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HEADQUARTERS UNITED STATES MARINE CORPS
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MCO 1640.6
POS-40
8 Feb 01

MARINE CORPS ORDER 1640.6

From: Commandant of the Marine Corps
To: Distribution List

Subj: MARINE CORPS CORRECTIONS PROGRAM

Ref: (a) Title 10, United States Code
(b) DoD Directive 1030.1
(c) DoD Instruction 1030.2
(d) DoD Directive 1325.2
(e) DoD Directive 1325.4
(f) DoD Instruction 1325.7
(g) SECNAVINST 1620.7
(h) SECNAVINST 1640.7D
(i) SECNAVINST 1640.9B
(j) SECNAVINST 1640.11C
(k) SECNAVINST 5800.11A
(l) SECNAVINST 5815.3H
(m) MCM, United States (1998 edition)
(n) JAG INSTRUCTION 5800.7C
(o) MCO 1620.7
(p) MCO 1630.3C
(q) MCO 1640.3F
(r) MCO P1640.4C
(s) MCO 1640.5B
(t) MCO 5740.2F
(u) MCO 5800.15A

Encl: (1) Correctional Definitions
(2) Marine Corps Correctional Facilities

1. Purpose. This Order establishes policy, procedures, and responsibilities associated with the Marine Corps corrections program and implements references (a) through (l).

2. Applicability and Scope. This Order applies to all installation commanders responsible for management of correctional facilities, to include detention spaces, holding cells, detention facilities, brigs, and correctional custody units.

3. Definitions. Correctional terms as used within the context of this Order are contained within enclosure (1).

4. Responsibilities

a. Deputy Commandant for Plans, Policies, and Operations (DC PP&O). DC PP&O is accountable to the Commandant for the efficient management and effectiveness of the Marine Corps corrections program. DC PP&O exercises this responsibility through a centrally managed program coordinated by

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the Head, Security and Law Enforcement Branch (POS) in the Operations Division (PO).

b. Security and Law Enforcement Branch (POS). The Head, Security and Law Enforcement Branch (POS), Operations Division (PO), is the Headquarters advocate and principal staff officer for policy oversight and management of the Marine Corps corrections program. Policy is established in accordance with references (a) through (u).

c. Head, Corrections Section (POS-40). The Head, Corrections Section (POS-40), provides daily administration of all corrections matters, and supports the Chief of Naval Personnel in developing correctional/confinement policy and procedures that control the operations of all Marine Corps briggs, detention facilities, holding cells, and correctional custody units. Responsibilities include:

(1) Developing and staffing appropriate changes to references (e), (f), (i), (l) and related Marine Corps directives.

(2) Developing and coordinating a system governing transfer of Marine Corps prisoners among DoD and federal confinement facilities.

(3) Establishing, maintaining, and providing statistical data relating to corrections, confinement programs, prisoner populations, and Marine Corps deserter and absentee rates.

(4) Administering the Marine Corps corrections program. This includes the correction, custody, care, and administration of military prisoners, as well as the operation and administration of Marine Corps places of confinement. References (i), (m), (n), and (q) provide the authority for POS-40 to designate places of confinement for Marine Corps prisoners.

(5) Serving as the Marine Corps point of contact for all correctional matters and maintaining liaison with federal and state correctional agencies and other military services regarding Marine Corps prisoners.

(6) Conducting triennial on-site inspections of Marine Corps correctional facilities. Assigns maximum rated capacities and functional adequacy classifications.

(7) Representing the Marine Corps on the Department of Defense (DoD) Corrections Council.

(8) Serving as the occupational field sponsor for the corrections field.

(9) Serving as the central repository for prisoner victim/witness notification program.

(10) Recommending policies designed to minimize unauthorized absence and desertion, foster development of effective deterrent programs, enhance apprehension efforts, and provide for accurate and timely reporting of incidents of unauthorized absence and desertion.

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d. Installation Commanders. Installation Commanders are directly responsible for the operations of correctional facilities within their claimancy/installation and the welfare and administration of the awardees, detainees, and prisoners restrained, detained and confined at their respective locations. Responsibilities include:

(1) Ensuring correctional facilities under their cognizance comply with all applicable directives from proper authority.

