



OPERATION AND ADMINISTRATION
OF
DETENTION FACILITIES



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
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BUPERS INSTRUCTION 1640.29A

From: Chief of Naval Personnel

Subj: OPERATION AND ADMINISTRATION OF DETENTION FACILITIES

Ref: (a) SECNAV M-1640.1
(b) SECNAVINST 1640.9D
(c) DoD Instruction 5525.11 of 3 March 2005
(d) Manual for Courts-Martial United States (2019 edition)
(e) DoD Instruction 1325.02 of 26 October 2021
(f) MIL-HDBK-1037/4 Brigs and Detention Facilities NOTAL
(g) UFC 2-000-05N Facility Planning Criteria for Navy/Marine Corps Shore Installations
(h) SECNAV M-5210.1
(i) 32 CFR 701.128
(j) SECNAVINST 5720.42G
(k) NAVMED P-117
(l) U.S. Department of Justice Jail Design Guide, Third Edition

1. Purpose. To publish policies and procedures for the operation and administration of detention facilities (DETFAC). Inherent in the nature of law enforcement and security duties is the temporary holding or detention of individuals suspected of having or who have committed an offense. The health, welfare, and safety of these personnel in detention, as well as the safety of the command and community, must be the primary concern. This instruction sets forth policies and procedures designed to ensure the welfare of personnel being held in DETFACs, and clarifies requirements in reference (a) and other legal requirements as they apply to DETFACs. The major revisions to this manual include list of documents required to update a detention record, updated staff training requirements, requirement for local DETFAC instruction and post orders added, and amplification of biennial certifications of DETFACs.

2. Cancellation. BUPERSINST 1640.29.

3. Scope and Applicability. This policy is applicable to the operation and administration of DETFACs.

4. Background. Per references (a) and (b), the Bureau of Naval Personnel, Corrections, and Programs Office (BUPERS-00D) has primary and final responsibility for developing and issuing corrections policy within the naval service, including DETFACs. Not all provisions in reference (a) are applicable or practical for DETFAC operations. Any deviations from this policy must be reported via naval correspondence to BUPERS-00D for review and approval.

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5. Action. Commanding officers of certified DETFACs must ensure the provisions of this instruction and reference (a) are strictly followed in the operation of their DETFACs. The strong involvement of the chain of command in the day-to-day operation of a DETFAC is essential. Copies of local regulations for implementing the provisions of this policy must be provided 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, 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.

8. Forms. Appendix A 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/NAVPERSCOM Web site: <https://www.mynavyhr.navy.mil/References/Instructions/BUPERS-Instructions/>.

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CHAPTER 1
POLICY

1001. General

1. Per reference (a), detention facilities (DETFAC) are shore spaces used only to temporarily detain personnel apprehended by military authorities, personnel turned over to military custody by civilian authorities, or for the temporary confinement of prisoners. Pretrial or post-trial prisoners may be held in a DETFAC following conditions listed in reference (a), paragraph 12101.6a.
2. DETFACs must be inspected and formally certified by the Bureau of Naval Personnel, Corrections and Programs Office (BUPERS-00D) as an authorized naval place of detention. Biennial (every 2 years) on-site inspections must be conducted by BUPERS-00D to maintain certification as an authorized naval place of detention. Certifications automatically terminate this authorization after 2 years from completion, unless waived prior by BUPERS-00D as authorized in reference (a), paragraph 12504.
3. Per reference (c), personnel being held for foreign court jurisdiction at overseas activities may also be held in certified DETFACs for periods specified by the Status-of-Forces Agreement.
4. Definitions
 - a. Confinement. The physical restraint of a person subject to reference (d).
 - b. Detention. Persons may be detained only if there is probable cause to believe a criminal offense in violation of the Uniform Code of Military Justice (UCMJ) or a civil offense has been committed and circumstances indicate temporary confinement is needed for public safety. Under no circumstances may an individual be placed in detention for “protective custody,” “safekeeping,” or any other such general charge when no violation of the UCMJ or a civil offense is indicated.
 - c. Prisoner. Unless specifically delineated, the term “prisoner” refers to pretrial and post-trial prisoners.
 - (1) Pretrial Prisoner. A person legally ordered into confinement per reference (d) pending trial by court-martial or a rehearing. The officer ordering the individual into confinement must indicate on the DD 2707 Confinement Order the article of the UCMJ charged and the offense title of each charge.
 - (2) Post-Trial Prisoner. A person confined as a result of a sentence to confinement from a court-martial per reference (d).

d. Military Correctional Facility (MCF). An MCF is a military shore-based and operational correctional facility with, depending on designation level, a myriad of correctional rehabilitative programs, reentry programs, and offense-related educational treatment programs.

e. Direct Supervision. The constant presence of a DETFAC staff member who is in observance of a detained person or prisoner within a defined space.

f. Continuous Observation. The physical presence of a duly qualified person(s) constantly watching a detained person or prisoner at all times.

