONS FOR THE STAFF. The following regulations govern the conduct of assigned personnel:

1. Awardees shall be treated humanely. Physical or verbal abuse, any form of corporal punishment, verbal harassment, hazing, and the imposition of group punishment is prohibited.

2. A quiet, impersonal, but firm and fair attitude shall be maintained toward awardees at all times. Profane, demeaning, indecent, or insulting language toward or in the presence of an awardee is prohibited.

3. Staff personnel shall not strike or lay hands upon an awardee except in self-defense, to prevent serious damage to property, to prevent serious injury to other persons, to quell a disturbance, or for the purpose of a search. In such cases, only that minimum

amount of force necessary will be exercised. Experience has proven that a "show of force" may prevent an unwanted incident. The Use of Force form (NAVMC 11130) shall be used to document all use of force.

4. Staff personnel shall not bring or permit others to bring contraband into the CCU, nor shall contraband be given or be made accessible to awardees.
5. Staff personnel shall not fraternize with awardees, accept any personal favors or service, nor use their position to make social contacts with an awardee's friends or relatives.
6. Staff personnel shall not give or receive gifts or in any manner buy, sell, or barter any article with an awardee.
7. Staff personnel shall not extend or promise an awardee special privileges or favors.
8. Rendering of military salutes by restrained personnel shall be per current service regulations. Staff personnel shall not impose special restrictions on awardees as a result of restraint.
9. Staff personnel shall maintain a high standard of military bearing and appearance.
10. Staff personnel shall not introduce or knowingly permit the introduction of weapons, or any instrument that might be considered a weapon, into the CCU except in the event of riot or disorders, and then only when directed by competent authority.
11. Information pertaining to an awardee's record book, offense, personal history, or private affairs is for official use only. Staff personnel shall discuss such information only with authorized individuals requiring it in the performance of their duties. Staff personnel will not furnish awardees with this information except through official channels.

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CHAPTER 4

SECURITY

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CHAPTER 4

SECURITY

4001. PHYSICAL PLANT. Restraint within a CCU is effected by the presence of trained staff; therefore, no special security features are required. Security features normally found at a brig (towers, fences, locked doors, etc.) are not necessary nor are they authorized in a CC environment. Supervisors shall not be armed but should wear a duty belt, brassard, or similar indication of their official capacity.

4002. COUNTS

1. General. A minimum of three scheduled awardee counts will be made daily (reveille, end of workday, and taps) and the results recorded. A senior watchstander will supervise all counts. Staff members will make unscheduled checks of all awardees under their supervision at least every 30 minutes. Watchstanders will conduct frequent and unscheduled bed checks between taps and before reveille. Awardees shall not be awakened for this purpose.

2. Procedures

a. An accurate, up-to-date master count record will be maintained in the CCU log by the senior watchstander.

b. Scheduled counts will be made by a minimum of two different staff members, and their counts must agree.

c. Individuals responsible for taking the count shall record their findings and report them to the senior watchstander for certification against the master record. A staff member shall personally see and count each awardee.

d. Emergency counts shall be conducted whenever it is suspected that an awardee is missing or when deemed necessary by competent authority.

4003. CONTRABAND. Contraband is any article not authorized to be in the possession of an awardee. Contraband items shall be controlled through close supervision and frequent searches. Unscheduled searches of awardees, bunks, lockers, utility rooms, recreation areas, study areas, heads, and work areas are in the best interest of good order and discipline and shall be regularly conducted.

4004. SEARCHES. During in-processing, awardees shall be instructed that their persons, quarters, and work areas are subject to search at all times during their restraint. Searches will be conducted in a dignified manner, and as described in SECNAVINST 1640.9B, chapter 4, paragraph 4302.

4005. INSTRUMENTS OF RESTRAINT. The use of any instrument of restraint is not authorized except when such use is necessary to prevent injury when other methods of control are ineffective. Use of Force form (NAVMC 11130) will be completed and placed in an awardee's file when an instrument of restraint must be used.

4006. PREVENTION OF DISTURBANCES

1. Disturbances are a threat to the good order and discipline of the CCU. Some basic causes of disturbances are idleness, unresolved grievances, mistreatment, untrained staff personnel, and failure to identify and resolve awardee problems.

