



UNITED STATES MARINE CORPS

MARINE CORPS RECRUIT DEPOT/EASTERN RECRUITING REGION
PO BOX 19001
PARRIS ISLAND, SOUTH CAROLINA 29905-9001

DepO 1640.11

M&HR
12 JAN 2001

DEPOT ORDER 1640.11

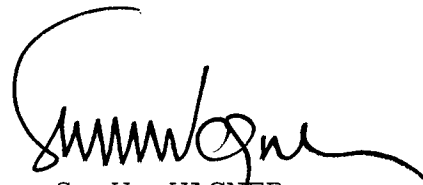
From: Commanding General
To: Distribution List

Subj: STANDING OPERATING PROCEDURES FOR CONFINEMENT AND RELEASE
OF PRISONERS TO THE NAVAL CONSOLIDATED BRIG CHARLESTON SC
(SHORT TITLE: SOP FOR NAVCONBRIG)

Ref: (a) SECNAVINST 1640.9B
(b) NAVCONBRIGCHASNSOP
(c) R.C.M. 305, MCM, 1998
(d) SECNAVINST 1640.10

Encl: (1) Administrative Information
(2) NAVCONBRIG Phone Directory
(3) NAVPERS 1640/4 (Confinement Order)
(4) Required Clothing Items
(5) Directions to NAVCONBRIG Charleston
(6) Sample 72 hour Notification Letter

1. Purpose. To publish the policy and procedures for the confinement, employment and release of detainees and prisoners at the Naval Consolidated Brig Charleston (NAVCONBRIG).
2. Information. This directive is written to inform, guide, instruct and direct staff members, and local commands on policies, procedures and provide an immediate reference.
3. Action. Commanding officers will utilize the enclosures to ensure proper administration in the confinement of detainees and prisoners.



S. W. WAGNER
Chief of Staff

DISTRIBUTION: A

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ADMINISTRATIVE INFORMATION

1. General Duties. The Marine Corps Liaison, NAVCONBRIG is responsible for providing direct support to confining commands and their prisoners. In addition to general duties, the Marine Corps Liaison SNCOIC supervises all activities of the supporting Marine Corps Brig Staff. Enclosure (2) is provided to assist units in contacting the NAVCONBRIG.

2. Definitions. The following definitions are applicable to this directive:

a. Detainee - A Marine in a pre-trial status.

b. Prisoner - A lawfully detained, adjudged or sentenced Marine. For the purpose of this directive, "prisoner" is used to describe any individual in the custody of NAVCONBRIG, unless specifically noted.

c. For the purpose of this directive, the term Marine applies to Marines and Marine recruits.

3. Confinement. The following actions must be completed by confining commands for all confinements at NAVCONBRIG Charleston prior to the individual's delivery to the brig:

a. Confinement Order (NAVPERS 1640/4). A confinement order must be completed and signed for all prisoners and detainees to be confined at NAVCONBRIG Charleston. This form is available at enclosure (3) or from the Marine Corps Base Law Center. For prisoners in an adjudged status, a copy of the Results of Trial must accompany the confinement order. The confinement must first be signed by the convening authority and then signed by the medical officer once the prisoner/detainee has been found fit for duty.

b. Confinement Physical. The confining command is responsible for obtaining the confinement physical. Before acceptance of persons for confinement, they shall be examined by qualified medical personnel to determine fitness for confinement, to identify any medical problems, and to provide recommendations to the brig regarding

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appropriate medical care. Certification will be provided on the confinement order (NAVPERS 1640/4) by the medical examiner as well as any remarks (physical limitations, cuts, bruises, unusual marks).

c. Clothing. Confining commands will ensure that all prisoners/detainees confined at NAVCONBRIG meet uniform guidelines provided as enclosure (3) within five working days of confinement. Do not delay the confinement of a Marine due to lack of clothing items. Brig personnel will pick up clothing articles from the confining command as necessary.

d. Females

(1) The NAVCONBRIG does not house females. All females requiring pre-trial confinement will be housed at Beaufort County Detention Center/Jail. The confinement process for females is the same as males. After processing, the unit escorts will deliver the prisoner/detainee to Beaufort County Detention Center/Jail. The confining command's escorts will remain with the female prisoner for the complete process until Beaufort County Detention Center/Jail accepts the individual. If Beaufort County Detention Center/Jail does not accept the individual, the unit escorts will notify the NAVCONBRIG Marine Corps Liaison immediately and return the individual to NAVCONBRIG. Address and Telephone number to Beaufort County Detention Center/Jail:

