



OPERATION AND ADMINISTRATION
OF
AFLOAT BRIGS



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON, TN 38055-0000

BUPERSINST 1640.28A
BUPERS-00D
14 Apr 2023

BUPERS INSTRUCTION 1640.28A

From: Chief of Naval Personnel

Subj: OPERATION AND ADMINISTRATION OF AFLOAT BRIGS

Ref: (a) SECNAVINST 1640.9D
(b) SECNAV M-1640.1
(c) SECNAV M-5214.1 of December 2005
(d) OPNAVINST F3100.6K (NOTAL)
(e) Manual for Courts-Martial United States (2019 Edition)
(f) JAGINST 5800.7G
(g) OPNAVINST 1000.16L

1. Purpose. To provide policy and procedures for the operation and administration of afloat brigs. Major revisions include clarification to senior-subordinate relationships to align with military culture, customs, and courtesies; insertion of specific billet titles applicable to afloat brigs; added specific subject training requirements, and clarification that only maximum and medium in-custody will be utilized in afloat brigs.
2. Cancellation. BUPERSINST 1640.28.
3. Scope and Applicability. This policy is applicable to the operation of afloat brigs.
4. Background. Per references (a) and (b), the Bureau of Naval Personnel (BUPERS) Director, Corrections and Programs Office (BUPERS-00D) has primary and final responsibility for developing and issuing corrections policy within the naval service, to include afloat brigs. Not all provisions in reference (b) are applicable or feasible for afloat brig operations. This policy clarifies and provides specific policy and direction unique to afloat brig operations. The provisions of this policy supersede all other guidance except as specified for ships in references (c) and (d). Any deviations from this policy must be reported via naval correspondence to BUPERS-00D.
5. Action. Commanding officers (CO) of ships with afloat brigs must ensure the provisions of this policy are strictly followed in the operation of afloat brigs. The strong involvement of the chain of command in the day-to-day operations of afloat brigs is essential. Copies of local regulations for implementing the provisions of this policy must be forwarded to BUPERS-00D.

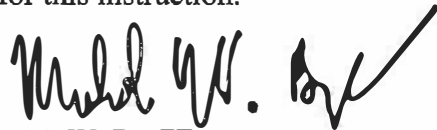
6. Records Management

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.

7. 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, current content, 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.

8. Forms. Appendix B lists applicable forms for this instruction.



M. W. BAZE
Deputy Chief of Naval Personnel

Releasability and Distribution:

This instruction is cleared for public release and is available electronically only via BUPERS Web site: <https://www.mynavyhr.navy.mil/References/BUPERS-Instructions/>.

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CHAPTER 1
POLICY

1001. Applicability. The Secretary of the Navy establishes afloat brigs to provide for restraining members who are attached to or embarked on a ship and alleged to have committed or have committed a violation of the 10 U.S.C. Chapter 47, Uniform Code of Military Justice (UCMJ). Per reference (a), the Bureau of Naval Personnel Director, Corrections and Programs Office (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 may operate afloat brigs provided they they are currently certified by BUPERS-00D.

1002. General

1. Mission. The mission of an afloat 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 UCMJ who are pending trial or serving confinement due to disciplinary action. Pretrial confinement onboard a ship at sea will continue only until the person can be transferred to a shore military confinement facility (MCF). Such transfer should be accomplished at the earliest opportunity permitted by the operational requirements of the ship.

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

2. Definitions

a. Afloat Brig. A space onboard a naval vessel certified 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 an afloat brig that is certified and approved by BUPERS-00D as an authorized naval place of afloat confinement.

c. MCF. A military shore-based and operational correctional facility with a myriad of correctional rehabilitation, reentry, and offense-related treatment programs. In the Navy, MCFs are commonly referred to as brigs. Due to limited capabilities and resources, 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. A person legally ordered into confinement per reference (e) pending trial by court-martial or a rehearing. No person will be confined without probable cause 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. A person confined in the brig as a result of a sentence to confinement from a court-martial.