2. When an incident occurs, staff members shall be alert to identify individual awardees involved and report their degree of involvement. Immediate identification and isolation of leaders of incidents can prevent the development of a major disturbance.

3. Emergency procedures for the handling of disturbances shall be published, and CC staff personnel shall be trained in the use of those procedures.

4007. RESTRICTED AREA. CCU's shall be identified as restricted areas, and only persons on official business shall be permitted to enter.

4008. DISCIPLINE

1. Most awardees are young and are in a CCU due to their lack of self-discipline. Discipline is the heart of the CC process. Persons returning to duty after restraint can serve satisfactorily only if they are able to conduct themselves in a disciplined and acceptable manner.

2. Members of the staff will exhibit high personal standards of discipline. Awardees will observe this behavior and will respond in a positive manner. The CC objective is to instill discipline by teaching and demonstrating high standards of conduct.

4009. DISCIPLINARY PROCEDURES1. General

a. Violations of rules shall not be ignored or condoned. Staff members shall deal with minor violations on the spot. Calling an individual aside and explaining why a behavior is unacceptable normally will suffice. Excessive use of disciplinary reports reduce their effectiveness. Mass punishment is prohibited.

b. Disciplinary reports shall be reserved for serious offenses or for interrupting a pattern of unacceptable behavior.

c. No inference should be drawn that every minor incident must be put in writing; however, informal spot reports placed in an awardee's file provide an excellent form of evaluation and documentation.

2. Authorized Disciplinary Measures. The CCU OIC may impose administrative punishment on awardees. One or more of the punishments identified below are the only punishments authorized for imposition:

a. Written or oral administrative reprimand or warning.

b. Loss of privileges. The privileges subject to deprivation by disciplinary action are those established to encourage good conduct; however, attending religious services, receiving visitors and correspondence, and smoking will not be restricted unless the misconduct is directly related to them.

c. Extra Duty. Extra duty shall not conflict with regular meals, regular visiting or sleeping hours, attendance at scheduled religious services, or interviews with authorized persons; i.e., chaplain, medical officer, legal counselor, etc. Extra duty shall be limited to either 2 hours per day for a maximum of 3 days or 1 hour per day for 6 days. Extra duties shall not be served on Sundays and holidays.

d. The use of physical exercise/physical training as a punishment is strictly prohibited.

4010. REGULATIONS FOR AWARDEES

1. Awardee rules shall reflect the policies of the Department of the Navy and cover the essential elements of the CC program. A copy of the CCU rules and regulations shall be given to awardees to

retain throughout their period of restraint. Each awardee shall receive instructions on the awardee rules and regulations during the reception phase.

2. Instructions concerning various awardee routines and responsibilities shall be thoroughly explained during the reception phase. It must be realized that newly arrived awardees are in an unfamiliar environment. Awardees shall be informed of the limitations placed on their activities and the opportunities available to them for self-improvement. Awardees are expected to comply with the CCU rules, and each shall be informed that an attempt to circumvent regulations may be punishable as a breach of discipline.

3. The daily routine and schedule of special activities shall be prominently displayed in places readily accessible to all awardees.

4. Awardees are subject to the UCMJ.

5. Awardees shall observe military courtesies. They shall not be required to observe or practice military courtesies or other requirements which are unorthodox and not standard military practice. Military courtesies and discipline shall be taught and observed at the CCU as they are practiced at a regular military unit. The following examples are prohibited:

- a. Requiring awardees to salute enlisted personnel.
- b. Requiring awardees to face the bulkhead at close range when a staff member passes.
- c. Requiring awardees to request permission to speak when there is no valid reason for the requirement.

6. Awardees will wear their grade insignia while assigned to the CCU. Awardees will only be addressed as awardee, by their grade, or by their last name. First names, nicknames, or descriptions will not be used when referring to or when in contact with awardees.

4011. GROOMING STANDARDS. Awardees shall observe the grooming standards contained in the regulations for their service. Haircuts and shaves shall not be administered for the purpose of harassment or humiliation, but only to ensure acceptable military appearance.

