OPERATION AND ADMINISTRATION OF AFLOAT BRIGS
BUPERS INSTRUCTION 1640.28

From: Chief of Naval Personnel

Subj: OPERATION AND ADMINISTRATION OF AFLOAT BRIGS

Ref: (a) SECNAV M-1640.1
(b) SECNAVINST 1640.9D
(c) Manual for Courts-Martial United States, 2019
(d) SECNAV M-5214.1 of December 2005
(e) OPNAVINST F3100.6J (NOTAL)
(f) OPNAVINST 1000.16L

1. Purpose. To publish policy and procedures for the operation and administration of afloat brigs.

2. Scope and Applicability. This instruction and references (a) through (f) are applicable to the operation of afloat brigs and provides specific guidance unique to their operation. This instruction becomes effective upon cancellation of OPNAVINST 1640.8A, Manual for the Operation and Administration of Afloat Brigs.

3. Background. Per reference (b), Bureau of Naval Personnel Director, Corrections and Programs Office (BUPERS-00D) has primary and final responsibility for developing and issuing corrections policy within the naval service, including afloat brigs. On a case-by-case basis, BUPERS-00D may grant waivers to any provision. Such waiver requests must be submitted in writing, identify the provision, specify in detail, and provide justification why the waiver is sought. All waivers must be submitted via the chain of command to BUPERS-00D. The provisions of this instruction supersede all other guidance except as specified for ships in references (c) and (d). Local conditions may require minor deviation from the provisions of this instruction; however, any deviations will be reported via naval correspondence to BUPERS-00D.

4. Action. Commanding officers (COs) of ships with afloat brigs must ensure the provisions of this policy and reference (a) through (e) are strictly followed in the operation of afloat brigs. The strong involvement of the chain of command in the day-to-day operation of a ship's brig is essential. Copies of local regulations for implementing the provisions of this policy must be forwarded to BUPERS-00D.
5. **Records Management**

   a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned for the standard subject identification codes (SSIC) 1000 through 13000 series per the records disposition schedules located on the Department of the Navy/Assistant for Administration (DON/AA), Directives and Records Management Division (DRMD) portal page at https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx.

   b. For questions concerning the management of records related to this policy or the records disposition schedules, please contact your local records manager or the DON/AA DRMD program office.

6. **Review and Effective Date.** Per OPNAVINST 5215.17A, BUPERS-00D will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

7. **Forms.** Appendix B lists applicable forms for this instruction.

   [Signature]
   
   A. HOLSEY
   Deputy Chief of Naval Personnel

**Releasability and Distribution:**
This instruction is cleared for public release and is available electronically only via BUPERS/NAVPERSCOM Web site: https://www.mynavyhr.navy.mil/References/Instructions/BUPERS-Instructions/.
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CHAPTER 1
POLICY

1001. **Applicability.** The Secretary of the Navy establishes afloat brigs to provide for restraining members that are attached to or embarked on a ship and alleged to have committed or have committed a violation of the Uniform Code of Military Justice (UCMJ). Per reference (b), BUPERS-00D has primary and final responsibility for developing and issuing confinement and corrections policy for naval military correctional facilities (MCF), including afloat brigs. Navy aircraft carriers, landing helicopter assault ships, and landing helicopter decks that have brigs may operate afloat brigs if certified by BUPERS-00D. Other ships may be specifically designated by fleet commanders to operate a brig when deemed necessary. All afloat brigs must conform to this instruction and be inspected and certified by BUPERS-00D to operate as a naval place of afloat confinement.

1002. **General**

1. **Mission.** The mission of a ship's brig is to:

   a. Support good order and discipline, correct disruptive behavior and, when possible, restore confined personnel to constructive duty.

   b. Provide for safe and secure confinement of personnel subject to the UCMJ who are pending trial or serving confinement due to disciplinary action. Partial confinement onboard a ship at sea should continue only until the person can be transferred to a shore MCF. Such transfer should be accomplished at the earliest opportunity permitted by the operational requirements and mission of the ship.

   c. Carry out the sentence of a court-martial or UCMJ, article 15, non-judicial punishment (NJP), per reference (c). Personnel sentenced by a court-martial to confinement for a period of 31 days or more or who receive a punitive discharge should be transferred to a shore MCF at the earliest opportunity.

2. **Definitions**

   a. **Afloat Brig.** A space onboard a naval vessel certified and approved by BUPERS-00D as an authorized naval place of afloat confinement and designated specifically for the purpose of confinement for personnel attached to or embarked on a ship.

   b. **Confinement.** The incarceration of a Service member in a ship's brig that is certified and approved by BUPERS-00D as an authorized naval place of afloat confinement.
c. Military Correctional Facility (MCF). An MCF is a military shore-based and operational correctional facility. In the Navy and Marine Corps, MCFs are commonly referred to as brigs. Due to limited capabilities, afloat brigs are not considered MCFs.

d. Prisoner. Unless specifically delineated, the term “prisoner” refers to pretrial, post-trial, and recipients of 3 days confinement resulting from NJP.

(1) Pretrial Prisoner. Person legally ordered into confinement per reference (c) pending trial by court-martial or a rehearing. No person will be confined without probable cause that the member committed an offense against the UCMJ. The officer ordering the individual into confinement must indicate on the confinement order the article of the UCMJ charged and the offense title of each charge.

(2) Post-trial Prisoner. Person confined in the brig as a result of a sentence to confinement due to a finding of guilt for charge(s) from a court-martial.

