



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
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BUPERS INSTRUCTION 1640.21

From: Chief of Naval Personnel

Subj: THE MILITARY MODEL OF NAVY CORRECTIONS

Ref: (a) 10 U.S.C., § 951
(b) SECNAVINST 1640.9C
(c) Manual for Courts-Martial United States (2008 Edition)
(d) DoD Directive 1325.04 of 17 Aug 01

1. Purpose. To identify the philosophy and essential elements of the "military model" approach to administering the Navy Corrections Program at Navy shore confinement facilities and to comply with references (a), (b), and (c). Unless otherwise noted, the term "prisoner" refers to pretrial prisoners, post-trial prisoners, and servicemembers awarded confinement to bread and water under the Uniform Code of Military Justice (UCMJ), article 15. Policy regarding the management of discharged prisoners is contained within reference (b), article 7103.2g.

2. Applicability. Guidance contained herein is directive in nature and applicable to all shore confinement facilities under the cognizance of the Chief of Naval Personnel/Commander, Navy Personnel Command.

3. Background

a. The military corrections mission is defined within military law (reference (a)) which directs that established military confinement facilities shall "provide for the education, training, rehabilitation, and welfare of offenders confined" and "provide for the organization and equipping of offenders selected for training with a view to their honorable restoration to duty or possible reenlistment." Paragraph 5.3 of reference (d) implements provisions of reference (a) and provides Department of Defense (DoD) policy and responsibilities to Secretaries of the Military Departments for operation and administration of military confinement facilities.

b. The model for administration of a Navy confinement facility is based on the philosophy that the most successful environment in which to retrain or rehabilitate an individual is one employed by most normal families, to include our military family (i.e., maintaining the pro-societal norms observed by it's members). This "military model" approach is a defining characteristic of the Navy Corrections Program and guiding principle for the administration of Navy confinement facilities.

c. The Navy corrections mission is to protect and serve the community, both military and civilian, by releasing prisoners as reformed/retrained individuals who will function productively as members of a military or civilian community.

d. In a Navy confinement facility, the "military model" corrections program serves to:

(1) Reinforce military values, courtesies, and practices that are suitable as behavioral benchmarks which will serve prisoners well in their return to a military or civilian community.

(2) Teach and emphasize personal responsibility and self-discipline as an integral part of programming and treatment.

(3) Support an environment where a mature and trained staff sets a positive example for prisoners; staff and prisoners are held accountable for their behavior and conduct; and, characteristics of integrity, ethical behavior, industry, and positive contributions are encouraged and rewarded.

4. The "Military Model". Guidance contained herein further delineates the Navy Corrections Program to be implemented in Navy confinement facilities and establishes the foundation for the operation and administration of Navy shore confinement facilities.

a. Jurisdiction. Reference (c), rule 202, identifies persons subject to the jurisdiction of military law. Military personnel, to include discharged members confined in military confinement facilities, are subject to the provisions of the UCMJ.

b. Discipline

(1) The word "discipline" comes from a Latin word meaning "to teach". In a military environment, individual members are encouraged to work as a disciplined unit. In order to assist this learning, the Navy Corrections Program utilizes a system of motivation and correction through rewards and punishments. Desirable behavior is encouraged by incentives, earned reduction in custody levels, and reduction in length of confinement by application of good conduct time and earned time credits. Undesirable behavior earns the consequences of administrative disciplinary actions and does not earn incentives. This system is directed toward helping internalize self discipline. A person that has internalized military discipline exhibits characteristics such as: compliance to rules, regulations, and orders; loyalty to unit; personal accountability; courtesy to others; and, respect for authority.

(2) Teaching, developing, and maintaining military discipline among personnel is a critical factor for success in a military corrections environment. Discipline and order shall be maintained with firmness; but, with no more control than is required for safe custody and well-ordered community life. In the control of prisoners, staff shall seek to influence them through their own example and leadership and to enlist their willing cooperation. At all times, the treatment of prisoners shall be such as to encourage their self-respect and increase their sense of personal responsibility.

c. Hierarchical Structure. Leadership qualified staff is key to establishing and maintaining an environment in which prisoners and staff lead a safe, organized, and productive daily life. The goal is to create an environment where staff sees their mission as the retraining and future success of the prisoners, even as they also perform a vital safety and security service to the community.

d. Military Customs and Courtesies. Military courtesies and discipline shall be taught and required of prisoners in a Navy confinement facility as they are practiced in a regular military unit or aboard a ship or station. Prisoners shall observe military courtesies, per Service customs and traditions, as

appropriate. They shall not be required to observe or practice military courtesies or other requirements that are unorthodox and not standard military practices.

e. Staff and Prisoner Interaction. Professional staff-prisoner relationships are the basis for the smooth operation of any confinement facility. Staffs who are consistent in their application of rules and regulations and who are viewed as being firm, fair, impartial, and having a positive, encouraging attitude, are the best possible correctional agents.