4012. INCENTIVES. A system of incentives shall be provided to encourage positive behavior and shall reward both group and individual attainment. Examples are:

1. Squad first to chow.
2. Television.
3. Extended free time or recreation time.
4. Individual recommendations for early release from the CCU for outstanding achievement or performance.

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CHAPTER 5

CORRECTIONAL CUSTODY PROGRAM

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CHAPTER 5

CORRECTIONAL CUSTODY PROGRAM

5001. POLICY. The CC program shall include hard labor, demanding training, discipline, counseling, and guidance.

5002. GOALS. The goals of the program are:

1. To make awardees aware that society will not tolerate unacceptable behavior or misconduct, and that they must accept responsibility for their actions.
2. To identify and correct problems which inhibit an awardee from being a fully productive member of the naval service.
3. To develop a positive attitude and motivate awardees to perform in an effective and offense-free manner during the remainder of their military service.

5003. PROGRAM SCHEDULING. The CCU's program begins upon the awardee's commitment and continues until the member is released. It consists of all the activities (work, military training, counseling, etc.) designed to return the individual to offense-free service. The OIC will establish a daily schedule which will include time for all activities. The ordering of extra field days, physical exercise, instruction, drill beyond that which appears in the daily routine, or the omission of regularly scheduled activities is forbidden unless prior approval has been granted by the OIC.

5004. PARTICIPATION. Awardees shall take an active part in all phases of the CC program.

5005. PHASES IN CORRECTIONAL CUSTODY. For purposes of awardee adjustment and efficient administration, the restraint period will be divided into three phases; reception, performance, and prerelease.

1. Reception Phase

a. Awardees shall be provided factual information about their behavior while in the CC. Awardees are most impressionable when

they are first restrained and are apt to be emotionally upset and concerned about their future. They are very susceptible at this point and the attitude they adopt toward their situation depends largely on their initial impression and the attitude of the staff members toward them. Hostility by staff members normally generates hostility from awardees. Reception phase interviews shall include:

(1) Initial Evaluation. An effective program is based on knowledge of awardees and their needs. Accumulation of data for this purpose is initiated during the reception phase. An Initial Contact Sheet (NAVPERS 1640/19) shall be prepared by each new awardee during reception and submitted to the counselor. Emergency-type problems will be brought to the attention of the senior watchstander who will initiate appropriate action for their resolution.

(2) Admission Interview. This interview is used to gather factual information concerning the individual. Their home background, education, service adjustment, attitude, prior military and civil offenses, physical profile, and other pertinent information shall be obtained. A Prisoner Personal History form (DD Form 498) shall be prepared from information gathered during the interview and shall be made a part of the awardee's file. Normally, interviews shall be conducted within 24 hours of initial restraint.

b. The counselor is responsible for the operation of the reception phase. A period of instruction shall be established to ensure the proper orientation of each new awardee. Awardees shall be told exactly what is expected of them and the privileges they may earn. Minimum indoctrination subjects are:

- (1) Purpose of the CC program.
- (2) CCU chain of command.
- (3) Inspections.
- (4) Work and training requirements.
- (5) Military courtesy and conduct.
- (6) Contraband.
- (7) Consequences of absences and attempted absence.
- (8) Interviews and request forms.

- (9) Explanation of sentence, to include possible early release.
- (10) Mail, visiting, and telephone procedures.
- (11) Daily routine.
- (12) Fire and disaster bills.
- (13) Religious services.
- (14) Authorized purchases (health and comfort supplies and uniform clothing).
- (15) Sick call.
- (16) Disciplinary action.

2. Performance Phase

a. Counseling. Counseling is a vital part of the CC program. Correctional counselors, normally staff noncommissioned officers, shall be assigned on a full-time basis.

b. Counselor's Role

(1) An important factor in the operation of the CCU is the improvement of communications between awardees and staff. Awardees rely on their counselors to obtain authoritative information, thereby relieving tension and dispelling uncertainty and confusion. Counselors, through their availability, are able to dispel rumors, help eliminate sources of misinformation and unrest, and serve as a contact point between the awardee and the CCU staff.

(2) Counselors establish a relationship in which the awardees are accepted without excusing their offenses. This allows awardees to develop confidence in their counselor. Awardees are given support for their efforts, helped to identify problems, and guided in finding their own solutions within the parameters of accepted behavior.

c. Duties of the Counselor. A counselor's responsibilities include:

(1) Make daily collections of Awardee Request forms (DD 510), and make appropriate and timely distribution to appropriate personnel.