5. Authority to apprehend is listed in references (d) and (e).

1002. Limitations

1. Personnel may be detained only upon probable cause that there is reasonable grounds to believe a criminal offense, in violation of the UCMJ or a civil offense, has been committed.

2. DETFACs are for temporary detention or confinement. Personnel detained in a DETFAC will be transferred to command representatives for further disposition as soon as possible. Prisoners held in a DETFAC, as a result of ordered confinement, will be transferred as soon as possible to the nearest MCF for pretrial confinement or to the designated place of confinement for post-trial prisoners.

3. No prisoner, as defined in reference (a), will be held in a DETFAC without a completed DD 2707 or DD 2708 Receipt for Pretrial/Post-Trial Prisoner or Detained Person. No person in a detained status will be placed into a DETFAC without a completed NAVPERS 1640/36 Use of Detention Facility and an accompanying entry in a blotter, desk journal, or log book, etc. attesting to the opening and closing of the DETFAC.

4. DETFACs will not be used to hold individuals under the influence of alcohol or other substances, except for brief periods of time (not to exceed 4 hours) necessary for command representatives or medical personnel to arrive and assume custody. During such brief periods, continuous observation must be maintained to monitor the behavior and physical condition of such persons.

5. At all times, the health, welfare, and safety of personnel being held in a DETFAC must be a primary concern.

6. While under authorized escort by the command or Navy Absentee Collection and Information Center (NACIC), a declared deserter may be held in a DETFAC pending further transport.

7. Personnel, regardless of sex, may be held in a DETFAC if mixed-management conditions of reference (a) are maintained.
8. Administrative disciplinary measures contained in reference (a) are not applicable to DETFACs.
9. Per reference (d), initial review officer requirements apply for review of pretrial confinement.

1003. Designation and Capabilities. Reference (a) identifies two types of DETFACs, a detention space and a holding cell.

1. Detention Space. An adequately equipped cell, room, or other berthing space of a shore establishment, certified for use for short-term detention, defined to mean not more than 8 hours.

2. Holding Cell. An adequately equipped cell or cells of a shore establishment certified for short-term detention, generally limited to no more than 24 hours during the work week, not to exceed 72 hours over a weekend, and not in excess of an additional 24 hours over an official extended holiday weekend (totaling 96 hours). Detention in excess of 24 hours is authorized only with the express approval in each instance of the commanding officer (CO) or the CO's designated representative of the installation on which the holding cell is located. This limitation may be extended, on a case-by-case basis, for up to 30 days by BUPERS-00D. Either a pretrial or a post-trial prisoner may be held in a holding cell for more than 72 hours under the following conditions:

- a. When the Service member has been sentenced to confinement by a court-martial and is pending transfer to a designated place of confinement.

- b. When the Service member, after having been placed into an MCF, is transported to and held in a DETFAC (holding cell) for the purpose of appearing as either a witness or the accused in a court-martial proceeding.

- c. When in the absence of a local MCF, a general court-martial convening authority (GCMCA) deems it necessary to retain a prisoner locally during the proceedings of a court-martial. After trial, if the sentence as adjudged includes confinement, the member must be transferred to an MCF within 72 hours. The written permission of either the installation CO or the GCMCA must be obtained before an individual can be held for more than 72 hours in pretrial confinement status in a holding cell. As appropriate, the time spent in a holding cell under these circumstances is considered and counted as operative time in confinement.

1004. Certification and Capacity. BUPERS-00D must certify a DETFAC as an authorized naval place of detention. Biennial inspections (approximately 18 – 24 months) of DETFACs are required to ensure adherence with references (a) through (k) and this instruction. Inspections also ensure deficiencies are properly and adequately corrected in a timely manner. Rated

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capacities for DETFACs will be determined by BUPERS-00D following on-site inspections by qualified correctional programs specialists. Upon certification for use, BUPERS-00D must assign designation as either a detention space or a holding cell, identify suitability for mixed-gender confinement, and provide a rated capacity.

