BUPERS INSTRUCTION 1640.18H

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) SECNAVINST 1640.9C
(c) BUPERSINST 1640.22
(d) NAVPERS 15560D, Naval Military Personnel Manual (MILPERSMAN)

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

1. Purpose

   a. To identify designated places of shore confinement within Navy corrections.

   b. This revision includes a reduction of confinement capability at all Naval consolidated
      brigs (NAVCONBRIG) and NAVCONBRIG Miramar Detachment Pearl Harbor, HI.

2. Cancellation. BUPERSINST 1640.18G.

3. Background

   a. Navy confinement facilities (e.g., brigs) 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. Naval brigs must conform to the requirements of
      references (a) through (c) to retain their authority to operate.

   b. Per reference (a), Department of Defense (DoD) post-trial military confinement facility
      designations (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. For the 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 are assigned after on-site assessment by qualified corrections specialists.

   c. Reference (d), article 1640-030, identifies the types and DoD classification of Navy brigs
      with associated parameters consistent with the provisions of references (a) through (c).
      Enclosure (1) provides a list of Navy shore brigs authorized by SECNAV as naval places of
      confinement and identifies facility gender capability and rated capacity.
4. **Designation Criteria**

   a. Physical plant, major property, designation parameters, staff criteria, and minimum acceptable program requirements for Naval brigs, by facility type, are contained within references (b) and (c).

   b. All Navy brigs must conform to the fire, life, safety, security, and berthing requirements of references (b), (c), and (e) and must not exceed the rated capacity without BUPERS-00D authority.

5. **Capacities**

   a. 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 confinement facility based on a facility's staffing level, existing programs and services, system’s need, and physical structure features, taking into account a reduction for disciplinary segregation and any unfurnished cells.

   b. Per references (b) and (c), BUPERS-00D is responsible for determining the "rated capacity" for Navy brigs. Such capacity is determined by on-site application of berthing space criteria, while also accounting for local considerations, special needs, manning, and the provisions of references (b), (c), and (e).

   c. The brig commander determines the facility operational capacity. The operational capacity 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). The operational capacity can only be equal to or less than the rated capacity, unless authorized to exceed the rated capacity by BUPERS-00D per references (b) and (c).

   d. Per references (b) and (c), brig officers must ensure notification to BUPERS-00D, as well as their chain of command, 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 an ashore facility as an authorized naval place of confinement must be submitted, via the chain of command and BUPERS-00D, to SECNAV. Such requests must include full justification, copies of floor plans, site plans, and a description of the space utilization, security, and safety equipment to be used. Approval is based on demonstrated need and ability to meet criteria for functional adequacy defined in references (b) and (c); Commander, Naval Facilities Engineering Command publications, and standards of the American Correctional Association.
b. Requests for temporary waivers of the provisions of references (a) and (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 of time necessary to complete corrective action. Waivers will not be granted for facilities with major life threatening, fire, or safety violations.

7. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.

8. Review and Effective Date. Per OPNAVINST 5215.17A, BUPERS-00D will review this instruction annually on the anniversary of the effective date to ensure applicability, currency, and consistency with Federal, DoD, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 5 years after effective date unless reissued or otherwise canceled prior to the 5-year anniversary date, or an extension has been granted.

R. A. BROWN
Deputy Chief of Naval Personnel

Releasability and distribution:
Electronic only, via BUPERS Web site; http://www.npc.navy.mil
# U.S. NAVY DESIGNATED PLACES OF SHORE CONFINEMENT

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**Abbreviations:**

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

**Notes:**

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