(3) NJP Confinement Recipient. A Service member in paygrade E-3 or below attached to or embarked on a vessel who receives confinement of not more than 3 consecutive days as a result of NJP punishment per references (e) and (f).

1003. Philosophy. Per their legal status and classification, persons in naval confinement must be treated consistently per the provisions of reference (b), paragraph 1202 and 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, or demeaning treatment are 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. As soon as practicable, prisoners not being returned to duty will be transferred to a shore MCF to be afforded necessary treatment, program services, and or re-entry assistance.

3. Confined naval personnel retain all the rights and responsibilities of Service members in a duty status, except those 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 (b), chapter 5.

1004. Authority to Operate. An afloat brig included in the original construction design or added during an authorized conversion is an authorized place of confinement onboard a ship once certified by BUPERS-00D. 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. An afloat brig must be certified to operate as a naval place of confinement prior to utilization for confinement. BUPERS-00D will determine certification of an afloat brig through an inspection process. Requests for inspection for certification of an afloat brig will be requested by the ship to BUPERS-00D. Certification will be conferred by BUPERS-00D through naval correspondence once an on-site inspection is completed. The certification process follows:

1. BUPERS-00D's initial certification of the afloat brig will take place at the completion of construction and prior to operation of the brig.
2. BUPERS-00D's first recertification of an afloat 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 an afloat brig will occur between 24 months and 30 months after the previous certification.
4. Requests to exceed certification beyond 30 months 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 will be available for an inspection for recertification of the brig. At no time will the certification status of an afloat brig exceed 36 months unless expressly approved by BUPERS-00D. If certification status exceeds 30 months without official approval from BUPERS-00D, the afloat brig certification will be automatically terminated and the ship will no longer be authorized to operate UCMJ confinement operations until again certified by BUPERS-00D. The ship's leadership will request and coordinate with BUPERS-00D to schedule an inspection for certification.

1006. Afloat Brig Status

1. Certified Operational. The brig has been inspected and certified or recertified by BUPERS-00D to operate as a naval place of 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 brig will fall into the certification periodicity as stated in paragraph 1005.

3. Decertified. The brig is closed and decertified due to lapse in recertification (over 30 months since last inspection), maintenance period is being modified or impacted, a space adjacent to the brig has caused a modification to the brig, failed certification or recertification inspection, or something has occurred onboard the ship that caused 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. Afloat 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. Operational Classifications

a. C1. The 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 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 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 confinement option is available.

d. C4. The 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 confinement option is available. It must be replaced or undergo major renovations as soon as possible.

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

a. F1. Operation of the 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 (ISR) 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 submitted to BUPERS-00D for approval until the deficiencies can be corrected. The plan of action will be submitted via naval correspondence using OPNAV 5040/2 and will identify the deficiency and 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 afloat brig operations and must be corrected as soon as possible and without delay. This is a naval place of confinement authorized for use as a matter of expediency because no other confinement option is available.

d. F4. Serious inadequacies exist which preclude successful afloat brig operations 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 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 by BUPERS-00D via official response to OPNAV 5040/2 submissions from the ship.

5. Future construction and renovation to afloat brigs must meet applicable physical construction requirements per hull designs by Naval Sea Systems Command (NAVSEA) and all other pertinent regulations for such ships. Any request for an exception to these regulations must be addressed to BUPERS-00D for approval prior to construction or renovation.

6. Requests for closure of an afloat 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. The ship must notify all concerned of the actual closing date when it occurs.

CHAPTER 2
PHYSICAL PLANT

2001. Classification. Prior to being placed into operation as an authorized naval place of confinement, an afloat brig must be inspected by BUPERS-00D and subsequently receive naval correspondence conferring certification status. Ships with an afloat brig certified to operate may accept authorized and legal confinements on request. Confinement of post-trial prisoners must not exceed 30 days.

2002. General

1. Standards. Afloat brigs are not required to conform to cell size specification for cells in reference (b). Structural standards for ships with afloat brigs are contained in NAVSEA hull designs.