Beaufort County Detention Center/Jail
Ribault Road
P.O. Drawer 1228
Beaufort, South Carolina 29901
Phone number: (843) 470-5711

(2) While in confinement, only health and comfort items will be purchased by the prisoner/detainee through Beaufort County Detention Center/Jail. The confining command may supply some items only if the jail does not have a particular item needed by the prisoner/detainee. Only new and unopened items will be accepted. The following items should be brought with the female prisoner/detainee for initial processing. If the prisoner/detainee does not have some of these items, they can be issued by the jail:

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- (1) pair tennis shoes
- (6) pair of underwear
- (6) bras (none with underwire)
- (6) pairs of socks (black, green or white)
- (6) T-shirts (brown, green or white)
- (1) pair of PT shorts
- (1) nightgown

(3) The confining command is responsible for conducting a weekly command visit to the county jail. The visitation form can be obtained from the Marine Corps Liaison at NAVCONBRIG. Upon completion of the visit, the form must be faxed to the Marine Corps Liaison. These forms will become a permanent entry in the individual's confinement record.

4. Transportation. The confining command is responsible for initial delivery of the prisoner/detainee to be confined. Directions to NAVCONBRIG are provided at enclosure (5).

a. Transportation to/from official proceedings (appointments, court-martial, etc.) will be provided by NAVCONBRIG Charleston provided they receive adequate prior notice from the parent command/Law Center.

b. Adequate notice is defined as (5) five working days prior to date of transport. Time-sensitive transports will be accommodated whenever possible with specific and direct coordination with the brig's Marine Liaison.

5. Prisoner Chasers. Chasers will normally be provided by NAVCONBRIG for half day/short term appointments. If the appointment is expected to last overnight, transportation will be provided by NAVCONBRIG, who in turn will relinquish custody of the detainee/prisoner over to chasers provided by the confining command. The relinquish of custody of prisoners/detainees by NAVCONBRIG chasers to command chasers will be conducted at the Depot Law Center.

6. Prisoner Escort Class (Chaser Class). Chaser classes will be conducted as requested by commands. Contact the Marine liaison when classes are required.

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7. Pre-trial Confinement. Parent commands of Marines being confined in a pre-trial status must accomplish the following actions in conjunction with initial confinement procedures:

a. 72 Hour Letter of Notification. Within 72 hours of being confined, a Letter of Notification is required to be received by the Marine liaison from the confining command. Per references (c) and (d), this letter will contain information pertaining to the detainee's alleged offense(s) and the reason for pre-trial confinement. Samples of 72 hour letters are contained in enclosure (6).

b. Initial Reviewing Officer (IRO) Hearing. An IRO hearing will be conducted within the first seven days of confinement for a detainee in a pre-trial status. The purpose of the hearing is to determine whether the need for continued pre-trial confinement exists. Once a detainee arrives at NAVCONBRIG, the brig legal staff will be notified and provided with the 72-hour letter of notification. The Marine Liaison will contact the detainee's parent command with the time and date of the IRO hearing.

8. Command Visitation. Prisoners awaiting convening authority action remain the responsibility of their parent command. Command visits are designed to retain identity with the parent command and to reinforce to prisoners that this is their primary chain of command. Commanding officers should establish procedures for visiting at least weekly, each prisoner who remains their responsibility. This visit should be made by a representative of the parent command (staff non-commissioned officer, chief petty officer or higher) with the authority to act in the commanding officer's behalf. In the event that a command can not make the brig visit, the Marine liaison can make the command visit but only as a last resort.

9. Service Record Book (SRB). While a prisoner is confined, it is the confining command's responsibility to maintain the prisoner's SRB and provide direct support for all his/her needs. Following the Convening Authority's action, the command may request a transfer by service record via naval message to CMC (POS-40) per MCO 1640.3F. Upon transfer by service record, the prisoner is considered in a Long-Term Prisoner (LTP) status and will be released from the confining command's T/O. Service records will then be maintained by Headquarters and Support Bn, MCB Camp Lejeune, North Carolina.