(3) NJP Confinement Recipient. A Service member attached to or embarked on a vessel who receives confinement of not more than 3 consecutive days as a result of NJP punishment per reference (c).

1003. Philosophy. Per their legal status and classification, persons in naval confinement must be treated consistently and per the provisions of the UCMJ.

1. Prisoners are confined as punishment; however, they are not confined to be punished by any member of the brig staff, except as provided for by law or regulation. Harassment, hazing, unauthorized exercises, unnecessary restrictions, deprivations, and or demeaning treatment is strictly prohibited.

2. The major purpose of all confinement imposed as a result of a court-martial or NJP is the correction of the person’s conduct and potential return to constructive duty upon proper release from confinement. Prisoners not being returned to duty should be transferred to a shore MCF as soon as practicable to be afforded necessary treatment, program services, and or re-entry assistance.

3. Confined naval personnel retain all the rights and responsibilities of Service personnel in a duty status, except those that are expressly, or by implication, taken away under the provisions of the UCMJ, and such regulations as issued by competent authority.

4. Discipline must be administered uniformly and on a corrective, vice punitive, basis, per reference (a).

1004. Authority to Operate. A ship’s brig included in the original construction design or added during an authorized conversion is an authorized place of confinement aboard a ship. Authority
to operate the brig is granted by approval from BUPERS-00D upon completion of construction or conversion and the completion of a successful inspection for certification.

1005. Certification. A ship’s brig must be certified to operate as a naval place of afloat confinement prior to utilization for confinement. BUPERS-00D will determine certification of a ship’s brig through an inspection process. An inspection for certification of the ship’s brig will be requested by the ship to BUPERS-00D. Certification will be conferred by BUPERS-00D through naval correspondence. The certification process follows:

1. BUPERS-00D’s initial certification of the ship’s brig will take place at the completion of construction and prior to operation of the brig.

2. BUPERS-00D’s first recertification of a ship’s brig will occur at 12 months and no later than 18 months after the initial inspection for certification.

3. BUPERS-00D’s subsequent recertification of a ship’s brig will occur between 24 months and 30 months after the previous certification.

4. Requests to exceed beyond 30 months certification must be submitted, utilizing naval correspondence, to BUPERS-00D via the chain of command. The request must include justification for the extension request and the anticipated date the ship’s brig will be available for an inspection for recertification. At no time will the certification status of a ship’s brig exceed 36 months, unless expressly approved by BUPERS-00D. If certification status exceeds 30 months without official approval from BUPERS-00D, the ship’s brig certification as a naval place of afloat confinement will be terminated and the ship will not be authorized to operate confinement operations. BUPERS-00D will notify, utilizing naval correspondence, the ship’s leadership of the termination of brig certification status. The ship’s brig will not be authorized to operate as a naval place of afloat confinement until completing a successful inspection for certification by BUPERS-00D. The ship’s leadership will request and coordinate with BUPERS-00D to schedule an inspection for certification.

1006. Brig Status

1. Certified Operational. The brig has been inspected and certified or recertified by BUPERS-00D to operate as a naval place of afloat confinement and is available for confinement operations.

2. Closed. The brig has been previously certified but is not confining personnel due to a maintenance period where the brig area will not be altered or impacted. Closure of the brig will require naval correspondence to be submitted to BUPERS-00D, via the chain of command, requesting closure, length of closure, and reason for closure. BUPERS-00D will respond via naval correspondence, approving or disapproving the closure. Prior to placing the brig back into an operational status, BUPERS-00D must be notified through naval correspondence and will
determine if a recertification inspection will be required. If no recertification is needed, naval correspondence from BUPERS-00D will be issued, placing the brig back into a certified operational status. When placed back into a certified operational status without a recertification inspection, the ship’s brig will fall into the certification periodicity as stated in article 1005 above.

3. **Decertified.** The brig is closed and decertified due to lapse in recertification (over 30 months since last inspection), in maintenance period with the brig being modified or impacted, a space adjacent to the brig has caused a modification to the brig, the brig did not pass certification or recertification inspection, or something has occurred onboard the ship which causes the brig to be non-operational. Once the brig is decertified, BUPERS-00D will be required to conduct a recertification inspection to reopen the brig and place it in a certified operational status.

1007. **Brig Operational Classification and Functional Adequacy**

1. **Operational Classifications:** The following physical plant conditions will be considered in determining classification of the brig functional adequacy:

   a. Conditions affecting safety and health of staff and prisoners; space utilization, including berthing capacity, structure, and utility systems;

   b. Condition and effectiveness of security features and equipment;

   c. Configuration as it affects separation of categories of prisoners and conserves staff required to supervise the operation; and

   d. Adequacy of program and administrative support spaces.

2. **The operational classifications are:**

   a. **C1.** The ship’s brig has substantially met all demands placed upon it in a mission category through the reporting period. Operation of the brig is not hindered by any inadequacies that may exist.

   b. **C2.** The ship’s brig has met all demands of the mission category through the reporting period with only minor deficiencies. Inadequacies exist but do not seriously hinder operations. These inadequacies will be corrected when practicable.

   c. **C3.** The ship’s brig has only marginally met the mission category throughout the reporting period and major deficiencies are identified. Serious inadequacies exist which hinder the operation and must be corrected. This is a naval place of confinement authorized for use as a matter of expediency because no other facility is available.
d. **C4.** The ship’s brig has not met vital demands of the mission category. Serious inadequacies exist which preclude successful support of the confinement mission. These are naval places of confinement authorized for use only as a necessity because no other facility is available, and it must be replaced or undergo major renovations as soon as possible.