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 per reference (b), paragraph 4303);

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

(4) Alarms and alarm systems.

b. Security Items. Policies, procedures, or equipment needed to operate an orderly and secure brig and to identify problems that present a danger to staff or prisoner(s) which 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. Habitability Items. Items include areas which are not normally safety or security threats. Examples include:

- (1) Temperature;
- (2) Lighting;
- (3) Ventilation;
- (4) Plumbing, head facilities, sinks, showers; and
- (5) Furniture and lockers.

2003. Discrepancies. Afloat 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 (b), paragraph 1302.
2. Security and less serious safety discrepancies will be corrected at the earliest date and no later than the next scheduled extended availability. Waivers may be granted by BUPERS-00D as authorized by reference (b), paragraph 1302. Security issues are secondary to life-safety issues.
3. Habitability requirements for an afloat brig are those in effect at the time of construction or renovation. Only in cases of major, long-term impact or cases determined necessary by the fleet commander or medical personnel will an afloat brig be required to conform to new habitability regulations. Habitability requirements will be corrected at the earliest possible time as funding and personnel permit.
4. Waivers for other than life-safety discrepancies may be granted only by BUPERS-00D as authorized in reference (b), paragraph 1302.

2004. Physical Plant Standards for New Ship's Afloat Brigs

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.
2. New security standards issued in the future will be applicable as determined by BUPERS-00D. Waivers may be requested per reference (b), paragraph 1302 where conformance to new regulations is not feasible or practical.
3. Habitability requirements for an afloat brig are those in effect at the time of construction.

CHAPTER 3
STAFF

3001. Afloat Brig Staffing

1. Staff Criteria

a. The specialized nature of duty in a brig requires that assigned personnel be screened and selected per standardized criteria and specifically trained in control, management, and correction of prisoners. Personnel assigned as permanent staff in afloat brig will be assigned a specific Navy enlisted classification (NEC) of P08A or 826A upon successful completion of a formal corrections school.

b. Permanent staff must:

- (1) Be mature and emotionally stable;
- (2) Not have a psychiatric disorder or excessive use or dependence upon alcohol, which is not treated;
- (3) Have no documented in-Service drug use;
- (4) Demonstrate positive and sound leadership qualities;
- (5) Have no record of a civil court conviction, except for misdemeanor traffic violations;
- (6) Not be under investigation or being considered for administrative separation;
- (7) Have completed at least 24 months of active service following completion of recruit training;
- (8) Be in paygrade E-4 or above;
- (9) Have no record of conviction by court-martial or NJP during the past 36 months and must maintain a clear record of positive conduct and work performance during their tour of brig duty;
- (10) Be within body fat standards; and
- (11) Have no mark below 3.0 for Navy members E-7 through E-9 on NAVPERS 1616/27 Evaluation & Counseling Record in any trait and must reflect a steady or improving trend for the past 36 months. Must have no mark below 3.0 for Navy members E-4 through E-6 in any trait on NAVPERS 1616/26, Evaluation Report & Counseling Record for the past 36 months.

2. Afloat brig must be staffed with the following permanent staff per this instruction and references (b) and (g) (as applicable).
 - a. One chief petty officer master at arms (MAC) with NEC P08A (Afloat Corrections Specialist);
 - b. One MA1 with NEC P08A;
 - c. Five master at arms (MA) (E-4 or above) with NEC P08A to serve in brig operations;
 3. Additional staff may be comprised of graduates of the Naval Corrections Academy and have NEC 826A (Correctional Custody Specialist Ashore).
 4. Augment staffing may be utilized as temporary additional duty staff who are graduates of an afloat brig training course curriculum provided by the Center for Security Forces (CENSECFOR). Augment staff must only be utilized to aid permanent brig staff in the performance of their duties. They are not to be placed in any of the billets listed in paragraph 3001.
 5. Reference (g) provides methodology to determine manpower and levels of strength needed to meet required manning for brig operational duties, tasks, and functions for 24/7 watch-stations.
 6. Afloat brig authorized to confine females must have at least five trained female staff. At least one female must be an MA first class petty officer (MA1) with NEC P08A or a female first class petty officer (PO1) with NEC 826A.
 7. When the brig is in operation, at least two staff members must be on duty in the brig at all times. One of the two staff members must meet requirements of subparagraph 3002.1 or 3002.2 and be of appropriate gender to supervise the confined prisoner. One staff member will be posted in the control center and the other staff member will be posted in the living quarters area of the brig. Augment staff are prohibited from being counted as one of the two staff members required to be on duty. Augment staff may be used to supplement the two permanent staff members on duty as needed (e.g., as a suicide watch, escort about the ship, or if greater staffing presence is required, etc.). Brigs authorized to confine mixed-gender prisoners must follow policy contained in reference (b), paragraph 4207.
3002. 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 basic escort training per reference (b), paragraph 7301.4 and be issued a prisoner escort identification card (locally generated). Ships in local proximity to Navy MCFs are encouraged to send personnel intended to be utilized as prisoner escorts to the local MCF for basic escort training.