(2) Providing logistical and budgetary support for correctional facilities under their command, and ensuring adequate operating and maintenance funds are available for prisoners in a non-pay status.

(3) Ensuring regular (at least annual) on-site inspections of correctional facilities under their command using inspection formats provided by CMC (POS-40), and forwarding a copy of each inspection report to CMC (POS-40).

(4) Ensuring, where possible, that correctional facilities conform to functional adequacy standards as promulgated by the Chief of Naval Personnel. Where it is not possible to meet functional adequacy standards (due to basic brig configuration/construction, or due to funding constraints), a MILCON project for a new brig or for renovation of the existing facility to remedy identified discrepancies shall be submitted to CMC (POS-40).

(5) Ensuring staffing for correctional facilities is in accordance with CMC (MM) manpower assignments. Primary assignment of correctional specialists to external billets degrades the correctional security mission and compromises adherence to functional adequacy and accreditation standards. Requests for employment of correctional specialists to external billets that are primary in nature will be forwarded to CMC (POS-40).

5. Policy

a. The Marine Corps corrections program is an integral part of the military justice system, and assists commanders in the maintenance of discipline and law and order by providing a uniform system of restraint, detention, incarceration and correctional services for those who have failed to adhere to legally established rules of discipline.

b. Marine Corps correctional facilities provide intensive custody and control of military offenders while providing access to basic education, offense related counseling, selected academic courses, and training necessary to prepare military prisoners for return to military duty or to the civilian community.

c. The Marine Corps corrections program will strive to meet American Corrections Association (ACA) accreditation standards applicable to Adult Correctional Institutions and Small Jail Facilities.

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6. Marine Corps Corrections Program Objectives

a. The primary objective is to provide a safe and secure environment for the incarceration of military offenders.

b. Prepare military prisoners for return to duty when their court-martial imposed sentence to incarceration does not include a punitive discharge or when their punitive discharge is suspended or unexecuted.

c. Release military prisoners not returning to military service with improved attitudes and the prospect of becoming productive citizens.

d. Transfer selected prisoners to facilities consistent with DoD confinement policy; length of sentence remaining to be served; gender; availability and balance of confinement space; and availability of treatment, training, and work programs.

e. Provide uniform policies and procedures designed to minimize the occurrence of desertion and unauthorized absence of military personnel, foster the development of effective deterrent programs, enhance apprehension efforts, and provide accurate and timely reporting of cases of desertion and unauthorized absence.

7. Reports

a. Monthly Report of Prisoners (NAVPERS 1640/11). A Monthly Report of Prisoners shall be prepared by all correctional custody units, detention facilities, Level I and Level II briggs each month, regardless of any confinements received during the month (a negative report). This report shall be submitted directly to CMC (POS-40) on the first working day of the month following the month covered by the report.

b. Corrections Management Information System (CORMIS). CORMIS is designed to increase security capabilities, support operational and administrative functions, and provide current information on prisoners and detainees to brig staff and other users throughout DoD Corrections. Commanders of correctional custody units, detention facilities, Level I and Level II briggs will transmit a CORMIS upload to CMC (POS-40) via email by close of business each working day. Uploads must be error free before transmission.

c. Weekly Report of Population. A report of all prisoners confined at the facility, broken down by Prisoner, Detainee, Male, Female, Enlisted, Officer, and Branch of Service, will be submitted to CMC (POS-40) the first working day of each week.

d. Monthly Victim Witness and Assistance Report. A report of prisoners confined at each brig enrolled in the Victim Witness Assistance Program (VWAP) shall be submitted to CMC (POS-40) on the first working day of the month following the month covered by the report.

e. Serious Incidents Reports. Serious incident reports will be reported in accordance with reference (t).

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f. Telephone Reports. Escapes and major prisoner disturbances occurring within Marine Corps correctional facilities will be reported immediately by telephone to CMC (POS-40).