1005. Use of Other Military Service DETFACs. Authorized DETFACs of another military Service component may be utilized following consultation with BUPERS-00D and if locally approved by both commands.

1006. Waivers. Per reference (a) paragraph 12504, requests for exceptions to the provisions of this instruction must be forwarded, via the chain of command, to BUPERS-00D. Such waiver requests must provide justification, an estimated period of time the waiver is necessary, and (where applicable) indicate any measures considered necessary to mitigate the requirement(s). All requests for waivers must be approved by BUPERS-00D.

1. Fire and life safety issues require immediate corrective action and waivers generally will not be granted with limited exceptions approved by BUPERS-00D. Such waiver requests will be coordinated with the installation fire marshal or safety manager and then submitted, via the chain of command, to BUPERS-00D for review and final determination.

2. Holding time limitations for detention spaces and holding cells may be extended on a case-by-case basis following notification, coordination, and approval by BUPERS-00D.

CHAPTER 2 PHYSICAL PLANT AND MAJOR EQUIPMENT

2001. Design Criteria. References (f) and (g) identify general and specific design criteria for DETFACs and reference (l) provides the National Institute of Corrections' Facility Development Process that provides guidance with planning, design, and construction.

2002. Facility Mission. DETFACs are either 8 hour (for a detention space) or 72 hour (for a holding cell) temporary holding facilities. They are designed to provide a capability to military law enforcement agencies who have apprehension authority to provide secure, temporary custody of alleged offenders until proper authority may be notified and allow transfer of custody. Due to the short-term nature of detention, all support services, such as food and medical, must be provided by the local installation. A DETFAC may serve both male and female personnel under custody, but may be prevented from doing so simultaneously due to design of the facility if it does not support appropriate separation and individual privacy.

2003. Facility Location. DETFACs will be located within or near the security department of the base, installation, or command the security department is on. As a result, site selection, overall design, and planning must be based on criteria established for security departments. The DETFAC (where feasible) must be located adjacent to and in full view of the dispatcher's desk, but out of the line of sight of public users of the security office. Search areas, head, and any bathing facilities must be located within the secure area. An interview room, in direct view of the dispatcher, must be accessible to official visitors from the public side and personnel being held on the secure side. Cells should not be located below ground level, nor in upper stories requiring the use of stairs. Access to and from the DETFAC must be carefully monitored and designated only for qualified staff and personnel being held.

2004. Special Requirements, Materials, and Furnishings. Cells will be at least 6 feet wide, 8 feet long, and 8 feet high, and provide sight and sound separation between male and female cells. Group holding cells must provide at least 20 net square feet per person, and be equipped with fixed benches and a toilet. A shower facility must be available if detention exceeds 24 hours. Any interview room must be equipped with two seats, a fixed writing surface, and provide sound insulation for attorney use, while allowing visual supervision by DETFAC staff. The number of cells and rated capacity of group cells will be determined prior to usage by BUPERS-00D during certification for use.

1. Each space must be equipped with the required number and type of plumbing fixtures, depending on whether the space is a single-cell or dormitory type. A metal combination (jail-type); plumbing fixture, which contains a commode; lavatory; and bubbler is required for cells. Floor drains must be secured with spanner or security-type screws.

2. Each space must be equipped with security, detention-type light fixtures, doors, and locking hardware. Night-lights will be provided in all berthing areas and must not be any brighter than the absolute minimum needed for visual control and supervision.
3. Group holding areas must be provided with a built-in bench, running water, and a toilet.
4. A bed with security-type mattress is required, if personnel will be held more than 8 hours.

2005. Planning. It is the responsibility of the installation CO to notify BUPERS-00D with chain of command endorsements through the Commander, Navy Installations Command Total Force Manpower, Strategy, and Plans (N1), of the intent to establish, renovate, or disestablish a DETFAC.

2006. Capacity. The minimum capacity of a new DETFAC is two cells. The cells must have sight and sound separation for the DETFAC to detain a male and female simultaneously. Sound separation requirement is met when normal conversation between the two cells is inhibited.