3003. Afloat Brig Billet Titles. The use of local billet titles is prohibited. The following applicable billet titles and duties from reference (b) must be utilized for afloat brig:

1. Brig Officer. Refers to the officer or senior enlisted member formally appointed, in writing by the ship's CO, responsible for the day-to-day operation of the brig.
2. Brig Supervisor. An MAC with NEC P08A responsible to the brig officer for the day-to-operations of the brig.
3. Chaplain. Must be assigned in writing by the ship's CO.
4. Medical Officer. Must be assigned in writing by the ship's CO.
5. Training Supervisor. Responsible for the brig's annual training plan, scheduling and ensuring accomplishment of pre-service and in-service training, escort training, and maintenance of staff training records for the brig. This position may be a collateral duty for permanently assigned brig staff.
6. Brig Funds and Valuables Custodian. The disbursing officer must be designated in writing by the ship's CO as the brig's funds and valuables custodian.
7. Mail Supervisor. Responsible for receipting, logging, inspecting, distributing, and posting prisoner mail and for receipting and accounting for prisoner funds and valuables received through the mail. The mail supervisor will also be a custodian appointed in writing by the ship's CO. This position may be a collateral duty for permanently assigned brig staff.
8. Receiving and Release Supervisor. Responsible for processing prisoner intakes and releases, relevant records and supplies including health and comfort items, prisoner personal property, clothing issue, and storage. This position may be a collateral duty for permanently assigned brig staff.
9. Control Center Supervisor. Responsible for maintaining the prisoner accountability and security system. The control center supervisor may be responsible for storage, issue, and inventory of security equipment such as keys, instruments of restraint, etc.
10. Quarters Supervisor. Supervises prisoner living quarters and responsible for the maintenance of good order and discipline, sanitation, accountability, direct supervision, and welfare of prisoners within the brig's living quarters.

3004. Training

1. Formal Training. All personnel assigned permanent change of station orders to billets designated to operate an afloat brig must attend the Naval Corrections Specialist Course A-831-

0001 and obtain NEC P08A en route. Permanent staff assigned on a temporary basis to afloat brig duty must be comprised of graduates of the Naval Corrections Specialist Course A-831-0001 and have obtained the NEC 826A (correctional custody specialist ashore).

2. Each afloat brig must develop and maintain an effective pre-service and in-service training program.

a. Afloat Brig Pre-Service. After successful completion of formal correctional training, all personnel must undergo pre-service training which is conducted onboard the ship and precedes assumption of duties. All personnel who are assigned duties within the brig must attend pre-service training classes regardless of billet assignment. Pre-service will be sufficiently broad in scope to give a thorough understanding of policies, programs, and procedures to be followed in all phases of the operation of the brig. Pre-service will be designed so a successful participant could fill any appropriate staff billet in the brig. Pre-service training will consist of at least three subject matter areas: general orientation to correctional practices and the brig; general supervised on-the-job training in all areas of the operation of the brig; and specific orientation to the particular assignment in the brig. All pre-service training must be documented in such a manner as to permit verification of attendees, specific curriculum completed, instructor names, dates, and length of training.

