



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
AND
2D MARINE AIRCRAFT WING, FLEET MARINE FORCE, ATLANTIC
CHERRY POINT, NORTH CAROLINA 28533

AirSta0 1640.20
Wg0 1640.2
J-stg/BDB
28 FEB 1980

AIR STATION ORDER 1640.20

WING ORDER 1640.2

From: Commanding General
To: Distribution List

Subj: Standard Operating Procedures for Confinement and Release

Ref: (a) SECNAVINST 1640.10 (NOTAL)

Encl: (1) MCB, CamLej, NC, BO P1640.9 of 7 Mar 1978
(2) Pretrial Confinement Report Form
(3) Military Magistrate's Decision Form

1. Purpose. To publish the policy and procedure for confinement, administration, and release of confinees.

2. Cancellation. AirSta0 1640.18.

3. Information. The confinement, administration, and release of confinees is to be in accordance with enclosure (1), unless otherwise specified by this or other Air Station or 2d Marine Aircraft Wing directives.

4. Background. No facility for the confinement of Armed Forces personnel exists at Marine Corps Air Station, Cherry Point, North Carolina. All confinement will take place at the Correctional Facility, Marine Corps Base, Camp Lejeune, North Carolina. A Detention Space at Marine Corps Air Station, Cherry Point, North Carolina, is operated under the cognizance of the Director of Legal Services, Marine Corps Air Bases, Eastern Area, and exists for the temporary (normally no longer than 24 hours) detention of personnel who have been ordered into pretrial confinement. This Detention Space is located in Building 292 and is operated utilizing personnel assets made available to the Director of Legal Services by the Director of Manpower, Marine Corps Air Station, Cherry Point, North Carolina, for that specific purpose.

5. Action. Procedures for placing personnel in pretrial confinement are as follows:

a. During normal working hours (0800-1700), Monday through Friday

(1) The individual will be escorted by chaser to the Station Inspector's Office, Building 198, for a hearing in accordance with reference (a), before

Cancelled

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28 FEB 1980

the Station Inspector, the Air Station's primary Military Magistrate. The individual will be accompanied by an appropriately completed confinement order, pretrial confinement report form (enclosure (2)), and service record book. In the absence of the Station Inspector, the individual will be escorted to the Wing Inspector's Office, Building 198, for a hearing before the Wing Inspector, the Air Station's alternate Military Magistrate.

(2) An individual ordered into pretrial confinement as a result of the Military Magistrate's hearing will be escorted by chaser to the Joint Law Center, Building 219, for interview by an assigned defense counsel.

(see CHANGE ENCL.) (3) After interview by counsel, the individual will be escorted by chaser to the Naval Hospital, accompanied by the appropriately completed confinement order, pretrial confinement report form, and Military Magistrate's decision form (enclosure (3)). The Medical Officer will indicate upon the confinement order whether or not the individual is medically fit for confinement. In the event the individual is determined to be unfit for confinement, the examining Medical Officer will note the unfitness on the confinement order and appropriate arrangements will be made for admittance of the individual to the Naval Hospital for confinement and treatment.

(4) After medical examination and determination of fitness for confinement, the individual will be delivered by chaser to the Detention Space, Building 292, for temporary detention and subsequent transfer to the Correctional Facility, Marine Corps Base, Camp Lejeune, North Carolina, for confinement. At the time of delivery to the Detention Space, an individual is required to have in his possession those articles of clothing and health and comfort items as specified in enclosure (1).

b. After normal working hours or on weekends and holidays. Procedures are the same as in paragraph 5a above, except the appearance of the individual before a Military Magistrate and interview with defense counsel as set forth in subparagraphs 5a(1) and (2), will not be required. However, the commanding officer of an individual so detained will take immediate action to effect those procedures specified in paragraphs 5a(1) and (2) at the commencement of normal working hours on the first working day following the individual's detention. In absolutely no case will an individual remain detained beyond 72 hours without the benefit of a Military Magistrate's hearing.