3. **Functional Adequacy Rating:** Functional adequacy classifications for brigs will be issued following on-site inspections by certified BUPERS-00D fleet correctional specialists.

   a. **F1.** Operation of the ship’s brig is not hindered by any inadequacies. Deficiencies may exist which have little to no impact on afloat brig operations. Identified deficiencies will be corrected when practicable and may or may not require tracking with subsequent follow-up reports, utilizing naval correspondence and OPNAV 5040/2 Implementation Status Report, to BUPERS-00D.

   b. **F2.** Deficiencies that present a minor hindrance and or impact to afloat brig operations exist. Identified deficiencies may require a plan of action that must be submitted to BUPERS-00D for approval until the deficiencies can be corrected. The plan of action will be submitted via naval correspondence with an OPNAV 5040/2 Implementation Status Report and will identify the deficiency, measures to be taken to address or overcome the deficiency, the anticipated date the deficiency will be corrected, and a point of contact. The deficiency will be tracked via OPNAV 5040/2 until resolved.

   c. **F3.** Serious inadequacies exist which hinder the operation and must be corrected as soon as possible and without delay. This is a naval place of afloat confinement authorized for use as a matter of expediency because no other facility is available.

   d. **F4.** Serious inadequacies exist which preclude successful operation and or support of the afloat confinement mission. Immediate attention and priority must be given for the inadequacies to be corrected. This is an authorized naval place of afloat confinement for use only as an extreme necessity because no other option is available. Echelons 2 and 3 commands must pay particular attention to the continued existence of brigs classified in this category.

4. Classification and functional adequacies will be assigned to each operating afloat brig by BUPERS-00D. The date for correction of a discrepancy will be established via OPNAV 5040/2 by BUPERS-00D in conformance with guidelines.

5. Future construction and renovation to ships’ brigs must meet physical construction requirements per reference (a), hull designs by Naval Sea Systems Command (NAVSEA), and all other pertinent regulations for such ships. To the largest extent possible, American Correctional Association Standards will also be considered. Future construction and renovation of ships’ brigs must meet current standards prescribed by reference (a) and NAVSEA hull designs. Any request for an exception to these regulations will be addressed to BUPERS-00D.
6. Requests for closure of a ship's brig for other reasons will be submitted via the chain of command to BUPERS-00D via naval correspondence. All requests must include justification for closure and the date for ceasing operation. If approved for closure, the ship must notify all concerned of the actual closing date when it occurs.
2001. **Classification.** Prior to being placed into operation as an authorized naval place of afloat confinement, a ship's brig must be inspected by BUPERS-00D and subsequently receive naval correspondence conferring certification status. Ships designated to operate brigs will provide facilities to accommodate all authorized and legal confinements on request. However, confinement of post-trial prisoners will not normally exceed 30 days.

2002. **General**

1. **Standards.** Ships’ brigs are not required to conform to the cell size specified for cells of Navy shore MCFs. Structural standards for ships are contained in NAVSEA hull designs. However, cells will be a minimum of 3.5 feet wide, 7.5 feet long, and 6.5 feet high. All new construction must conform to hull-type standards.

2. **Safety and Habitability.** The following items must be in place and regularly inspected for accountability and serviceability:

   a. **Life-Safety Items.** Items of major importance in protecting staff and prisoner(s) lives, if endangered. Examples include:

      (1) Emergency breathing devices for each staff member and prisoner (to include ample devices to support the rated capacity),

      (2) Emergency equipment, including keys (three full identical sets),

      (3) Two means of egress spaced at a reasonable distance from each other, and

      (4) Alarms and alarm systems.

   b. **Security Items.** Examples of policies, procedures, or equipment needed to operate an orderly and secure facility and to identify problems, which present a danger to staff or prisoner(s) that are not immediately life threatening include:

      (1) Locking devices and doors

      (2) Valves and switches

      (3) Electrical control and locking systems, and

      (4) Emergency bills
c. **Habitation Items.** Items include areas that are not normally safety or security threats. For example:

1. Heat
2. Light
3. Ventilation
4. Plumbing, head facilities and shower, and
5. Furniture and lockers

2003. **Discrepancies.** Brig physical plant discrepancies will be identified and routed through the ship’s chain of command and resolved as follows:

1. Life-safety discrepancies must be immediately corrected. No waiver or deferral will be granted except as provided by reference (a). Discrepancies must be corrected no later than the next scheduled restricted availability after NAVSEA has approved the required alterations.

2. Security and less serious safety discrepancies will be corrected at the earliest date and not later than the next scheduled extended availability. Waivers may be granted by BUPERS-00D until the appropriate overhaul period and will be based on implementing adequate brig procedures, mitigation plan to temporarily overcome the deficiency, or other effort that reduces the threat to the maximum extent possible. Security issues are secondary to life-safety issues.

3. Habitation requirements for a ship are those in effect at the time of construction or conversion. Only in cases of major, long-term impact or in cases determined necessary by the fleet commander or medical personnel, will a ship be required to conform to new habitation regulations. Habitation requirements will be corrected at the earliest possible time as funding and personnel permit.

4. Permanent waivers for other than life-safety discrepancies may be granted only by BUPERS-00D. Waivers or exceptions may be requested via the chain of command, per reference (a).