(2) Conduct initial and follow-up interviews and counseling.

(3) Assist in awardee evaluation. Make recommendations concerning individual programming and clemency to the OIC. Make interview results available for review by the CCU Disposition Board.

(4) Keep the OIC informed of awardees' problems that need professional attention as well as those which may be alleviated by administrative action.

d. Work. As a minimum, awardees shall be gainfully employed at least 7 hours per day, 5 days per week, to include Sundays and holidays. A suitable work assignment will be selected for each awardee. This may be the awardee's normal duty or a temporary assignment. Employment may consist of work, training, or military duty, but never as a regular watchstander. The following work assignments are prohibited:

(1) Duties that place one awardee in authority over another awardee, except for training, and then only when directly supervised by a staff member.

(2) Duties that are for the exclusive benefit of a private individual or private organization, including individual staff members of the CCU.

(3) Work that is inherently dangerous or hazardous to the awardee, except in emergency situations.

e. Training. The scope of training provided during restraint will be as extensive as available staff and facilities permit. The primary purpose of all training is to help the awardee learn acceptable living habits and good working relationships with others. The awardee program will include, but not be limited to, the following topics:

(1) Battle Skills Training (BST) subjects.

(2) Survival skills.

(3) Citizenship.

(4) Personal hygiene and grooming.

(5) Drug and alcohol abuse and control.

(6) Core values.

f. Physical Training. The physical fitness program shall be designed so all awardees attain the minimum standards of physical fitness established by current service directives. Marine awardees shall meet the minimum standards set forth in MCO 6100.3J. The program shall resemble those programs conducted at local commands and should be combined with recreation-type physical development activities.

g. Classroom Instruction

(1) Instruction shall be continually evaluated to ensure that the courses being taught meet the objectives of the CC program. Subject matter shall be directed towards motivating awardees to return to their unit and honorably serve out the remaining term of their enlistment.

(2) Each Marine, regardless of MOS, is required to demonstrate proficiency of specified military skills through the BST program. Classroom instruction shall include the maximum amount of BST consistent with the capabilities of the CCU.

h. Close Order Drill. Close order drill is useful for teaching or re-teaching individuals the virtues of discipline, military bearing, and instant response to commands. Additionally, it serves the practical purpose of moving a formation in an orderly, military fashion.

i. Training Records. Training entries shall be made in the awardees training records reflecting the results of BST examinations, inspections, and physical fitness testing. A copy of the training record will be forwarded to the awardee's command upon release.

j. Religious Services. Awardees who desire to attend their denominational religious services shall be allowed to do so. When more than one awardee attends the same service they will be seated together. Awardees will wear the prescribed CCU uniform of the day to religious services.

3. Pre-Release Phase. The Pre-release phase is devoted to administrative matters; check-out, release counseling, and military reorientation.

5006. PERFORMANCE AND EVALUATION1. Performance Rating

a. All supervisors are responsible for evaluating awardees and submitting a Work and Training Report (NAVPERS 1640/10).

b. Work and Training Reports will consider the awardees attitudes, how well they get along with others, improvement in work performance, and any problems they cause their work supervisors. Outstanding and unsatisfactory marks will be justified in the remarks section.

c. Staff shall submit supplementary reports when an awardee demonstrates a change in behavior, either good or bad.

2. Awardee Evaluation

a. Method. To ensure an objective evaluation, factual information concerning the awardee obtained during the receiving phase and follow-up counselor interviews shall be made a part of the awardee's file and shall provide the foundation for the evaluation process. Standard brig evaluation methods will be used.

b. Disposition Board

(1) The CCU Disposition Board shall be established to review and evaluate awardee progress and make clemency recommendations to an awardee's commanding officer, when appropriate. The board will include, as a minimum, the OIC, SNCOIC, and a counselor or senior watchstander.

(2) If recommended for early release, a letter recommending clemency shall be prepared and forwarded to an awardee's commanding officer. The letter shall be signed by the OIC and endorsed by the commanding officer of the brig.

