

MILPERSMAN 1640-105

TRANSFERRING PRISONERS BETWEEN CONFINEMENT FACILITIES

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References	(a) SECNAVINST 1640.9C (b) BUPERSINST 7040.6B
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1. Policy (see reference (a))

a. Transfers shall not normally be made when disciplinary or legal action is pending against a prisoner.

b. The transferring command shall make every effort to determine if a prisoner's presence will be required at the command for any reason (e.g., witness at an ensuing court-martial, ongoing medical treatment, etc.) prior to the transfer being effected. If a prisoner is transferred and is subsequently required to return to the transferring station, the cost of the move, to include escorts, shall be borne by the command requesting the prisoner's return.

c. All records and personal belongings shall accompany each prisoner upon transfer, with the exception of items such as automobiles, stereos, and TVs. Arrangements shall be made by the confining command or the prisoner's parent command to store or dispose of inappropriate items prior to transfer. The transfer is effected through use of **DD 2708, Receipt for Inmate or Detained Person**. A new **DD 2707 Confinement Order** is not required, unless there has been a change in the prisoner's sentence status prior to transfer. The original confinement order shall be included in the records. New confinement physical examinations are required only for cause. When a receiving brig requires a new physical examination, the receiving brig will receipt for the prisoner and make the necessary arrangements for the physical examination. If the

prisoner is found physically unfit for confinement, prisoner should be admitted to a medical facility for treatment. When found physically fit for confinement, prisoner should be placed into confinement for completion of sentence.

d. When the convening authority (CA) requires information from records of prisoners being transferred that are essential to the review process, copies of the appropriate records shall be prepared and retained for the review prior to transfer.

e. If a transfer occurs before CA action, the brig initiating the transfer shall notify the CA of the transfer. When the CA takes action, two copies of the action shall be forwarded to the commanding officer (CO) of the brig where the prisoner is confined.

f. Copies of prisoners' files shall be retained at the original brig.

2. **Procedures (see reference (a))**

a. The transferring brig shall notify the receiving brig at least 24 hours in advance of transfer arrangements, including transportation, identification of escorts, and estimated time of arrival. When possible, transferees should arrive during normal working hours. Receiving brigs shall be made aware of special prisoner needs/problems in advance.

b. The senior escort will accompany all prisoner shipments to the receiving brig to complete transfer details prior to the senior escort's departure. Turnover of prisoners at other than the receiving brig will be made only with the concurrence of the receiving brig.

3. **Travel Authorization.** Designation of a facility as a place of confinement constitutes authority to transfer a prisoner and to issue temporary additional duty (TEMADD) orders for escorts.

4. **Accounting Data for Escorts.** When transfers occur from a brig/pre-trial confinement facility to a naval consolidated brig (NAVCONBRIG), NAVCONBRIGs will normally provide accounting data and funding for prisoner escorts.

5. **Accounting Data for Prisoners.** Accounting data for prisoners in a temporary duty status (31 days or more confinement) is contained in reference (b). Accounting data and funding for prisoners in a TEMADD status (30 days or less) is chargeable to the activity where the prisoner is assigned.