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If records are erroneously sent to the Marine liaison, they will be forwarded to:

Headquarters and Support Battalion
Marine Corps Base
ATTN: Separations Clerk
PSC Box 20087
Camp Lejeune, NC 28542-0087

10. Release Physical Examination. A final release physical examination can be conducted by NAVCONRIG Medical division through the Branch Medical Clinic, Naval Weapons Station, Charleston, SC. Only prisoners with a sentence of 30 days confinement or longer will receive final physicals from the brig. This appointment will be made for a prisoner automatically if, during his court-martial proceedings, he has been awarded any type of discharge from the service. To verify that a physical has been conducted, the Marine liaison must be contacted. The Marine liaison will contact the Brig Medical division for verification. If it is the intent of the convening authority to process the prisoner for an administrative separation upon release from confinement, the Marine liaison will ensure the final physical is conducted if they are informed in sufficient time.

11. Release Dental Examination. A final release dental examination can be conducted by Naval Weapons Station Dental Clinic. Appointments can only be made through the NAVCONBRIG. Appointments will automatically be conducted only if a prisoner has been awarded a confinement sentence 30 days or longer, and received any type of discharge from the service. To verify that final dental has been conducted the Marine liaison must be contacted. The Marine liaison will contact the Brig Medical division to confirm dental status. If it is the intent of the convening authority to process the prisoner for an administrative separation upon release from confinement, the Marine Liaison will ensure the final dental examine is conducted if they are informed in sufficient time.

12. Separations Brief. A separation's brief can be conducted at the NAVCONBRIG. This brief will be given by the pre-release coordinator. Only prisoners with 1 sentence of 30 days confinement or longer will receive separation briefs from the brig. This appointment will be

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made for a prisoner automatically if he has been awarded any type of discharge from service. To verify that a separations brief has been conducted the Marine liaison must be contacted. The Marine liaison will contact the Brig Pre-release coordinator for dates of the brief. If it is the intent of the convening authority to process the prisoner for an administrative separation upon release from confinement, the Marine Liaison will ensure the separations brief is conducted if they are informed in sufficient time.

13. Prisoner Releases. Upon release from confinement, the Marine liaison will provide transportation for the Marine to his parent command.

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CONFINEMENT ORDER

NAVPERS 1640/4 (Rev. 7-82) S/N 0106-LF-016-4023

NAME (Last, first, middle)	SSN	RATE/GRADE	BRANCH SER
SHIP OR ORGANIZATION		DATE	

STATUS

DETAINED (Alleged violation of UCMJ Articles)	CONFINED AS RESULT OF		
	<input type="checkbox"/> NJP	<input type="checkbox"/> SCM	<input type="checkbox"/> VACATED SUSPENSION
"I have been informed that I am being confined for the above alleged offense(s)"	CHARGES AND SPECIFICATION CONVICTED OF		
	SENTENCE ADJUDGED:		DATE
	IF SENTENCE DEFERRED, DATE DEFERMENT TERMINATED:		
	SENTENCE APPROVED	APPROVED BY	DATE
Date	Signature of accused	CA	
Date	Signature of witness	SA	
		NCMR	
		COMA	
		OTHER	

PRE-TRIAL CONFINEMENT NECESSARY-

TO ENSURE THE PRESENCE OF THE ACCUSED AT THE TRIAL BECAUSE OF THE SERIOUSNESS OF THE OFFENSE CHARGED

CONFINEMENT DIRECTED AT		TYPED NAME/RANK/TITLE
HOUR	DATE	
		SIGNATURE

MEDICAL CERTIFICATE

The above named individual was examined by me at _____ on _____ and found to be _____
(HOUR) (DATE)

fit unfit for confinement. The following irregularities were noted during the examination; (if none, so state):

I certify that from an examination of _____
Name Rate SSN
and of the place where he/she is to be confined, I am of the opinion that the execution of the foregoing sentence to confinement on (bread and water) (diminished rations) will/will not produce serious injury to his/her health.

TYPED NAME/RANK/TITLE	SIGNATURE
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RECEIPT FOR PRISONER

The above named individual was received at _____
(NAME OF BRIG/CORRECTIONAL FACILITY)

at _____ on _____
(HOUR) (DATE)

TYPED NAME/RANK/TITLE	SIGNATURE
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ENCLOSURE (3)

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NAVPERS 1640/4 (CONFINEMNT ORDER)

Note: Copy(ies) of the Confinement Order, NAVPERS 1640/4 (Rev. 7-82), S/N 0106-LF-016-4023 can be copied from the distributed hard copy of this order or through Central files, via E-mail. You must have Acrobat Reader 3.0 or better on your computer to open the file as a form.