2004. **Physical Plant Standards for New Ships**

1. Afloat brigs must meet all current life-safety criteria in order to operate. Upon approval of revised or new safety requirements, the echelon issuing such requirements will determine and specify the appropriate period in which to accomplish the changes required. If these changes are required to be effective immediately, this will be stipulated.
2. New security standards issued in the future will be applicable as determined by BUPERS-00D. Waivers may be requested where conformance to new regulations is not feasible or practical.

3. Habitability requirements for a ship are those in effect at the time of construction.
CHAPTER 3  
STAFF

3001. Billet Titles. The applicable billet titles depicted in reference (a) must be utilized for afloat brigs. The use of local titles is prohibited. The ship's commanding officer (CO) will appoint, in writing, a naval officer as the brig officer.

3002. Ship's Brig

1. Ships with brigs will be manned with the following staff per this instruction and references (a) and (f) (as applicable).
   a. One chief petty officer master at arms (MA) (MAC) with the Navy enlisted classification (NEC) code P08A (afloat corrections specialist) as the brig supervisor
   b. One E-6 administrative supervisor and or mail supervisor
   c. Five MAs with NEC P08A, who may serve in a variety of billets (section leader, receiving and release supervisor, training supervisor, and or control center supervisor).
   d. Additional staff may be comprised of graduates of the Naval Corrections Academy and have been awarded NEC 826A (correctional custody specialist ashore); and,
   e. Additional ship personnel with requisite brig afloat training, as required, for supervision of prisoners

2. Additional staffing requirements can normally be met by utilizing temporary additional duty staff that have completed the Navy Corrections Academy NEC 826A and graduates of the Afloat Brig Training Course (A-831-0003) or the Center for Security Forces (CENSECFOR) equivalent.

3. Reference (f) provides methodology to determine manpower and levels of strength needed to meet required manning for afloat brig operational duties, tasks, and functions for 24/7 watch-stations.

4. Ships authorized to confine females must have at least five trained female staff. At least one female must be an MA1 with NEC P08A or a female E-6 with NEC 826A.

5. When the brig is in operation, at least two staff members must be on duty at all times. One of the two staff members must have NEC P08A or 826A. Ship’s personnel who have completed the Afloat Brig Training Course or CENSECFOR’s equivalent course may supplement the regular brig staff. On ships with females assigned, at least one brig staff member on duty must
be a female if a female is confined. One post will be in the control center and the other in the cell or quarters area.

3003. Other Personnel. Ships may assign additional personnel as prisoner escorts to escort prisoners who are being transported outside of the brig. To be qualified escorts, the additional escorts must complete escort training per reference (a) and be issued a prisoner escort identification card (locally generated).

3004. Training

1. All personnel assigned permanent change of station orders to billets designated to operate the brig aboard a ship must be provided NEC P08A training en route. Personnel assigned on a temporary basis to brig duty must have attended the Navy Corrections Academy (NEC 826A) or the CENSECFOR’s Afloat Brig Training Course. Brig supervisors or local shore brigs can train additional ship staff to be utilized for prisoner escort purposes.

2. Each afloat brig will develop and maintain an effective pre-service and in-service training program. At a minimum, the in-service training program must cover the subjects contained in reference (a) that are applicable to afloat brigs. All staff members must be qualified using the Afloat Brig Job Qualification Requirements (JQR) prior to being assigned to a watch station. The JQR training template is available at: https://www.mynnvyhr.navy.mil/Support-Services/Corrections-Programs/Brigs/Afloat. When in a fleet concentration area, ships should request the nearest shore MCF to provide or aid in training assistance.

3. All training conducted must be documented. Documentation will include at a minimum:
   a. Date
   b. Title of subject matter
   c. Name of instructor
   d. Location of training
   e. Time training commenced
   f. Time training concluded
   g. Signature of instructor, and
   h. Printed name and signature of attendees
3005. **Conflict of Interest Assignments**

1. Due to constraints of service afloat, the brig officer must be a naval officer, but no other restrictions to this assignment apply. Generally, shore MCFs avoid assigning brig duties, or any other assignments, to officers serving as staff judge advocates, legal service officers, or discipline officers that may be involved in the investigation, apprehension, or prosecution of military personnel under the provisions of the UCMJ. This is highly effective, but not always possible for COs of afloat commands.

2. Personnel who are assigned as brig staff will not be employed as ship's MAs and serve security forces personnel duties while the brig is in operation. This restriction does not apply if the brig is not being operated for an extended period while at sea or in homeport.

3006. **Other**

1. All personnel assigned to a brig must meet the personnel assignment criteria of reference (a).

2. Staff members will wear the standard military uniform of their Service and maintain high standards of military appearance, physical fitness, and military bearing.

3. In those cases where other Services embarked utilize the brig, they may be tasked to provide trained and qualified staff members in proportion to the number of personnel of that Service confined. Other Service staff members must meet the same qualifications as required for the Navy brig staff. Management of the brig must be by Navy staff only.
1. **Operational Procedures and Guidance.** Routine operational procedures will be per reference (a). Non-routine operational procedures, interim guidance, and afloat brig reference documents are available at Navy Personnel Command Corrections and Programs (PERS-00D) Web site at: https://www.mynavyhr.navy.mil/Support-Services/Corrections-Programs/Corrections/ or via the representative U.S. Fleet Forces Command (FLTFORCOM) Fleet Confinement Specialist (N1P2) or Pacific Fleet (PACFLT) Fleet Confinement Specialist (N16) (both assigned to BUPERS-00D).