b. Afloat Brig In-Service Training. In-service training is designed to keep all staff members abreast of changes in policy and operations and to maintain and improve proficiency in confinement skills. Each brig must conduct regularly scheduled in-service training so a complete cycle of subject matter is completed within 1 year. All staff and support personnel with regular or daily contact with prisoners regardless of billet assignment are required to attend this training and demonstrate proficiency in the subject matter. All in-service training must be documented in the same manner as pre-service. In-service training will be a minimum of 40 hours per fiscal year and at a minimum will include the following subjects:

(1) Goals and philosophy of the Navy corrections program, official policies, programs, and procedures for the treatment of prisoners;

(2) Reception and release process, physical examination, health and comfort issue, clothing issue, personal property, proper completion of confinement forms, and reception content, stress management, and brig administrative procedures;

(3) Searches, seizures, shakedowns, contraband, and use of force;

(4) Programs, legal status, and custody classification, work, training, return to duty, or discharge;

(5) Supervision of prisoners, staff attitudes, pitfalls of harassment, intra-staff relationships, staff and prisoner relationships, recreation, mail and visiting procedures, and count procedures;

(6) Problem and special handling prisoners including the assaultive prisoner, suicide risk, blood-borne/airborne pathogens, drug user and supplier, among others;

(7) Inspection of physical plant, bars, doors, mess areas if applicable, recreation areas, fire safety apparatus, lighting, control of keys, weapons, chemical agents, medications, restraints, and tools;

(8) Emergency bills, restraining methods and instruments of restraint, emergency equipment, and hostage survival;

(9) Brig rules for prisoners, disciplinary and other reports, authorization of disciplinary measures, and authority and duties of the brig supervisor, control center supervisor, security supervisor, quarters supervisor, and other staff;

(10) First aid and cardiopulmonary resuscitation (CPR);

(11) Escort training and transfer procedures;

(12) Sentence computation;

(13) Victim Witness Assistance Program (maintained by the ship's legal department);

(14) Unarmed self-defense; and

(15) Hazardous material and hazardous waste procedures.

3. All permanent staff members must be qualified using the Personnel Qualification Standard (PQS) for Navy Corrections Afloat (43387-4) prior to performing applicable billet duties. This PQS is available on the MyNavy Portal Web site: <https://www.mnp.navy.mil/>. Applicable sections of this PQS may be utilized for augmented staff duty qualifications along with the afloat brig training course curriculum provided by CENSECFOR.

4. Brig staff will wear the standard military uniform of the day and maintain high standards of military appearance, physical fitness, and military bearing.

5. In those cases where other embarked Services 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.

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. If possible, avoid assigning brig duties 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.

CHAPTER 4
OPERATIONS

4001. General

1. Operational Procedures and Guidance. Routine operational procedures will be followed per reference (b) as applicable to afloat brigs. Non-routine operational procedures, interim guidance, and afloat brig reference documents are available at Navy Personnel Command Corrections and Programs (BUPERS-00D) Web site at: [https://www.mynavyhr.navy.mil/ Support-Services/Corrections-Programs/Corrections/](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 U.S Pacific Fleet Command (PACFLTCOM) Fleet Confinement Specialist (N16) (both assigned to BUPERS-00D).
2. Gender. Persons of opposite genders may be confined in a ship's brig as long as the conditions of reference (b), paragraph 4207 are followed and BUPERS-00D has certified the brig to house multiple genders.
 - a. All rules and regulations regarding apprehension, arrest, restriction, and confinement are equally applicable to members of both genders.
 - 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 to 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(s) confined must be utilized at all times.
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 will 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 will provide for all work and program requirements specified in this instruction. Pretrial prisoners will be confined in a single cell to avoid commingling issues. The only work assigned to pretrial prisoners 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.

a. An NEC P08A or NEC 826A brig staff member will conduct a daily inspection of all safety and habitability items prior to operating the brig, during operation of the brig, and upon closing of the brig. 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. Afloat Brig Instruction

1. The brig will operate under a local ship's brig instruction based on this instruction and applicable policy contained in reference (b).