c. When neither Military Magistrate is available during normal working hours. Procedures are the same as in paragraph 5a above, except appearance of the individual before a Military Magistrate as set forth in subparagraph 5a(1) is not required. However, the commanding officer of an individual so detained will take immediate action to determine the soonest availability of a Military Magistrate and thereafter effect the procedure specified in paragraph 5a(1). Again, in absolutely no case will an individual remain detained beyond 72 hours without the benefit of a Military Magistrate's hearing.

d. When defense counsel is not available during normal working hours. Procedures are the same as in paragraph 5a above, except the interview with defense

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counsel as set forth in paragraph 5a(2) is not required. However, the commanding officer of an individual so detained will take action to effect the procedures specified in paragraph 5a(2) within 48 hours of the individual's detention.

6. Concurrence. The Commanding Officer, Naval Hospital and the Commanding Officer, Naval Air Rework Facility concur with this Order insofar as it pertains to members of their command.

R. H. Schultz

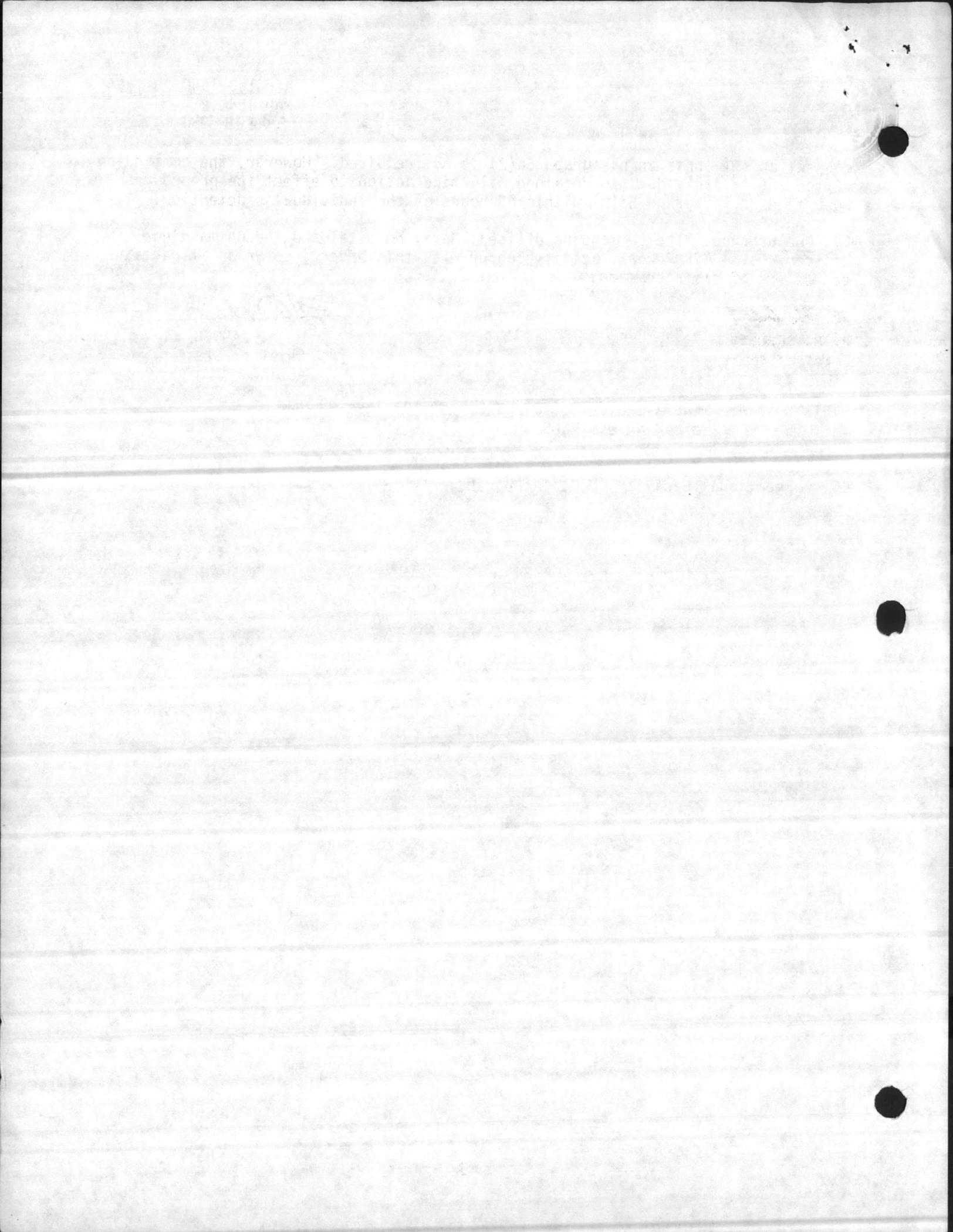
R. H. SCHULTZ
Chief of Staff

H. A. Zander

H. A. ZANDER
Chief of Staff
Acting

DISTRIBUTION: MCAS A-2 plus J (10)/CG Files (10) less 2d MAW
2d MAW A less MCAS

Copy to:
CO, Correctional Facility, MCB, CamLej, NC





SOP FOR CONFINEMENT AND RELEASE

UNITED STATES MARINE CORPS
MARINE CORPS BASE
CAMP LEJEUNE, NORTH CAROLINA 28542

AirStaO 1640.20
WgO 1640.2

28 FEB 1980

BO P1640.9
CSO-HTW-DWD

7 MAR 1978

BASE ORDER P1640.9

From: Commanding General
To: Distribution List

Subj: Standard Operating Procedure for Confinement and Release

Ref: (a) SECNAVINST 1640.9
(b) MCO 1640.3
(c) SECNAVINST 5815.3D