(1) Staff. Confinement facility staff members are prohibited from fraternizing with prisoners. This restriction shall not prohibit all contact such as simple conversation between prisoners and staff members. Staff members are expected to treat prisoners as members of the military service in a subordinate position within the organization.

(2) Prisoners. Prisoners are not free persons and, even in an environment designed to prepare them for a future life free of criminal behavior, there are basic security requirements that all must acknowledge. Prisoners shall not exercise any command or supervisory authority over other prisoners or staff while confined.

f. Daily Routine/Plan of the Day. Structure and organization are key factors in the successful management of a confinement facility and are critical elements of the military model. The daily routine/plan of the day of correctional programming and schedule of activities shall be published and prominently displayed in places readily accessible to prisoners.

g. Prisoner Program Plan

(1) Military corrections require access to correctional programming in the areas of work, military training, physical fitness, offense-specific education and/or treatment, self-improvement, and recreation. Programming details are further identified in reference (b).

(2) Personal responsibility requires addressing the offense of record to reduce the likelihood of recurrence. Offense-specific educational programming on topics such as drugs, alcohol, violence, sex, and victim impact, where offered, are

mandatory for prisoners whose offense involved such issues. Offense-specific treatment programming for prisoners confined for violent offenses or offenses against children, where offered, are considered a mandatory component of the program plan for prisoners with qualifying offenses (voluntary enrollment).

(3) A program plan shall be developed (with prisoner involvement) based on the needs of each prisoner and will access resources available at the facility to provide maximum benefit to the prisoner and community (military or civilian). Contained within the Corrections Management Information System (CORMIS) is a standardized program plan format and includes the major programming components therein (work, offense-related, education, self-improvement and personal growth, and release planning).

(4) A unit management approach to prisoner programming shall be used in developing program plans. Case management is delivered by an integrated staff unit and is a process aimed at delivering consistent care (e.g., services, treatment, programming, and follow up) that is targeted at a set of needs identified to be of high priority and in need of change. This approach ensures that all eligible prisoners, working with staff, accomplish a self-assessment to determine their risks and needs and participate in developing an individualized written program plan that addresses their needs within the capabilities of the facility.

(5) A critical element of this process is that prisoners are responsible for their assessment, their plan, and their performance. The program plan shall be openly negotiated with the prisoner. The prisoner shall be able to speak freely and to indicate what components of their program plan they choose to do or not to do. The role of the staff is critical at this point. They must be realistic, reflect the reasonable expectations of the community in a given case, and uphold high standards without coercing the prisoner into unwilling token compliance. Prisoners shall be informed that failure to commit to an identified program plan component addressing the underlying issues of the confining offense will likely result in consequences potentially impacting earned time abatement, incentives, custody classification, and recommendations on clemency, parole, or supervised release. Case managers and unit team members must ensure that prisoners understand the various components of the program plan, reasons

for their inclusion, and the prisoner's responsibility for their achievement.

h. Tracking Program Plans

(1) Program plans shall be initiated by the assigned counselor or case manager and accepted by the Classification and Assignment (C&A) Board, or unit team, only when convinced the goals of the plan accurately addresses the prisoner's problems and needs.

(2) Staff shall conduct regular review of prisoners at planned intervals, upon cause, when requested by staff or prisoner, or where noncompliance to the program plan is noted.

(3) Program plan compliance/performance is a key factor in determining incentives.

i. Prisoner Personal Appearance

(1) Uniform Standards. Military appearance is a strong component of a military atmosphere. The working uniform of their Service branch shall be worn by prisoners in Navy facilities with no modifications other than those specified in reference (b).

(2) Grooming Standards. In any DoD-wide program (United States Disciplinary Barracks for males, Navy Consolidated Brig Miramar for females) there shall be a single grooming standard for all prisoners.

j. Physical Environment. Per reference (b), article 2304, a high standard of sanitation and an attractive environment shall be maintained at all times. Prisoners must participate in carrying out the daily routine/plan of the day necessary in keeping the facility clean and neat. This is important not only for good appearance but also for the health and safety of staff and prisoners. A high level of military order is expected.

k. Inspections. Inspections (e.g., physical plant, security, safety, sanitation, personnel, and property) are crucial to the operation, management, and administration of confinement facilities. All prisoners, to include discharged prisoners, will participate in personnel and property inspections in a manner that emulates normal military routines.

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5. Action. Navy confinement facility commanding officers and officers in charge shall ensure that management and execution of their corrections program is in compliance with references (b) and (c), incorporates the philosophy and elements of the military model contained within this instruction, and follows traditional protocols as practiced in a regular military unit aboard a ship or station.



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