2. The ship's brig instruction must include, at a minimum, the following:

a. Emergency bills:

(1) Fire,

(2) Riot and disorder (as applicable to an afloat brig platform),

(3) Collision at sea,

(4) Escape and attempted escape,

(5) General quarters,

(6) Man overboard,

(7) Abandon ship, and

(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 (only maximum (MAX) and medium custody-in (MDI) custody classifications as defined in reference (b), paragraph 4201.2 will be used in an afloat brig), and
 - (4) Escort procedures.
- e. Use of force;
- f. Control, maintenance, and accountability of keys, tools, restraints, and security equipment;
- g. Rules and regulations including:
 - (1) Rules regarding obedience, safety, and searches;
 - (2) Appearance, grooming, courtesy, and bearing;
 - (3) Daily routine;
 - (4) Emergency bills;
 - (5) Orientation;
 - (6) Smoking prohibitions or restrictions;
 - (7) Work;
 - (8) Counseling;
 - (9) Mail, visiting, telephone; and
 - (10) Disciplinary measures.
- h. Staff standards of conduct, rules, and regulations;
- i. Post orders; and

j. Messing procedures: Prisoners will receive the same quality and quantity of food as the crew.

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 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 (b), chapter 7, section 2 and reference (e).

3. All confinements must be documented utilizing a DD 2707 Confinement Order and entered in the brig log.

a. Per reference (b), paragraph 1103.2, intoxicated persons or persons under the influence of drugs (legal or illegal) may not be confined in any place or manner which may be dangerous to them in their condition. The medical officer must certify personnel as physically fit for confinement on the DD 2707 prior to confining.

b. No brig staff will refuse to receive or keep any prisoners legally committed to their charge by an officer of the Military Service when the committing officer furnishes a statement of the offense charged against the prisoner and appropriate medical personnel have certified in writing on DD 2707 the person being confined is fit for confinement. "Safekeeping" and "protective custody" are not legal reasons for confinement. 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. Confinement Physicals. Prior to confinement per reference (b), paragraph 7204 a physician, physician's assistant, or nurse practitioner may perform confinement physicals. When none is available, the initial confinement physical may be performed by a hospital corpsman if the hospital corpsman is specifically authorized to perform such physicals by the brig medical officer. In instances where a corpsman performs the initial 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 must be documented utilizing DD 2708 Receipt for Pretrial/Post-Trial Prisoner or Detained Person.

5. The DD 2718 Prisoner Release Order will be used to permanently release a person 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 or MCF upon transfer. The transferring brig may retain copies of key documents from the file to assist in responding to inquiries received following transfer.

4004. Instruments of Restraint. Instruments of restraint are never applied as punishment, discipline, coercion, convenience, or retaliation by staff and are applied only with the approval of the brig officer or designee. Instruments of restraint should be used only as a precaution to prevent escape during transfer, for medical reasons if directed by the medical officer or to prevent self-injury, injury to others, or property damage. Restraints should not be applied for more time than is necessary. Definitions of authorized restraints and procedures for use are contained in reference (b), paragraph 4309.

CHAPTER 5 CORRECTIONAL PROGRAMS

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 (b) paragraph 4201, will be followed. Modifications to reference (b) escort and restraint requirements for MDI and MAX custody while onboard the ship may be established by the ship's CO 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 area. However, both categories may perform work assignments which are beneficial to the ship (e.g., productive work) even if the work is similar.
3. Work should be performed inside the brig and its assigned spaces as a routine maintenance or housekeeping function. Work may be performed by any prisoner individually or in mixed work and legal status. 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.

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. 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 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, the counselor or brig staff if no counselor is assigned will complete DD 2710 Prisoner Background Summary. If correctional counseling is authorized, a summary of each counseling session will be recorded on a DD 2719 Correctional Facility Continuation Sheet and filed in the prisoner's record.

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 their 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.