5007. INSPECTIONS

1. Daily Inspections. Personnel and berthing space inspections shall be conducted by the CCU staff to ensure the maintenance of appropriate military appearance and living area standards.

2. Visiting Inspectors. Each week a representative from an outside command shall be invited to conduct a personnel inspection. Command involvement is an important aspect of the overall program, and inspections conducted by visiting commanders provide them the opportunity to observe awardee progress.

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ADMINISTRATION

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ADMINISTRATION

6001. RESTRAINT

1. No awardee shall be refused assignment to a CCU except for cause and then only when specifically approved by the CCU OIC. Reasons for refusing to accept an awardee are that the CCU is at rated capacity, or an awardee is not medically fit for restraint as determined by medical authority. The CCU is not a confinement facility, therefore, it shall not be used for personnel pending disciplinary or administrative action or those serving sentence awarded by courts-martial.

2. Individuals who have been previously awarded CC or sentenced by courts-martial should not be reassigned to CC. To receive the maximum benefit from the program, awardees should be assigned to CC for a minimum of 21 days (i.e., field grade punishment). The OIC of the CCU should explain this policy to local commanders. This paragraph in no way restricts, precludes, or negates the authority of a CO in UCMJ, Article 15, proceedings.

6002. CONFINEMENT ORDERS. CO's and OIC's may, when adequate facilities are not available or when the exigencies of the service require, defer execution of CC for a reasonable period of time, not to exceed 15 days after imposition. Also, CO's and OIC's may, if the awardee is found to be not medically fit for CC, grant deferment until the awardee is determined to be medically fit to serve the punishment. A medical deferment shall not exceed 15 days.

1. If punishment was deferred, the date deferred and the date the deferment was terminated shall be indicated on the Confinement Order (NAVPERS 1640/4).

2. The Confinement Order will serve as the document to order an awardee into restraint. When an individual is restrained as a result of a revocation preceding for a previously suspended sentence, the Confinement Order shall list a chronological sequence of events. The following shall be indicated on the Confinement Order:

- a. Date of nonjudicial punishment and sentence awarded.
- b. List the article(s) and specification(s) for which

convicted in the appropriate space.

c. If the sentence was deferred or suspended, the date the action was taken.

d. On the reverse side, indicate any period of restraint that was served prior to suspension of the punishment. Inclusive dates shall be included.

3. The hour and date CC was directed shall be annotated. Show the name, grade and title of the officer who awarded the punishment.

4. Awardees shall be examined by qualified medical personnel and certified fit for restraint prior to acceptance at a CCU. The member's medical record, when available, shall be provided to the examining medical personnel at the time of the pre-restraint physical. Additional information pertaining to physical requirements is contained in SECNAVINST 1640.9B.

5. A copy of the Unit Punishment Book (UPB) needs to accompany the confinement order.

6003. GENERAL RELEASE. A CO cannot arbitrarily release a sentenced awardee without remitting, mitigating, setting aside, or suspending the sentence. The OIC of the CC is the proper authority to order release from restraint. Therefore, CO's requesting release of an awardee shall present a valid written reason to the OIC. Certified documents setting aside, remitting, or suspending the sentence shall accompany a request for release of an awardee if the release date is before the end of the sentence. A copy of the certified document will become a part of the awardee's file.

6004. PERMANENT RELEASE. The CC OIC shall effect permanent release of an awardee upon the expiration of sentence, in the event of escape, or when an awardee is no longer physically qualified.

6005. EMERGENCY LEAVE. Granting of emergency leave is outlined in MCO P1050.3. Emergency leave may be authorized by the awardee's CO. The sentence continues to run while an awardee's is on emergency leave.

6006. TEMPORARY ABSENCE. Temporary absence requests should normally be signed by the awardee's CO, executive officer, or legal officer. Any CC staff member may initiate a request for temporary absence to the awardee's command.

6007. RECORDS AND REPORTS

1. Purpose. Records are maintained to quickly provide accurate and current information on awardees and on the CCU program. Instructions for completing standardized forms and reports are provided in SECNAVINST 1640.9B.

2. Files. All awardees' files are private, and only those personnel with a need to know in the performance of their official duties may have access. This action shall not impede the flow of information to staff members involved in the supervision, training, or evaluation of awardees. Awardees shall not be assigned to functions where they have access to information about other awardees.