2007. Habitability Requirements

1. A DETFAC must have:

a. Plumbing. Hot and cold running water, commode, and access to showers, if detention may be more than 24 hours.

b. Lighting. Per reference (a), each cell must be provided with an individual security light fixture with candlepower equivalent to current berthing space criteria, but not less than 20-foot candlepower, 30 inches above the finished floor. Night-lights will be provided in all berthing areas and must not be any brighter than the absolute minimum needed for visual control and supervision.

c. Temperature and Ventilation. Per reference (a), temperature and ventilation in cells and secure rooms will be maintained per reference (f).

2. Habitability Tests. Per reference (a), lighting, temperature, sound, and ventilation tests must be conducted triennially, documented by a qualified source or technician, with results locally maintained on file for 3 years. The conduct and results of all inspections must be documented in the DETFAC log.

2008. Fire Protection. The type of fire alarms, fire sprinkler systems, and fire extinguishers required for the facility will be determined by the local fire marshal and meet safety and fire prevention standards. Fire extinguishers must be readily accessible to the DETFAC staff in the event of an emergency, but must be inaccessible to detained personnel. The local fire department must conduct regular (at least annual) inspections and on-site fire drills as deemed

necessary by the fire marshal. The results of all inspections and drills must be documented in the DETFAC log.

2009. New DETFAC Construction

1. Per Department of Defense engineering criteria, new construction will use American Corrections Association (ACA) guidance and specifications for new construction of DETFACs. Reference (l) and ACA standards for adult local detention facilities represent a logical set of physical plant and operational criteria on which to base the planning, design, and operation of a DETFAC.
2. Walls, ceilings, and floors must be constructed of noncombustible and fire-resistant hardened materials sufficiently secured to prevent escape. The use of suspended or false ceilings is prohibited. Lighting fixtures in cells must be security-type (vapor proof, shatter proof, and recessed flush with security-type screws). All water piping, electrical outlets, fixtures, switches, and heating or cooling conduits must be inaccessible to detained personnel.
3. Emergency exits must be provided per the National Fire Protection Association 101, Life Safety Code Handbook.
4. The use of security components (glazing, doors and windows, locks, funds storage, and closed-circuit television (CCTV)) may be found in reference (l) and ACA standards for adult local detention facilities. CCTV may be utilized for observation of the DETFAC per reference (a). Opposite gender for monitoring of CCTV is not authorized where nudity may routinely occur. Personnel being held must be informed they are being viewed by CCTV. Privacy screens, blur spots, or other forms of mitigation will be employed when CCTV is used in any area where nudity is expected to occur. Standards for new construction and equipment are identified in reference (g), sections 11191-11195.
5. Electrical. Electrical outlets or switches must not be installed in any cell. All electrical wall plates within the secure area of a DETFAC must be nylon and mounted with spanner or security screws.
6. Pre-Fabricated Detention Units. It is recommended that installation commanders desiring to establish a DETFAC utilizing new construction evaluate the use of pre-engineered, pre-fabricated detention units. The selection of prefabricated detention units should be based on a life-cycle cost analysis completed per NAVFAC P-442 Economic Analysis Handbook.
7. Functional Arrangements. Illustrations of the desirable functional relationships of DETFACs are provided within reference (f).
8. COs with DETFACs must obtain concurrence from BUPERS-00D, via the chain of command, on cell design to assist in approval and final certification of the facility.

2010. Alteration

1. Any command desiring to renovate their DETFAC must involve BUPERS-00D at all stages of the planning, design, and construction process. In addition to reducing the amount of research necessary, using this resource will ensure acceptability of the project proposal when reviewed for DETFAC certification.
2. A request for alterations to existing physical plants or new construction must be submitted in writing with proposed drawings and specifications to BUPERS-00D, via the chain of command, for authorization prior to action.
3. Older facilities constructed prior to publication of references (f) and (g), are not expected to directly be in compliance with newly issued requirements; except for fire, life, and safety issues; however (within reason), must strive to meet current requirements. Any waiver for physical plant features not easily renovated will be reviewed during on-site certifications. Inspection reports will note waiver status and plans to resolve related discrepancies.

2011. Field Expedient Spaces. DETFACs utilized during field or combat operations must correspond to established design standards to the maximum degree feasible under existing conditions. Administration and operations must be consistent with this instruction. A medical officer must approve field expedient spaces prior to their use. Detention in field expedient spaces must be for the minimum amount of time (ideally, no more than 72 hours) required to determine whether to release to a command representative or transport to an approved longer-term correctional facility.