2. **Gender.** Persons of opposite gender may be confined in a ship's brig as long as the conditions of reference (a) are followed and BUPERS-00D has certified the brig to house multiple genders. Simultaneous confinement of opposite gender prisoners may be authorized, but the brig must be approved and certified to do so prior.

   a. Rules and regulations regarding apprehension, arrest, restriction, and confinement are equally applicable to members of both gender.

   b. If simultaneous confinement of Service members of the opposite gender is approved and certified by BUPERS-00D, the opposite gender prisoners will not be confined in the same cell at the same time. They must be confined in separate cells that provide total visual separation. Visual separation includes adequate privacy during use of the toilet, showering, changing clothes, and similar periods of nudity.

   c. Trained and qualified staff of the same gender as the prisoner confined must be utilized at all times.

   d. Confinement criteria directed by reference (a) must be met.

   e. A ship's brig will not be used to confine females unless specifically approved and certified by BUPERS-00D.

3. **In Port.** Post-trial prisoners attached to or embarked on a ship may be confined in the ship's brig while in port as long as time limits for such confinement are observed. Pretrial prisoners should be transferred to the nearest shore MCF.

4. **Daily Schedule.** The brig daily program and schedule will vary extensively depending on the ship's schedule, needs, available resources, and the individual needs of the prisoner(s). The daily schedule should generally provide for all work and program requirements specified in this instruction. Pretrial prisoners should generally be confined in a single cell to avoid commingling.
issues. The only work assigned to them should be routine police, maintenance, and housekeeping functions. Appendix A contains sample brig routines.

5. **Health and Safety Inspection.** Ships must conduct the following inspections of the brig facility.
   
a. An NEC P08A or 826A brig staff will conduct a daily inspection of all safety and habitability items. Results will be documented in the brig log, to include the action taken to correct, eliminate, and or mitigate any discrepancies.

   b. The brig supervisor will conduct a weekly inspection of all safety and habitability items noted in subparagraph 2002.2. Results will be documented in the brig log.

   c. A member of the medical department will conduct and document a monthly sanitation inspection of the brig. Results of this inspection will be documented in the brig log, to include the action taken to correct, eliminate, and or mitigate any discrepancies.

4002. **Ship’s Brig Instruction**

1. The brig will operate under a ship’s brig instruction based on this instruction and reference (a). The ship’s brig instruction must include, at a minimum, the following:

   a. Emergency bills

      (1) Fire

      (2) Riot and disorder

      (3) Collision at sea

      (4) Escape and attempted escape

      (5) General quarters

      (6) Man overboard

      (7) Abandon ship

      (8) Disaster

   b. Daily routine
c. Security procedures and searches

d. Special custody and security problems
   
   (1) Procedures for suicide risks
   
   (2) Opposite gender supervision procedures, and
   
   (3) Custody classification and escort procedures

e. Use of force

f. Control and maintenance of keys, tools, and security equipment

g. Rules and regulations for confined personnel

h. Staff standards of conduct, rules, and regulations

i. Post orders

2. Prisoner rules and regulations must include, at a minimum, the following:

   a. Rules regarding obedience, safety, and searches

   b. Appearance, courtesy, and bearing

   c. Daily routine

   d. Emergency bills

   e. Orientation

   f. Smoking prohibitions or restrictions

   g. Work

   h. Counseling

   i. Mail, visiting, telephone, and

   j. Disciplinary measures
4003. **Confinement, Release, and Transfer**

1. No person may be ordered into pretrial confinement except for probable cause per reference (c). Probable cause to order pretrial confinement exists when there is a reasonable belief that a violation of the UCMJ, punishable by court-martial, has been committed; the person confined committed it, and confinement is required under the circumstances.

2. Confinement procedures will be per reference (a) and (c).

3. All confinements must be documented by DD 2707 Confinement Order and entered in the brig log.
   
   a. Personnel under the influence, of drugs or alcohol will not be accepted into confinement for safekeeping. The medical officer must certify personnel as physically fit for confinement on the DD 2707 prior to confining.

   b. The order to place personnel in pretrial confinement may be oral or written when there is reason to believe the individual is a danger to ship’s personnel or property. Required procedures will be completed immediately after the prisoner is placed into confinement.

   c. Medical procedures will provide for confinement physicals prior to confinement. A physician, physician’s assistant, or nurse practitioner may perform confinement physicals. When none of the foregoing is available, the initial confinement physical may be performed by a hospital corpsman, if the corpsman is specifically authorized to perform such physicals by the brig medical officer. In instances where a corpsman performs the initial pre-confinement physical, a physician, physician’s assistant, or nurse practitioner must conduct a follow-up physical within 24 hours.

4. Temporary release and work details will be documented utilizing DD 2708 Receipt for Pretrial/Post-Trial Prisoner or Detained Person.

5. The DD 2718 Prisoner Release Order will be used for permanent release from confinement.

6. Transfers between brigs will be accomplished utilizing a DD 2708. The original DD 2707 (with medical certification) and the original prisoner record must be provided to the receiving brig upon transfer. The transferring brig may retain copies of key documents from the file to assist in responding to inquiries received following transfer.
4004. Detention of Enemy Prisoners of War (EPW), Retained Personnel (RP), and Civilian Internees (CI) Aboard Naval Vessels

1. Background

   a. International law requires humane treatment of EPWs, RPs, and CIs, at all times.

   b. International treaty law expressly prohibits "internment" of EPWs, other than in premises located on land, but does not specifically address temporary stays on board vessels. Customary practice has allowed temporary custody as discussed below. Although internment is not defined, prohibition on internment requires policy carefully limiting detention of EPWs, RPs, and CIs on board vessels.