8. Organization and Functions

a. Types of Facilities. Marine Corps correctional facilities include detention spaces, holding cells, detention facilities, brig, and correctional custody units.

b. Components of the Marine Corps Corrections Program

(1) Correctional Custody Unit (CCU). An authorized space designated for the physical restraint of persons serving correctional custody during duty or non-duty hours, or both, imposed as a punishment under Article 15, UCMJ. CCUs provide commanders with means other than court-martial for disciplining naval personnel who commit minor infractions for which deprivation of liberty is warranted, without the stigma of confinement.

(2) Detention Space and Holding Cell. A detention space is any cell, room, or other berthing space used for short-term detention, normally not for more than 8 hours. A holding cell is an authorized cell or group of cells used for short-term detention, defined to mean no more than 24 hours during the work week, no more than 72 hours over a weekend, and no more than an additional 24 hours over an official holiday weekend. Detention spaces and holding cells provide for the temporary detention of personnel under military police jurisdiction and temporary confinement of military prisoners when a military corrections or confinement facility is not available.

(3) Detention Facility. An authorized confinement facility located where a brig is not readily accessible, where the average detainee/prisoner population does not justify more than 20 confinement spaces and a full range of correctional programs are not required. The detention facility, when inspected and approved by CMC (POS-40), may be used for extended detention and, as a necessity in some cases, post-trial confinement up to 30 days. Correctional Specialists (MOS 5831) staff detention facilities and guidance for their operation is contained in Chapter 12 of reference (i).

(4) Level I Brig. An authorized CONUS military corrections facility that will normally incarcerate detainees and prisoners who have 90 days or less to serve to their adjusted release date upon convening authority action. Core programs provided will include reception, individual and group counseling, work, academic, restoration, incentive, survival skills, recreation, physical training, religious, testing and evaluation, general military training, and prerelease. Limited treatment programs (i.e., crisis intervention, access to routine drug and alcohol education, basic educational and vocational training, and rehabilitation) will be offered consistent with security requirements, available resources, facilities, personnel and the needs of the Service.

(5) Level II Brig. An authorized CONUS military corrections facility that houses and provides correctional treatment for detainees and prisoners with sentences of 5 years or less remaining to serve to their adjusted

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release date upon convening authority action. In addition to the core programs outlined above for Level I facilities, Level II facilities will provide, at a minimum, additional treatment programs to include corrections/offense related counseling; drug and alcohol education including Narcotics Anonymous and Alcoholics Anonymous; stress management; vocational training; functional skills testing; and remedial education with an opportunity for completion of high school/GED.

(6) Level III Correctional Facility. Per reference (e), the U.S. Army is designated as the executive agency for the operation of long-term confinement facilities. Prisoners who have greater than 5 years remaining to serve to their adjusted release date upon completion of convening authority action will be transferred to a Level III (long-term) confinement facility. Programs consist of those listed in Level I and Level II facilities and are expanded accordingly.

(7) OCONUS Brig. OCONUS brigades do not fall within the classification guidelines of the DoD corrections system. The MCB Brig, Camp S. D. Butler is designated for detainees and prisoners who have sentences of one year or less remaining to serve to their adjusted release date upon convening authority action. Prisoners who have more than one year remaining to serve to their adjusted release date upon completion of convening authority action will be transferred to a Level II or long-term facility as designated by CMC (POS-40). The MCB Brig, Camp S. D. Butler will provide, at a minimum, the same correctional treatment programs as a Level I facility.

9. Governing Policies

a. Corrections. Naval corrections policies and procedures are provided within references (b), (c), (e), (f), (i), (k), (l), (q), and (s).

b. Correctional Custody (CC). Correctional custody policies and procedures are contained within references (h), (i), (n), and (r).

c. Absentee and Deserter Apprehension. Policies and procedures governing the Marine Corps absentee and deserter apprehension program are outlined in references (d), (g), and (o).

d. Detention Spaces and Holding Cells. Policies and procedures governing the operation of detention spaces and holding cells are contained within references (i), and (p).

10. Authorized Correctional Facilities. Enclosure (2) depicts correctional facilities inclusive of the Marine Corps corrections program.

