



**DEPARTMENT OF THE NAVY**  
BUREAU OF NAVAL PERSONNEL  
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BUPERSINST 1640.18L  
BUPERS-00D  
19 Dec 2021

BUPERS INSTRUCTION 1640.18L

From: Chief of Naval Personnel

Subj: U.S. NAVY DESIGNATED PLACES OF SHORE CONFINEMENT

Ref: (a) DoD Instruction 1325.07 of 11 March 2013  
(b) SECNAV M-1640.1 of May 2019  
(c) NFPA 101, Life Safety Code (2021 Edition)

Encl: (1) U.S. Navy Designated Places of Shore Confinement

1. Purpose

a. To identify designated places of shore confinement within Navy Corrections and associated capabilities consistent with the provisions of references (a) and (b).

b. This revision aligns terminology and confinement capabilities with references (a) and (b).

2. Cancellation. BUPERSINST 1640.18K.

3. Background

a. Navy military correctional facilities (MCFs) are established at shore commands to support local and system-wide confinement needs and must be authorized by the Secretary of the Navy (SECNAV) as a naval place of confinement. Navy MCFs must conform to the requirements of references (a) and (b) to retain their authority to operate.

b. Per reference (a), Department of Defense (DoD) post-trial MCF classifications (levels I, II, and III) are based upon a number of factors to include, but not limited to physical plant characteristics, length of confining sentence, and required correctional programs. Per reference (b), U.S. Navy facility designation, capabilities, and rated capacity is a role and responsibility of the Bureau of Naval Personnel (BUPERS), Corrections and Programs Office (BUPERS-00D) and assigned after on-site assessment by qualified corrections specialists.

c. Reference (b), article 2101.1a, identifies DoD classification of MCFs with associated parameters consistent with the provisions of reference (a). Enclosure (1) provides a list of Navy shore MCFs authorized by SECNAV as naval places of confinement and identifies confinement parameters, gender capability, and rated capacity.

d. Per reference (b), article 7104.4, prisoners in a pretrial status should be confined in the nearest or most convenient MCF. This policy extends to all Navy MCFs, regardless of the prisoner's Service affiliation.

#### 4. Designation Criteria

a. Physical plant, major property, designation parameters, staff criteria, and program requirements are contained in reference (b) for each MCF classification level.

b. Navy MCFs must conform to fire, life, safety, security, and berthing requirements of references (b) and (c), and not exceed their rated capacity without BUPERS-00D authorization.

#### 5. Capacities

a. Design capacity is the maximum number of prisoners that the architects and planners originally intended for the MCF to berth.

b. Rated capacity is the BUPERS-00D assigned berthing capacity (e.g., number of gender-based beds or capacity spaces) that can be accommodated at the MCF, based on a facility's staffing level, required programs and services, system's need, and physical structure features, taking into account a reduction for disciplinary segregation and any unfurnished cells. To extend the physical plant lifecycle, where the design capacity is significantly higher than the rated capacity, the MCF commanding officer (CO) or officer in charge (OIC) should periodically rotate prisoner populations to support maintenance, alterations, and improvements of the vacant housing unit(s).

c. Operational capacity, determined by the MCF CO or OIC, is the rated capacity minus any berthing space associated with loss of function (cell or dorm, or portion thereof, unable to be occupied due to maintenance needs). Operational capacity may only be equal to or less than the rated capacity, unless authorized to exceed the rated capacity by BUPERS-00D per reference (b).

d. BUPERS-00D is responsible for determining the "rated capacity" for Navy MCFs per reference (b). Capacity is determined by assessment of berthing space criteria, while also accounting for local considerations, special needs, manning, and the provisions of references (b) and (c).

e. Per reference (b), MCFs must ensure notification to BUPERS-00D, as well as their chain of command if not BUPERS-00D, whenever the facility's population is expected to exceed rated capacity by 10 percent, or when the operational capacity is expected to reduce the rated capacity by 10 percent.

6. Action

a. Requests for designation of a Navy ashore facility as an authorized naval place of confinement must be submitted to SECNAV, via the chain of command, to BUPERS-00D. Such requests must include full justification, copies of floor plans, site plans, and a description of the space utilization and security and safety equipment to be used. Approval is based on demonstrated need and ability to meet criteria for functional adequacy defined in reference (b) and Naval Facilities Engineering Systems Command publications.


b. Requests for temporary waivers of the provisions of reference (b) must be submitted with justification to BUPERS-00D through the chain of command and, if approved, will normally be granted for only the period necessary to complete corrective action. Waivers will not be granted for facilities with major life, fire, or safety violations.

7. Records Management

a. Records created as a result of this instruction, regardless of media and format, 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 instruction or records disposition schedules, please contact your local records manager or the DON/AA DRMD program office.

8. 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, SECNAV, 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 guidance in OPNAV Manual 5215.1 of May 2016.

  
A. HOLSEY  
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Releasability and distribution:

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

U.S. NAVY DESIGNATED PLACES OF SHORE CONFINEMENT

| Facility  | Level I |   | Level II |   | Level III |   | Rated Capacity |    |
|---|---------|---|----------|---|-----------|---|----------------|----|
|   | M       | F | M        | F | M         | F | M              | F  |
| PCF, FLEACT<br>Yokosuka, Japan<br>(Note 1 refers)       | X       |   |          |   |           |   | 34             |    |
| MCF, NAS<br>Jacksonville, FL<br>(Note 1 refers)         | X       | X |          |   |           |   | 37             | 5  |
| MCF Miramar DET<br>Pearl Harbor, HI<br>(Note 2 refers)  | X       | X |          |   |           |   | 43             | 5  |
| MCF Charleston Det<br>Chesapeake, VA<br>(Note 2 refers) | X       | X |          |   |           |   | 80             | 20 |
| MCF Charleston, SC<br>Note 3 refers)                    |         |   | X        |   |           |   | 175            |    |
| MCF Miramar, CA<br>(Note 4 refers)                      |         |   | X        | X |           | X | 213            | 30 |

Abbreviations:

- DET – Detachment
- F - Female
- FLEACT - Fleet Activities
- M - Male
- NAS - Naval Air Station
- NAVCONBRIG - Naval Consolidated Brig
- PCF - Pretrial Confinement Facility

Notes:

- (1) Post-trial confinement limited to 30 days or less remaining in confinement after adjudged date
- (2) Post-trial confinement limited to 90 days or less remaining in confinement after adjudged date
- (3) Post-trial confinement limited to adjudged sentences of 10 years or less
- (4) Post-trial confinement limited to adjudged sentences of 10 years or less for male prisoners; level III confinement (greater than 10 years) authorized for female prisoners