2. Policy

   a. Detention of EPWs, RPs, and CIs on board naval vessels will be limited as follows:

      (1) EPWs, RPs, and CIs picked-up at sea may be temporarily held on board as operational needs dictate, pending a reasonable opportunity to transfer them to a shore facility or to another vessel for evacuation to a shore facility.

      (2) EPWs, RPs, and CIs may be temporarily held on board naval vessels while being transported between land facilities.

      (3) EPWs, RPs, and CIs may be temporarily held on board naval vessels if such detention would significantly improve their safety or health prospects.

   b. Holding of EPWs, RPs, and CIs on board vessels must be temporary, limited to the minimum period necessary to evacuate them from the combat zone, or to avoid any significant harm they would face if detained on land.

   c. Use of immobilized vessels for temporary holding of EPWs, RPs, and CIs is not authorized without national command authority approval.
5001. **General.** Programs will vary in number and type according to each ship’s status, size, and situation. Program levels cannot be as extensive as those of shore MCFs; however, the small size of a ship’s brig does enable the staff to focus on and address, with a unique combination of teamwork and individual attention, the problems and needs of prisoners.

5002. **Work**

1. Post-trial prisoners will perform productive work. Custody classification and escort restrictions per reference (a) will be followed. Modifications to reference (a) escort and restraint requirements for medium-maximum custody, while aboard the ship, may be established by the ship’s commanding officer and approved by BUPERS-00D during certification inspections.

2. It is preferred that confined personnel work in groups, where possible. Pretrial prisoners must not work with post-trial prisoners, except on routine housekeeping; nor will pretrial prisoners work outside the brig. Separately, however, both categories may perform work assignments that are beneficial to the ship (e.g., productive work), even if the work is similar.

3. As a general guideline, work should be performed inside the brig and its assigned spaces, as a routine maintenance or housekeeping function, and may be performed by any prisoner, individually or in mixed work and legal status. As a goal, all prisoners should work no less than an average Navy workweek. Sunday will be a workday when it is a workday for the ship. Appendix A provides an example brig routine. Work must be productive and useful.

4. All confined members will wear a prisoner identification badge. No other visual form of identification is permitted, except when specifically authorized by BUPERS-00D.

5003. **Other Programs.** Programs are generally geared for both pretrial and post-trial prisoners, except as noted below. General military training (GMT) will be provided for pretrial prisoners. Rehabilitative programs, if available, are not appropriate for pretrial personnel.

1. **Religious.** The chaplain or lay leader, where appropriate, will visit each confined person as soon as possible after confinement and at a minimum, weekly thereafter. Visits should provide a supportive moral atmosphere that encourages responsible actions and self-evaluation by those confined.

2. **Training.** The brig supervisor will make available, daily, at least 45 minutes for GMT and rate training study.
3. Counseling and Motivational Training

a. Based on mission type and limited capabilities of afloat brig operations, a prisoner will not be in afloat confinement long enough for there to be a need for the functions and tasks of a correctional counselor NEC 810A. Correctional counseling of prisoners may be used if a correctional counselor is onboard. Absent an NEC 810A on staff, use of a ship personnel or senior brig staff experienced in counseling is recommended. Initial interviews and counseling sessions should be accomplished within 24 hours of confinement, if a counselor is attached to the ship. Upon completion of the interview and or counseling session, the counselor will complete a DD 2710 Prisoner Background Summary. If correctional counseling is authorized, a summary of each counseling session will be recorded on DD 2719 Correctional Facility Continuation Sheet and filed in the prisoner’s record.

b. Motivational training will be based on Navy military training curriculum available through Naval Technical Training Center, Lackland Air Force Base, TX or mobile training team. Motivational training will be on a 15-day cycle and post-trial prisoners will enter the program upon confinement. Since this program is educational, pretrial prisoners may participate on a voluntary basis in the same groups as other prisoners but will not discuss any of their alleged offenses as part of this program.

4. Library. Library selections will be available to prisoners routinely. Selections will be chosen by the brig supervisor and will be representative of a wide range of literature available from the ship’s supply. Prisoners will be allowed to retain limited amounts of literature for reading in their cells. The brig will not have unduly restrictive rules regarding frequency or difficulty of access to library materials, but materials will only be read during recreation or free-time periods.

5. Division or Department Visits. Each prisoner must be visited a minimum of weekly by his or her leading chief petty officer, division officer, or department head. These visits are to be positive in nature.

6. Recreation. A recreation-time period may be scheduled for 1 hour daily for prisoners not in a disciplinary segregation status.
6001. **General.** The following requirements are considered the minimum to provide necessary information and legal safeguards. Substitution of local forms is not authorized.

6002. **Records**

1. The following records, forms, and documents are applicable:

   a. **Brig Log.** The brig log is sufficient to account for the movement of confined personnel. The brig log is a permanent daily record of the operation of the brig and is kept in chronological order. The brig log must be a bound ledger with consecutively pre-printed numbered pages used as a comprehensive account of the brig operation. The brig log will include, but not be limited to, the following entries:

      (1) Results of confinement counts

      (2) Confinement and release of all confined members

      (3) Departure and return of confined member details and appointments

      (4) Change of watch

      (5) Emergencies

      (6) Disorders and action taken

      (7) Inspections

      (8) Record of official visitors and purpose of visits.