CHAPTER 3
ADMINISTRATION AND STAFF

3001. Records

1. Purpose. Records are maintained to provide accurate, current, and readily available information on DETFAC operations and on anyone detained, confined, and released from a DETFAC. Reference (h) governs creation, use, maintenance, and disposition of records. Disposition for completing standardized forms and reports must also be followed. Unauthorized destruction of records may be subject to criminal penalty.
2. Security. Files on personnel held in a DETFAC are private. Only personnel who have a need-to-know in the performance of their official duties may have access to a file. This must not impede the flow of information to staff involved in the supervision or evaluation of the person being detained. Under no circumstances must personnel being detained have access to files or information about another person being detained.
3. Medical. Information about a detained person's or a prisoner's health status is confidential. Non-medical staff will only have access to specific medical information on a need-to-know basis in order to preserve health and safety. The medical record must be maintained separately from the individual DETFAC record. Access to a detained person or prisoner medical records will be controlled per Bureau of Medicine and Surgery (BUMED) policy and Health Insurance Portability and Accountability Act (HIPAA) of 1996 guidelines. If personnel being held at a DETFAC have their medical records with them, the records will be reviewed by medical personnel, or by their CO, only.
4. Copies. Various functional units within the DETFAC require certain records and reports in order to function properly. Copies of such records and reports may be maintained on an as-needed basis at those locations with the original records being kept in controlled administrative files. Units requiring original copies of detained personnel records (e.g., clothing inventory, etc.) will ensure all records are sent to the assigned office responsible for maintaining such records when a member is released or when the record is no longer required.

3002. Privacy. All personnel must become familiar with the provisions of references (i) and (j). A Privacy Act statement is not required for every form or personal interview, but only for those situations in which the individual is asked to furnish personal information to be included in a system of records. For the purpose of determining whether a Privacy Act statement is required, "personal information" is defined as information about an individual that is intimate or private to the individual, as distinguished from information related solely to the individual's official function. References (i) and (j) provide requirements pertaining to the release of information. Detention files for personnel being held fall under a general exemption from release per the Privacy Act of 1974, 5 U.S.C., section 522a(j)(2). Requests by members (persons under custody) or their representatives (e.g., attorney) for any portion of their record will normally be

denied under the provisions of the Privacy Act of 1974, 5 U.S.C., section 522a(j)(2), and then processed under the provisions of the Freedom of Information Act.

3003. Detention Record. A detention record must be created and maintained on every person held in a DETFAC.

1. At a minimum, the detention record must contain:
 - a. NAVPERS 1640/36 or DD 2707 (as appropriate);
 - b. DD 509, Inspection Record of Prisoner in Segregation;
 - c. NAVPERS 1640/17 Inventory and Receipt of Valuables, Clothing, and Personal Effects, or OPNAV 5580/22 DON Evidence/Property Custody Receipt;
 - d. DD 2708 Receipt for Pretrial/Post Trial Prisoner or Detained Person, or DD 2718 Prisoner Release Order, as applicable;
 - e. NAVPERS 1626/7 Report and Disposition of Offense(s); and
 - f. Scars and Marks Worksheet (locally produced).
2. Detention records will be retained and disposed of per reference (h).

3004. DETFAC Log. A DETFAC log must be marked "For Official Use Only" and a bound ledger with pre-printed consecutively numbered pages. At a minimum, the following information will be recorded in the log:

1. For detained personnel:
 - a. Date and time of detention;
 - b. Name (Last, First, MI);
 - c. Department of Defense Identification Number;
 - d. Detained person's command;
 - e. Reason for detention, and
 - f. Name and grade of person ordering detention.

2. For personnel being released or transferred:
 - a. Date and time of release/transfer;
 - b. Name (Last, First, MI);
 - c. Detained person's command;
 - d. Who the person was released/transferred to; and
 - e. Why the person was released/transferred.
3. Results of all inspections, fire drills, and lighting and ventilation tests, to include date and time of the event, as well as name(s) and grade(s) of personnel performing the action;
4. Restraint, key inventories, and key rotations; and
5. Any other DETFAC events (visits, daily activities, counts, etc.).

3005. Files and Records Disposition. All original files related to the detention of personnel in a DETFAC and administration of the DETFAC must be maintained and dispositioned per reference (h).