3. Records. Original awardees' records are maintained in controlled administrative files. Various sections within the CCU may require certain records and reports in order to function properly. Copies of these records and reports may be checked out on a day-to-day basis. Sections will ensure that records are returned to the administrative office when they are not in use.

6008. PRIVACY ACT

1. All staff personnel shall be familiar with the provisions of current directives pertaining to the Privacy Act (SECNAVINST 5211.5D) and the Freedom of Information Act (SECNAVINST 5720.42E). For the purpose of determining if a Privacy Act Statement is required, "personal information" is defined as information about an individual that is intimate or private to that individual, as distinguished from information related solely to the individual's official function.

2. Request for Information. A signed Privacy Act Statement is required prior to soliciting information from an awardee for the following records and reports:

- a. Personal History (DD 498).
- b. Disciplinary Action Data Card (NAVPERS 1640/5).
- c. Initial Contact Sheet (NAVPERS 1640/10).

3. Requests pertaining to the release of information shall be processed per SECNAVINST 5211.5D and SECNAVINST 5740.42E.

6009. AWARDEE FILES

1. File Format. Individual files shall be established for each awardee. Files will be assembled and documents placed in the file as follows:

- Section 1. - Confinement Order (NAVPERS 1640/4)
 - Disciplinary Action Data Card (NAVPERS 1640/5)
 - Release Order (DD Form 367)
 - Privacy Act Statement
- Section 2. - Initial Contact Sheet (NAVPERS 1640/19)
 - Awardee Evaluation Report (NAVPERS 1640/13)
 - Request for Interview (DD 510)
 - Personal History Questionnaire (DD 498)
 - Awardee Summary Continuation Sheet (DD 1478)
 - Copies of local CCU Disposition Board recommendations and actions
- Section 3. - Disciplinary Reports (NAVPERS 1640/9)
 - Work and Training Report (NAVPERS 1640/10)
 - Incident Reports
 - Spot Reports
- Section 4. - Miscellaneous
 - Visiting Officers Form
 - Valuables and Personal Effects Inventory Receipt (NAVPERS 1640/17)

2. Disposition of Records. Upon release from restraint, the contents of an awardee's file will be placed in an inactive file by month and year of release. Inactive files shall be retained for 2 years and then destroyed per SECNAVINST 5212.5D.

6010. LOGS. All logs maintained by the CCU shall be bound ledgers with preprinted consecutively numbered pages.

1. CCU Log. The CCU Log is a chronological permanent record maintained on the CCU operation by the senior watchstander. The CCU Log shall include, but is not limited to the following:

- a. Commitments and releases.
- b. Result of awardee counts.
- c. Commencement and termination of events scheduled in the Plan of the Day; i.e., work call, PT, visitors call, training.
- d. Change of duty section.
- e. Inspections.
- f. Disorders and actions taken.
- g. Unusual events; i.e., drills and escapes.
- h. After hours official visitors and the purpose for the visits (VIP's, civilian visitors, staff duty officer ashore and aboard).

2. Medical Log. The Medical Log is a permanent record with entries made in chronological order. The entries shall be made by medical personnel in accordance with established policies showing the awardee's partial social security number, date of treatment, nature of complaint, and treatment administered. It shall be signed by the person administering treatment and the awardee receiving treatment and medication. All medication issued will be properly recorded in the log.

3. Visitors Log. A record of each visit to an awardee shall be made in the visitors log. The entry shall show the date of the visit, time in and time out, the printed name and signature of the visitor, name of the awardee visited, and name or initials of the staff member who identified, admitted, and released the visitor. A visitor's signature shall be required at entry and departure.

4. Privileged Correspondence Log. A record of all outgoing and incoming privileged correspondence will be maintained. This log shall show the date correspondence is mailed or received, addressor, addressee, initials of the administrative supervisor, and the signature of the awardee indicating date of receipt. Privileged correspondence will be delivered unopened and receipted

for by the awardee.

5. Disposition of Logs. Logs shall be maintained for a period of 2 years then destroyed as provided for in SECNAVINST 5212.5D.

6011.