      (9) Any unusual occurrences

      (10) Medical log entries per reference (a)

      (11) Disciplinary log entries per reference (a)

      (12) Visitor log entries per reference (a), and

      (13) Privileged correspondence log entries per reference (a)
b. Key log:

c. **NAVPERS 1640/11 Monthly Report of Prisoners/Correctional Custody Personnel.** A copy of NAVPERS 1640/11 will be sent, via e-mail attachment, to BUPERS-00D no later than the 10th day of the month following the closeout of the report. The monthly report is an inspection and audit item to be maintained and filed in the brig administrative space.

2. **Prisoner Files and Records.** An individual file must be maintained for each prisoner in the brig. The prisoner file should follow the layout and chronological order of documents, applicable to afloat brig administration and operations, per reference (a). At a minimum, the prisoner file will contain:

   a. DD 2707 Confinement Order

   b. Court-martial order, report of results of trial, with copy of pre-trial agreement (if applicable) or NJP results

   c. DD 2710-1 Prisoner Sentence Computation

   d. DD 2708 Receipt for Pretrial/Post-Trial Prisoner or Detained Person

   e. DD 2718 Prisoner Release Order (Upon release)

   f. DD 2710 Prisoner Background Summary

   g. DD 2719 Correctional Facility Continuation Sheet

   h. DD 2714 Prisoner Disciplinary Report/Action (If needed)

   i. NAVPERS 1640/17 Inventory and Receipt of Valuables, Clothing and Personal Effects

   j. DD 509 Inspection Record of Prisoner in Segregation, as necessary

   k. DD 510 Prisoner Request

   l. DD 504 Request and Receipt for Health and Comfort Supplies, as necessary

   m. Prisoner picture, and

3. **DD 2704 Victim/Witness Certification and Election Concerning Prisoner Status.** (For post-trial prisoners only) A completed DD 2704, sealed in an envelope marked Victim/Witness, marked with the time, date, and initials of the individual preparing the package will be
maintained separate of the prisoner's record. If the prisoner is transferred to a shore facility, the DD 2704 transfers with the prisoner in the same manner.

4. **Funds and Valuables.** Prisoner funds and valuables will be deposited with the disbursing officer. The disbursing officer must be designated, in writing, as the brig's funds and valuables custodian. Procedures for such action will be specified in ship’s brig instructions.

5. **Personal Property.** The prisoners’ division officers will secure the personal property of personnel confined until they are released from confinement.

6003. **Incident Reports.** These reports are intended to keep higher authority informed of events in Navy brigs that could result in embarrassment to the naval service or focus attention on the brig in question. These reports will be submitted as follows:

1. Reports will be submitted as unit situation reports or operations report (OPREP)-3 Navy Blue reports, whichever is appropriate per reference (e).

2. The following types of incidents or alleged incidents will be reported:
   a. Escape
   b. Death of a confined person
   c. Suicide, or attempt, by a confined person;
   d. Mass strike or disruptive action
   e. Incidents with racial overtones
   f. Incidents of maltreatment or abuse of confined persons, and
   g. Other incidents that could result in embarrassment to, or focus public attention on, the brig or the United States Navy.

6004. **Discipline.** The brig officer, when authorized in writing by the CO, may impose administrative reprimand or warning, deprivation of privileges, and or extra duty as outlined in reference (a).

6005. **Inspections.** COMUSFLTFORCOM and COMPACFLT have responsibility for tracking periodicity of ship’s brig certification status. Ships requiring certification, brig closures, or decertification will liaise with their respective fleet confinement specialist (FCS) representative at BUPERS-00D to coordinate required actions. The fleet commanders’ FCS representative FLTFORCOM (N1P2) or PACFLT (N16), both assigned to BUPERS-00D, is responsible for conducting ship brig inspections for certification of the ships in their respective assigned fleet.
1. Fleet commanders will ensure periodic inspections of ships’ brigs and provide guidance and assistance in their operations by utilizing their respective FCS. Inspection reports will be submitted by the FCS to the major activity and the CO of the ship inspected. Copies of the inspection will be provided to the ship’s type commander. An overall evaluation will be made of the operation and administration of the brig, ensuring compliance with applicable corrections policy. All ships brigs will be specifically certified in relation to gender confinement capability and assigned a rated capacity. Each functional area will be evaluated and a brief discussion will highlight discrepancies, problem areas, and proposed corrective action. Particular attention should be paid to noteworthy items for which the brig could be commended or whose procedures or policies could be of value throughout the Navy Corrections System.

2. Inspections may also be requested during the refit phase of the deployment cycle, but not later than 6 months prior to a scheduled deployment. Certification inspections for ships’ brigs will be funded by BUPERS-00D.

3. Technical assistance visits by the representative FCS (COMUSFLTFORCOM (N1P2) or COMPACFLT (N16)) may also be requested at any time in order to assist afloat brigs in meeting established criteria, assist with required inspection areas, provide training and guidance, and assist with establishing a plan of action and milestone in preparation for future certification inspections. Technical assistance visits for ship’s brigs will be funded by the requesting ship and or type commander.

4. An operational readiness inspection checklist and guide to help prepare ships for their inspection for certification is available on the BUPERS 00D Web site at: https://www.mynavyhr.navy.mil/Support-Services/Corrections-Programs/Corrections/Inspection-Checklist-Training/.
APPENDIX A

Example Brig Routine
Monday-Friday

This is a suggested routine that may be altered to meet local at-sea conditions and applies primarily to in-port operations.