3006. Staff

1. Members assigned duties within the DETFAC are normally assigned to the security department as security police and master-at-arms personnel. The formal Navy basic law-enforcement school completion suffices for minimum training requirements for such personnel. Non-security personnel must be trained on DETFAC administration and care of detained personnel and prisoners prior to assumption of duties with all training individually documented. Personnel with Navy Enlisted Classification (NEC) 826A Correctional Custody Specialist Ashore is highly encouraged if non-security personnel are to be utilized to staff the DETFAC.
2. Personnel must be mature and emotionally stable. Members who have a history of neuro-psychiatric disorder, excessive use or dependence upon alcohol, or in-Service drug use must not be assigned to DETFAC duty. Members must demonstrate leadership qualities and aptitude for working with people. Military personnel must have no record of a civil court conviction, except for misdemeanor traffic violations. Civilian personnel convicted of a felony are ineligible for employment in a DETFAC (5 U.S.C., chapter 73). Sailors under investigation or being considered for administrative separation must not be assigned to DETFAC duty.

3007. Training

1. Pre-Service Training. All personnel must undergo pre-service training, which is conducted at the DETFAC and precedes assumption of duties. All personnel who are assigned duties within the DETFAC 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 DETFAC. Pre-service will be designed so that a successful participant could, with specialized training, fill any appropriate staff billet in the DETFAC. Pre-service training will consist of at least three subject matter areas: general orientation to detention practices and the DETFAC physical plant; general training in all areas of the operation of the DETFAC; and specific orientation to the particular assignment in the DETFAC. All pre-service training must be documented in such a manner as to permit verification of attendees, specific curriculum completed, instructor names, and date and length of training.

2. 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 detention skills. Each DETFAC must conduct regularly scheduled in-service training so that a complete cycle of subject matter is completed within 1 year. All staff and support personnel with regular or daily contact with detained personnel, 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 20 hours per fiscal year, and (at a minimum) will include the following subjects:

- a. Detention Policies;
- b. Reception and release process, physical examination, health and comfort issue, clothing issue, personal property, proper completion of detention/confinement forms, and DETFAC administrative procedures;
- c. Searches, seizures, shakedowns, contraband, and use of force;
- d. Legal statuses and implications;
- e. Supervision of detained personnel, staff attitudes, pitfalls of harassment, intra-staff relationships, staff and detained personnel relationships, recreation, and count procedures;
- f. Problem and special handling detained personnel, including the assaultive person, suicide risk, blood-borne/airborne pathogens, substance dependence and withdrawal, among others;
- g. Inspection of physical plant, bars, doors, recreation areas, fire safety, lighting, control of keys, weapons, chemical agents, medications, restraints, and tools;

- h. Emergency bills, restraining methods and instruments of restraint, emergency equipment, and hostage survival;
- i. First aid and cardiopulmonary resuscitation (CPR);
- j. Escort training and transfer procedures; and
- k. Unarmed self-defense.

3. Job Qualification Requirements (JQR). Staff must complete locally created JQRs that outline specific post requirements and responsibilities of DETFAC operations prior to unsupervised assumption of duties.

3008. Use of Force

1. Individuals must not be permitted to perform duties in a DETFAC until they have received instructions on applicable regulations relating to the use of force in the performance of such duties. In addition, instruction must be given periodically to all personnel assigned to ensure they continue to be thoroughly familiar with all policies, including restrictions on the use of force.

2. Use of force to place personnel into a DETFAC will be limited to the minimum amount of force required. Physical abuse, use of unnecessary force, and any form of corporal punishment is strictly prohibited. Instruments of restraint will only be utilized as authorized in reference (a) paragraph 4309. Under no circumstances will a person being held in a DETFAC be chained, handcuffed, or tied to any cell fixture or stationary object (to include a vehicle). Striking or laying hands upon personnel being held is prohibited, except under the following circumstances:

- a. In self-defense;
- b. To prevent injury to the person being held and or to other persons;
- c. To prevent serious damage to property;
- d. To conduct a search;
- e. To prevent escape; and
- f. To quell a disturbance.

3. In all cases, the amount of force used will be the minimum amount necessary to control or restore good order. All use of force must be thoroughly documented, reported, and filed for a period of 3 years.

3009. Instructions and Post Orders. Instructions and post orders must be written to describe how to perform the major functions of the DETFAC and any DETFAC post. These procedures will include administrative and security responsibilities. A complete standard operating procedures or instruction manual will be maintained by the security department and individual post orders will be maintained at the specific posts whose functions they describe. Local instructions, directives, and standard operating procedures may supplement, but not supplant, policies and procedures set forth in this instruction or reference (a).