ENCLOSURE (3)

REQUIRED CLOTHING ITEMS

<u>ITEM</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
BAG, DUFFEL	0	1
BELT, WEB	1	3
BELT BUCKLE	1	2
BLOUSE, UTILITY	2	4
BOOTS, BLACK	1	2
DRAWERS, SKIVVI	6	12
COVER, UTILITY	1	2
COVER, GARRISON	0	1
JACKET, FIELD (NO GORTEX)	0	1
LONG JOHNS (TOP & BOTTOM WHITE)	0	2
SHIRT, DRESS, SERVICE	0	1
SHOES, ATHLETIC	1	1
SHOES, DRESS	0	1
SHOES, SHOWER	1	2
SHORTS, PT	1	2
SOCKS, ATHLETIC	6	12
SOCKS, BOOT	6	12
SWEAT PANTS (GREEN)	0	2
SWEAT SHIRT (GREEN)	0	2
TOWEL, WHITE	1	4
TROUSERS, UTILITY	2	4
TROUSER, SERVICE	0	1
UNDERSHIRT, GREEN	6	12
WASHCLOTH, WHITE	1	4

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DIRECTIONS to NAVCONBRIG CHARLESTON

- Take US-21 west to US-17 North.
- Take US-17 North to Charleston (approx. 55 miles).
- Just as you enter the city limits of Charleston, you will take Interstate-526 East towards North Charleston.
- Stay on I-526 (for approx. 9 miles) until you come to the exit for Virginia Ave.
- Take that exit.
- When you come to the end of the off ramp take a left.
- You will now be on Virginia Avenue.
- Drive down about a mile, go over the railroad tracks and cross Remount Road.
- This will put you at South Annex Gate.
- There will be a sentry posted if you have questions.
- Go through the gate.
- Take your first left.
- Drive about 500 feet and take your first right onto 7th Street, you will see a sign pointing to Consolidated Brig.
- The road forks, bear to the left.
- The brig parking lot is on the left.
- Park there and report to the Control Center.

If you should get lost call the brig at:
Commercial (843) 743-0306 or DSN: 563-0306.

ENCLOSURE (5)

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UNITED STATES MARINE CORPS
Weapons and Field Training Battalion
Marine Corps Recruit Depot
P.O. Box 17001
Parris Island, South Carolina 29905-7001

5800
S-1/AA
24 Aug 00

From: Commanding Officer
To: Naval Consolidated Brig, Charleston, South Carolina (Attn: IRO)
Subj: 72-HOUR MEMORANDUM CONCERNING PRETRIAL CONFINEMENT ICO
LCPL I. S. TROUBLE 123 45 6789/0000 USMC
Ref: (a) R.C.M. 305, MCM 1998
(b) UCMJ, MCM 1998
Encl: (1) 1stSgt Killjoy, USMC Stmt of 23 Aug 00
(2) SNM Confession to CID of 10 Aug 00

1. This memorandum is provided in order to reflect the reasons for he command's conclusion that the requirements for confinement as reflected in subsection (h)(2)(B) of reference (a) have been met.

2. Pretrial confinement of SNM was directed at approximately 1730 on 23 August 2000 because reasonable grounds exists to believe that:

a. Violations of Articles 86 (Unauthorized Absence) and 112a (Wrongful Possession, Use, and Distribution of Controlled Substances), offenses triable by a court-martial, have been committed;

b. Lance Corporal Trouble committed the above offenses (see enclosures (1) and (2)); and

c. Confinement is necessary because it is foreseeable that:

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(1) Lance Corporal Trouble will not appear at trial, pretrial hearing, or investigation, as evidenced by his unauthorized absence terminated by apprehension (see enclosure (1)); and

(2) Lance Corporal Trouble will engage in serious criminal misconduct similar to that which he confessed to committing in enclosure (2); and

d. Less severe forms of restraint, such as restriction, have been considered but are believed inadequate due to Lance Corporal Trouble's stated intention to flee the area (see enclosure (1)).

I. M. COMMANDING

Copy to:
Depot Law Center
MOJO, SDC

ENCLOSURE (6)