0430  Reveille
0445  Complete Heave-Out and Trice-Up
0500  Head Count/Fall in for Morning Physical Training (PT)
0545  Complete PT/Commence Personal Hygiene
0555  Complete Personal Hygiene/Prepare for Morning Chow
0600  Morning Chow/Berthing and Head Facilities
0715  Stand-by for Berthing, Bunk, and Locker Inspection
0745  Fall-in for Quarters for Personnel Inspection
0800  Colors
0805  Report to Work Assignments, Turn to/Sick Call/Muster
1115  Knock-off Work, Prepare for Noon Chow
1130  Noon Chow
1200  Report to Work Assignments, Turn to
1600  Knock-Off Work, Prepare for Head Count
1605  Head Count and Recreation Call
1650  Secure Recreation Call, Commence Personal Hygiene
1715  Shift into a Clean Working Uniform
1725  Evening Chow
*1800  Assemble for Daily Television News Coverage
1900  Group Counseling/Professional Development
1945  Prepare for Self-Study
2000  Commence Directed Self-Study
2045  Personal Time (letter writing, phone calls, uniform prep, etc.)
2130  Head Count and Taps

* If daily news coverage is not available, training films or motivational training may be substituted.
APPENDIX A

Example Brig Routine
Saturday

This is a suggested routine that may be altered to meet local at-sea conditions and applies primarily to in-port operations.

0430 Reveille
0445 Complete Heave Out and Trice Up
0500 Head Count/Fall in for Morning PT
0545 Complete PT/Commence Personal Hygiene
0555 Complete Personal Hygiene/Prepare for Morning Chow
0600 Morning Chow/Berthing and Head Facilities
0715 Prepare for Personnel Inspection (Uniform of the Day)
0745 Fall-in for Quarters in Preparation For Observing Colors
0800 Colors
0805 Stand-by for Personnel Inspection
0900 Secure from Personnel Inspection, Shift into Working Uniform/Sick Call/Muster Reception Phase Prisoners
0915 Commence Field Day of All Spaces Throughout the Compound, Including Proper Maintenance
1115 Knock-Off Work, Prepare for Noon Chow
1130 Noon Chow
1200 Prepare for GMT
1215 Commence GMT (1st Period)
1300 General Visiting and Visual Recreation
1500 Secure General Visiting and Visual Recreation
1515 Commence GMT (2nd Period)
1600 Secure GMT
1605 Head Count and Organized Team Competition
1650 Secure Recreation Call; Commence Personal Hygiene
1715 Shift into a Clean Working Uniform
1725 Evening Chow
*1800 Assemble for Daily Television News Coverage
1900 Commence Self-Study
^2000 Personal Time (letter writing, phone calls, uniform prep, etc.)
2130 Head Count and Taps

* If daily news coverage is not available, training films or motivational training may be substituted.
^ Entertainment television may be allowed for deserving prisoners.
APPENDIX A

Example Brig Routine

Sunday

This is a suggested routine that may be altered to meet local at-sea conditions and applies primarily to in-port operations.

0500  Reveille
0515  Complete Heave Out and Trice Up
0525  Head Count
0530  Fall-in for Morning PT
0610  Complete PT/Commence Personal Hygiene
0625  Complete Personal Hygiene/Prepare for Morning Chow
0630  Morning Chow/Berthing and Head Facilities
0745  Fall-in for Quarters in Preparation for Observing Colors
0800  Colors
0805  Stand by for Personnel Inspection
0845  Secure from Personnel Inspection, Shift into Working Uniform, prepare for Church Call (those not in attendance at church services will attend motivational training)
1115  Secure Church Call and Motivational Training, Prepare for Noon Chow
1130  Noon Chow
1200  Personal Time/Recreation Call
1300  General Visiting
1500  Secure General Visiting/Personal Time/Recreation Call
1505  Commence GMT/Close-Order Drill
1530  GMT
1600  Secure GMT
1605  Head Count and Organized Competition
1650  Secure Recreation Call, Commence Personal Hygiene
1715  Shift into a Clean Working Uniform
1725  Evening Chow
1755  Secure Evening Chow
*1800  Assemble for Daily Television News Coverage
1900  Commence Self-Study
^2000  Personal Time (letter writing, phone calls, uniform prep, etc.)
2130  Head Count and TAPS

^ Entertainment television or a movie may be allowed for deserving prisoners.
APPENDIX B

FORMS

1. The following forms may be obtained from http://www.dtic.mil/whs/directives/infomgt/imd.htm
   a. DD 504 Request and Receipt for Health and Comfort Supplies
   b. DD 509 Inspection Record of Prisoner in Segregation
   c. DD 510 Prisoner Request
   d. DD 2704 Victim/Witness Certification and Election Concerning Prisoner Status
   e. DD 2707 Confinement Order
   f. DD 2708 Receipt for Pre-trial/Post-Trial Prisoner or Detained Person
   g. DD 2710 Prisoner Background Summary
   h. DD 2710-1 Prisoner Sentence Computation
   i. DD 2713 Prisoner Observation Report
   j. DD 2714 Prisoner Disciplinary Report/Action
   k. DD 2718 Prisoner Release Order
   l. DD 2719 Correctional Facility Continuation Sheet

2. OPNAV 5040/2 Implementation Status Report may be obtained from https://navalforms.documentservices.dla.mil/web/public/forms

3. The following forms may be obtained using requisitioning procedures contained in Navy Forms Online at https://navalforms.documentservices.dla.mil/web/public/forms:
   b. NAVPERS 1640/17 Inventory and Receipt of Valuable, Clothing and Personal Effects