1. Daily Report of Awardees Restrained and Released. The OIC shall submit to the CO of the brig a report of individuals restrained and released as of 0600 daily. Restraints and releases from 0600 Friday until the next normal working day shall be consolidated and submitted on that working day.

2. Weekly reports on awardees in CC will be included in the brig's weekly prisoner status report.

3. Monthly Report of Prisoners and Correctional Custody Personnel (NAVPERS 1640/11). The monthly report shall include all personnel restrained from 0001 the 1st day of the month to 2400 the last day of the month. A copy of the monthly report will be submitted to the CMC (POS-40) the 1st day of the month following the month reported on as per SECNAVINST 1640.9B.

6012. DISCIPLINARY ACTION DATA CARD (NAVPERS 1640/5). This card serves as the source document from which various statistical reports are compiled by the CCU and higher command levels. The data card is prepared on every awardee restrained at a CCU. The card is maintained and submitted as set forth in SECNAVINST 1640.9B. The use of the Disciplinary Action Data Card is discontinued if the Corrections Management Information System (CORMIS) database is operational.

6013. PUBLIC INFORMATION. Release of information to the media concerning CC programs, operations, and awardees is not authorized unless specifically approved by the OIC or the CO. All requests will be referred to the OIC.

6014. CORRESPONDENCE AND VISITATION. Correspondence and visitation are vital facets of the CC program. The interest of family and friends are of value in encouraging awardees to improve their behavior and return to duty. Contact with interested persons decreases the awardees feeling of isolation and anxiety making them more amenable to corrective techniques. Awardees should be

encouraged to correspond frequently with family and friends. They shall be permitted to receive as many letters as they wish.

1. Visitation

a. The OIC or SNCOIC shall authorize special visits for family and friends on a case-by-case basis. All other visits shall be conducted during regularly scheduled visitors call.

b. Official visits are for the purpose of conducting official government business. Awardees shall be made reasonably available for official visits.

2. Correspondence

a. Outgoing Mail Procedures

(1) A locked collection box or authorized postal mail box shall be accessible to all awardees for the deposit of outgoing mail. Mail shall be collected and delivered to the postal service at least once each workday.

(2) Outgoing mail shall bear no external indication that the sender is an awardee.

b. Incoming Mail Procedures

(1) Mail call shall be conducted only by the mail orderlies assigned to the CCU.

(2) Mail orderlies shall be appointed in writing by the postal officer.

c. Contraband or Unauthorized Material. Mail may be inspected only when there is probable cause to believe it contains contraband. Items not authorized to be in the possession of awardees found in the mail shall be confiscated. Nonperishable items received in the mail will be sent to the awardee's unit. Awardees will dispose of perishable items by either destroying the items or by mailing them back to the sender. In all cases, inventories shall be completed and custody receipts prepared showing the final disposition of the contraband. Items which threaten the security and safety of the unit, or the possession of which are illegal, shall be confiscated, attached to a chain of custody receipt, and given to the OIC for disposition.

d. Privileged Correspondence

(1) All outgoing correspondence between an awardee and the following individuals is privileged and not subject to inspection nor will awardees be interviewed in connection with privileged mail prior to its being sent or delivered. Privileged correspondents are:

(a) The President, the Vice President, Members of Congress, the Attorney General, the Judge Advocate General or representatives, the awardee's defense counsel, or any military or civilian attorney of record.

(b) Any attorney listed in professional or other directories, or any attorney's representative, when approved by the local staff judge advocate.

(c) The prisoner's clergyman, when approved by the brig chaplain.

(2) Privileged correspondence is subject to inspection (not reading) during searches conducted after it has been delivered to the addressee. Awardees shall be informed during orientation that if they wish to keep the contents of privileged information from disclosure to other awardees, the letter should be destroyed or kept secure in their personal property. The CCU staff shall never read privileged correspondence.

e. Official and Special Purpose Correspondence. Letters to military authorities shall be sent through channels as provided for in regulations governing official correspondence.

f. Newspapers, Periodicals, and other Mailed Material. Awardees shall be permitted to purchase, receive, and read newspapers, periodicals, and magazines. As a rule, restrictions on newspapers, periodicals, and magazines authorized for awardees shall be no more stringent than those imposed on personnel of the command.

g. Postage. Awardees shall be provided the opportunity to purchase postage.