CHAPTER 4
OPERATIONS AND INSPECTIONS

4001. Operations

1. Detained personnel retain all rights and responsibilities of other Service personnel in a duty status, except those expressly or by implication taken away under provisions of reference (d) and such regulations as may be issued by cognizant authority.

2. Processing. When the DETFAC is opened or closed, an entry will be made in the DETFAC log and the blotter, desk journal, or log book, etc. of the security office.

a. Prior to in-processing anyone into the DETFAC, a NAVPERS 1640/36 is required for personnel being detained or a completed DD 2707 or DD 2708 is required for prisoners.

b. A DD 2708 must be completed to transfer custody of a detained individual to a command representative for further disposition or action, or to transfer custody of a prisoner for further confinement elsewhere. If a prisoner is being released from confinement, a DD 2718 will be completed to release the individual from confinement.

c. Personnel being held must be thoroughly searched prior to being placed inside the DETFAC. Funds, valuables, and other items in the possession of the person being held (other than necessary clothing being worn, a wedding ring, or religious medallion) will be taken from the individual. When deemed necessary, items that could inflict bodily injury, such as belts, shoelaces, neckties, garters, and suspenders, may also be taken. Items taken will be inventoried on NAVPERS 1640/17 or OPNAV 5580/22. A copy of the inventory must be provided to the person placed in the DETFAC.

3. Medical Examination. A medical examination is recommended prior to placing personnel into a DETFAC, but required if detention exceeds 24 hours. Before being placed in a DETFAC, if a person appears to be ill or injured, requests medical attention, indicates pregnancy, exhibits suicidal ideations, or exhibits an abnormal loss of control due to use of alcohol or other substance, they must be examined by qualified medical personnel and certified as being fit for detention (or fit for confinement) prior to being placed in the DETFAC. All medical certification examinations must be documented on the NAVPERS 1640/36 for detained persons or DD 2707 for prisoners, and annotated in the DETFAC log. No person will be held in excess of 24 hours without a medical examination attesting to fitness for detention (to include a pregnancy test for females) as prescribed in reference (a). A person being held requiring medical examination must remain under constant observation while awaiting the arrival of medical personnel. Any visit by medical personnel to personnel being detained or confined must be annotated in the DETFAC log.

4. Detention and Supervision

a. No person will enter occupied holding cells or detention spaces or remain in the immediate proximity of these areas wearing firearms, batons, chemical agents, or other weapons.

b. If enough multiple occupancy cells are utilized, segregation will be maintained for varying restraint statuses to include persons being detained awaiting pick-up by command escorts and transport back to the command, and prisoners being confined awaiting further disposition. This may not always be feasible due to physical plant limitations.

c. Detained person(s) must be closely supervised utilizing direct supervision during the entire period of detention. Video camera monitoring may be utilized for indirect observation, but will not replace direct supervision. Direct supervision must be documented on a DD 509.

(1) A minimum of three formal scheduled counts must be made daily (reveille, end of workday, and taps) when the DETFAC is operational for periods of 24 hours or more.

(2) In addition to scheduled counts, staff are required to make irregular but frequent checks of all detained personnel under their supervision; frequency of checks must not exceed 15 minutes. There must be periodic bed checks during the night; however, care must be taken not to awaken detained personnel for this purpose.

(3) Any checks or counts will be logged into the DETFAC Log.

d. If detained beyond 6 hours, meals of the same quality and quantity as those served in the base, installation, or station galley must be provided at regular meal hours for detained person(s). Detained person(s), believed to present a security risk, will be fed in their cells. In the event of overnight detention or detention in excess of 12 hours, minimum bedding consisting of a rack, mattress, blanket, and pillow (with case) will be provided. Staff will also ensure the physical needs of detained person(s), such as access to drinking water and head calls, are provided.

5. Showers and Exercise. If personnel are detained for longer than 24 hours, a shower and access to 1 hour of physical exercise must be provided daily. Scheduling will depend on the availability of supervisors, a secured safe space for the exercise, and satisfactory behavior of detained person. Any shower call or exercise call must be annotated in the DETFAC log.

6. Emergency Bills. Emergency bills must be prepared to ensure the safety of staff and detained person(s) in the event of a fire or disorder per reference (a). Required emergency bills include fire, natural disaster, escape, and hostage. At a minimum, the escape bill must include an emergency recall bill of staff members, which must be tested at least quarterly to ensure accuracy of recall numbers and the response time of staff members. Conduct of such testing will be documented within the DETFAC log. The fire bill must be coordinated, with and approved by, the installation fire department.