CHAPTER 6
ADMINISTRATION AND RECORDS

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) Accountability of keys, restraints and other post property;
- (6) Emergencies;
- (7) Disorders and action taken;
- (8) Inspections;
- (9) Record of official visitors and purpose of visits;
- (10) Any unusual occurrences;
- (11) Medical log entries per reference (b), paragraph 8104.2;
- (12) Visitor log entries per reference (b), paragraph 8104.3;
- (13) Privileged correspondence log entries per reference (b), paragraph 8104.4; and
- (14) Disciplinary log entries per reference (b), paragraph 8104.5.

b. 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 with the exception of operational blackouts. In this case, NAVPERS 1640/11 will be sent as soon as feasible. 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 (b) paragraph 8103. At a minimum, the prisoner file must contain:

a. DD 2707 Confinement Order;

b. As applicable: court-martial order, statement of trial results with copy of pre-trial agreement, initial review officer hearing documents, 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 (if needed);

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

i. DD 2713 Prisoner Observation Report (if needed);

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

k. DD 509 Inspection Record of Prisoner in Segregation (as necessary);

l. DD 510 Prisoner Request (if a prisoner utilizes it);

m. DD 504 Request and Receipt for Health and Comfort Supplies as necessary; and

n. Prisoner picture.

3. DD 2704 Victim/Witness Certification and Election Concerning Prisoner Status. (For post-trial prisoners only). The ship's legal department should coordinate any victim witness reporting requirements if the prisoner is not transferred to a shore MCF or if required. A completed

DD 2704 sealed in an envelope marked "Victim/Witness" and 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 MCF, 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. Procedures for such action will be specified in ship's brig instructions.

5. Personal Property. A prisoner's division officer 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 U.S. Navy 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 (d).

2. The following types of incidents or alleged incidents will be reported:

- a. Escape;
- b. Death of a confined person;
- c. Suicide or suicide attempt by a confined person;
- d. 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 (b) and applicable to afloat brigs.

6005. Inspections. COMUSFLTFORCOM and COMPACFLT have responsibility for tracking periodicity of their ship's afloat brig certification status. Ships requiring afloat brig certification, brig closures, or de-certification will coordinate with their respective fleet confinement specialist (FCS) representative at BUPERS-00D to coordinate required actions. Fleet commanders' FCS

representative FLTFORCOM (N1P2)) or PACFLT (N16), both assigned to BUPERS-00D, are responsible for conducting afloat brig inspections for certification of the afloat brigs in their respective assigned fleet.

1. Fleet commanders will ensure periodic inspections of ships' afloat 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 to ensure 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/>.

CHAPTER 7
DETENTION OF ENEMY PRISONERS OF WAR (EPW),
RETAINED PERSONNEL (RP), AND CIVILIAN INTERNEES (CI)
ONBOARD NAVAL VESSELS

7001. Background. International law requires humane treatment of EPWs, RPs, and CIs at all times. International treaty law expressly prohibits internment of EPWs other than in premises located on land but does not specifically address temporary stays onboard 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 onboard vessels.

7002. Policy

1. Detention of EPWs, RPs, and CIs onboard naval vessels will be limited as follows:

(a) EPWs, RPs, and CIs picked-up at sea may be temporarily held onboard 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.

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

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

2. Holding of EPWs, RPs, and CIs onboard vessels must be temporary and 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.

3. Use of immobilized vessels for temporary holding of EPWs, RPs, and CIs is not authorized without national command authority approval.

APPENDIX A

Example Brig Routine
Monday-Friday

This is a suggested routine which 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 which 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 which 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

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

^ 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 accessed at: [https://forms.documentservices.dla.mil/process/.](https://forms.documentservices.dla.mil/process/))
3. The following forms may be accessed at: [MyNavy HR > References > Forms > NAVPERS](#) .
 - a. NAVPERS 1640/11 Monthly Report of Prisoners/Correctional Custody Personnel
 - b. NAVPERS 1640/17 Inventory and Receipt of Valuables, Clothing, and Personal Effects