6015. VALUABLES AND OTHER PERSONAL PROPERTY. Awardees shall retain their own property and ensure it is properly secured in their lockers.

6016. CLOTHING. The awardee's commanding officer shall be responsible for ensuring the awardee has all required clothing, money, and health and comfort items prior to restraint. Awardees will have the required clothing and health and comfort items contained in tables 6-1 and 6-2. Awardees will wear the working uniform of the individual's service while restrained at a CCU.

MARINE CORPS CORRECTIONAL CUSTODY MANUAL

TABLE 6-1

REQUIRED AWARDEE CLOTHING LIST

1	Seasonal Uniform of the Day, complete	1 each
2	Socks, Cushion Sole	4 pair
3	Socks, Dress	4 pair
4	Raincoat or Coat, All-Weather, Men or Women	1 each
5	Undershirts, Cotton, Green	6 each
6	Drawers, Cotton (Men) or Underpants (Women)	6 each
7	Shoes, Dress, Black	1 pair
8	Boots, Combat	2 pair
9	Bag, Duffle	1 each
10	Cover, Utility, Camouflage	2 each
11	Shirt, Utility, Camouflage	3 each
12	Trousers, Utility, Camouflage	3 each
13	Belt, Web with Buckle	2 each

Note: In addition to the above, women will have sufficient undergarments to ensure the proper fit and appearance of the uniform. Bras, pajamas, and bath robes are required items. Item numbers 1, 3, and 7 are only required for awardees who require commercial transportation to and from the CCU.

MARINE CORPS CORRECTIONAL CUSTODY MANUAL

TABLE 6-2

REQUIRED AWARDEE HEALTH AND COMFORT ITEMS LIST

1	Soap, Bars	3 each
2	Razor w/Blades	1 each
3	Toothpaste, Tube	1 each
4	Towels	2 each
5	Cloth, Face	2 each
6	Bag, Laundry	1 each
7	Shoe Polish, Can, Black	1 each
8	Toothbrush	1 each
9	Comb and Brush	1 each
10	Box, Sanitary Napkins or Tampons	1 box
11	Shower Shoes, Pair	1 pair
12	Deodorant	1 each
13	Shaving Cream	1 each

Note: Pen, cigarettes, prestamped envelopes, stationery are optional items. Item number 10 applies to all women awardees only.

MARINE CORPS CORRECTIONAL CUSTODY MANUAL

CHAPTER 7

SENTENCE COMPUTATION

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CHAPTER 7

SENTENCE COMPUTATION

7001. POLICY. It is imperative that the rights of individuals be protected by ensuring that they are not held in CC beyond their proper release date. Accordingly, the OIC will exercise close and continuous supervision over personnel responsible for sentence computation.

7002. DEFINITIONS

1. Inoperative Time. Any period of time during which an awardee is not credited with serving CC.

2. Release Date. The date of release from CC.

3. Expiration Table. A table numbering in sequence each day of the year from 1 January 1970 through 31 December 2060, taking into consideration the varying number of days in each month including leap years. This table is for use in computing sentence expiration dates, and is shown in SECNAVINST 1640.9B. CORMIS may be used where available.

7003. SENTENCE COMPUTATION. The punishment of CC, if unsuspended, takes effect when imposed and is executed whether or not the person is physically located at the CC. Any period for which the punishment of CC is suspended, deferred, or stayed shall be excluded when computing the sentence. The day of restraint and the day of release are both considered full days of CC for computation purposes, regardless of the hour of restraint or release.

7004. MULTIPLE SENTENCE. When an awardee is serving the punishment of CC and a subsequent punishment of CC is imposed, the current punishment is automatically interrupted until the subsequent punishment is completed.

7005. GOOD TIME ALLOWANCES. There is no good conduct time credited for punishment awarded under UCMJ, Article 15.

7006. COMPUTING RELEASE DATE. SECNAVINST 1640.9B contains examples and tables used in sentence computation and should be referred to for detailed information

7007. RELEASE DATE. An awardee whose release date falls on a Saturday, Sunday, or a national holiday, shall be released on that day.