11. Supplemental Instructions

a. Any command desiring to open, renovate, or close a correctional facility must obtain authorization from CMC (POS-40).

b. As staffing of Marine Corps correctional facilities is based upon facility design, naval prisoner populations, and the needs of the Marine

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Corps, requests for post-trial use of correction facilities by the military Services will be directed to CMC (POS-40). Inter-service agreements will be approved by CMC (POS-40) to ensure consistency of correctional support requirements.

c. Rated capacity for Marine Corps facilities will be based upon the most restrictive berthing design constraint.

d. Marine Corps correctional facilities will use the objective based classification system provided by the Chief of Naval Personnel (PERS-84). Objective classification relies on a narrow set of well defined factors (e.g., severity of offense, prior convictions, prior incarcerations) and personal characteristics (e.g., age, residence, employment) to guide decision making. These items are incorporated into a standardized form or checklist used by staff to assess every inmate's custody and program needs. Requests for criminal history background checks will be submitted to POS-40 daily.

e. The Adult Internal Management System (AIMS) classification is a five-level classification of prisoners based on aggressiveness of personality and methods of problem management used by an individual. AIMS is never used for custody or privilege determination, but is very useful for housing and programming prisoners in order to maximize their opportunities to succeed and to utilize programs offered. The use of AIMS in each brig is at the discretion of the facility commander.

f. The awarding of earned time to prisoners is authorized pursuant to the provisions of reference (i).

g. Federal Bureau of Investigation (FBI) fingerprint cards (FD 249) will be submitted monthly to POS-40 on all prisoners meeting the criteria of reference (i). To facilitate disposition reporting within the Interstate Identification Index (III), a copy of the Convening Authority's action will be attached to all cards submitted.

h. The use of civilian confinement facilities is authorized for pretrial confinement, per the provisions of reference (q). Approval of post-trial confinement location, to include confinement in other services' facilities, will be requested from POS-40.

12. Reserve Applicability. This Order is applicable to the Marine Corps Reserve.



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Correctional Definitions

Absentee. A Marine absent from the parent command without authorized leave or orders, missed movement, failed to comply with stragglers orders, or failed to comply with permanent change of station orders.

Awardee. A person of which correctional custody is imposed as a punishment under Article 15, UCMJ.

Correctional Custody. The physical restraint of a person during duty or non-duty hours, or both, imposed as a punishment under Article 15, UCMJ, and may include extra duties, fatigue duties, or hard labor.

Deserter. A Marine absent from the parent command without authority over 30 days; or, is believed to have gone to or is remaining in a foreign country, and to have applied for or accepted any type of asylum or residency permit from such country, or any governmental agency thereof; or is an escaped prisoner; or, is a special category absentee (i.e., a person reported absent without leave who has had access to Top Secret information during the last 12 months).

Detainee. A person ordered into confinement awaiting a court-martial, or under restraint incident to being apprehended by military authorities or delivered to the military by civilian authorities.

Parolee. A prisoner granted parole by the Naval Clemency and Parole Board.

Prisoner. A person tried by court-martial and ordered into confinement, whether or not the sentence has been ordered executed.

Transfer. The administrative process of transferring a prisoner by service record between monitored command codes.

Transport. The physical movement of a prisoner to or from a confinement facility or geographic area.

Sentence. The length of time a prisoner is ordered into confinement by a court-martial.

Enclosure (1)

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Marine Corps Correctional Facilities

Provost Martial Holding Cells

MCLB Albany, GA
MCRD Parris Island, SC
MCAS, Beaufort, SC
Henderson Hall, VA
MCB Camp Lejeune, NC
MCAS New River, NC
MCB Quantico, VA
MCLB Barstow, CA
MCAS Miramar, CA
MCRD San Diego, CA
MCB Camp Pendleton, CA
MCAGCC 29 Palms, CA
MCAS Yuma, AZ
MCB Kaneohe Bay, HI
MCB Camp Smith, HI
MCB Camp Butler, Okinawa, JA
MCAS Iwakuni, JA

Correctional Custody Units

MCB Camp Lejeune, NC
MCB Camp Pendleton, CA

Pretrial Confinement Facilities

MCAS Yuma, AZ
MCAS Iwakuni, JA

Level I Brig

MCB Quantico, VA

Level II Brigs

MCB Camp Lejeune, NC
MCB Camp Pendleton, CA

OCONUS Brig

MCB Camp Butler, Okinawa, JA

ENCLOSURE (2)