7. Serious Incidents. Serious or alleged incidents involving personnel being held or incidents within the DETFAC must be reported to the chain of command per provisions of reference (a), article 8111.

8. Release. Upon release from detention, all money, valuables, and other personal property taken from detained person(s) must be returned and receipted for by the owner. If detained person(s) are released to the custody of another person, the person assuming custody must sign DD 2708 and legibly print and sign for the member's personal property on NAVPERS 1640/17. Detained person(s) released on their own recognizance will be directed to return to their unit or other appropriate command after being issued NAVPERS 1626/7 (where necessary). An entry must be made in the DETFAC log to reflect the date and time of release, and the disposition of person in detention. One copy of DD 2708 or DD 2718 (as appropriate) and the receipt for personal property must be retained on file for 2 years by the unit operating the DETFAC.

9. Transfer. DD 2708 must be used for all transfers from DETFACs to other facilities or MCFs. A copy of the detention file must be transferred with Service member, as well as any trial documents (where applicable). All files, documents, and paperwork will be carried by the detailed escort(s).

4002. Inspections and Technical Assistance

1. DETFACs must be regularly inspected for cleanliness, adequate lighting and ventilation, general repair, security, and safety. Inspections must be annotated in the DETFAC log.

2. When in use, a daily security and sanitation inspection check must be made by a senior member of the security staff. This check will be annotated in the DETFAC log.

3. DETFACs must be inspected at least monthly by a member of the medical department to ensure the operation of the facility and the physical plant meet accepted health and environmental standards, and that detained person(s) are provided adequate health services.

4. DETFACs must receive a daily inspection (when in use) by DETFAC staff and an annual sanitation and habitability certification inspection by preventive medicine. Time, date, inspections, and results must be documented in the DETFAC log along with an administratively filed report.

5. DETFAC keys must be inspected and accounted for quarterly. There must be three identical sets of DETFAC keys. These keys must be rotated (at a minimum) of every 6 months. Reference (a) article 4303 discusses key control and is applicable to DETFAC operations.

6. All commands operating DETFACs will:

- a. Liaison with the appropriate correctional program specialist and regional representative of BUPERS-00D.
- b. Ensure biennial certifications of the DETFAC are planned, coordinated, and conducted. Unless waived and approved by BUPERS-00D prior, certifications will automatically terminate 2 years after the published certification inspection.
- c. Correct noted discrepancies or deficiencies identified during the DETFAC inspection process.
- d. Provide the appropriate correctional program specialist and regional representative of BUPERS-00D with all local instructions, directives, and standard operating procedures related to the administration and operation of the DETFAC.

7. BUPERS-00D will:

- a. Conduct on-site visits and provide technical assistance to all Navy commands and echelons operating DETFACs. Out of cycle on-site visits will be funded by the command.
- b. Conduct inspections to certify facilities, and prepare standardized inspection formats for major activity inspections. Biennial inspections (approximately 18 – 24 months) of DETFACs are required to ensure adherence with references (a) through (k) and this instruction. Biennial inspections are funded by BUPERS-00D.
- c. Ensure that deficiencies found during inspection schedules are promptly corrected.
- d. Provide major activities assistance in connection with the operation of a DETFAC and provide appropriate guidance as needed or requested.

APPENDIX A
FORMS

1. The following forms can be found at <https://www.esd.whs.mil/Directives/forms/>
 - a. DD 509 Inspection Record of Prisoner in Segregation
 - b. DD 2707 Confinement Order
 - c. DD 2708 Receipt for Pre-Trial/Post-Trial Prisoner or Detained Person
 - d. DD 2718 Prisoner Release Order
2. OPNAV 5580/22 Evidence/Property Custody Receipt may be accessed at https://forms.documentservices.dla.mil/order/form_detail.cfm?stock_number=0107LF9841200
3. The following forms can be found at <https://www.mynavyhr.navy.mil/References/Forms/NAVPERS/>.
 - a. NAVPERS 1626/7 Report and Disposition of Offense(s)
 - b. NAVPERS 1640/17 Inventory and Receipt of Valuables, Clothing, and Personal Effects
 - c. NAVPERS 1640/36 Use of Detention Facility