Encl: (1) LOCATOR SHEET

Reports Required: I. Change of Status (Report symbol CSO-1640-01)
par. 204.1
II. Courts-Martial Order (Report symbol CSO-1640-02)
par. 204.2
III. Individuals Confined and Released Daily (Report
symbol CSO-1640-03) par. 204.3
IV. Detained, Adjudged, and Sentenced Confinees
(Report symbol CSO-1640-04) par. 204.4

1. Purpose. To publish the policy and procedures for the confinement, administration, and release of confinees.
2. Action. The Commanding Officer, Correctional Facility, Marine Corps Base, Camp Lejeune, North Carolina will ensure compliance with the regulations and procedures contained in this Order and provisions of references (a) through (c).
3. Applicability. Having received the concurrence of the Commanding Generals', 2d Marine Division (Rein), FMF, Marine Corps Air Station, Cherry Point, 2d Marine Aircraft Wing, Force Troops/2d Force Service Support Group, and the Commanding Officers', Naval Regional Medical Center, Naval Regional Dental Center, Marine Corp Air Station (H), New River, this Order is applicable to those commands.

ENCLOSURE (1)

SOP FOR CONFINEMENT AND RELEASE

4. Certification. Reviewed and approved this date.


W. F. SHEEHAN
Chief of Staff

DISTRIBUTION: X, A-1 Cat II, III, IV

SOP FOR CONFINEMENT AND RELEASE



UNITED STATES MARINE CORPS
MARINE CORPS BASE
CAMP LEJEUNE, NORTH CAROLINA 28542

BO 1640.9 Ch 1
CSO-HTW-BHB

4 DEC 1978

BASE ORDER P1640.9 Ch 1

From: Commanding General
To: Distribution List

Subj: Standard Operating Procedure for Confinement and Release

Encl: (1) New page inserts to Base Order P1640.9

1. Purpose. To transmit new page inserts and direct a pen change to the basic manual.

a. Remove pages 2-1, 2-2, 3-3, 3-4, 4-1, 4-2, 4-3, 4-4, 4-5, and 4-6, of the basic instructions and insert enclosure (1), as appropriate.

b. On promulgation page add Marine Corps Air Station, Cherry Point (25 copies) to distribution.

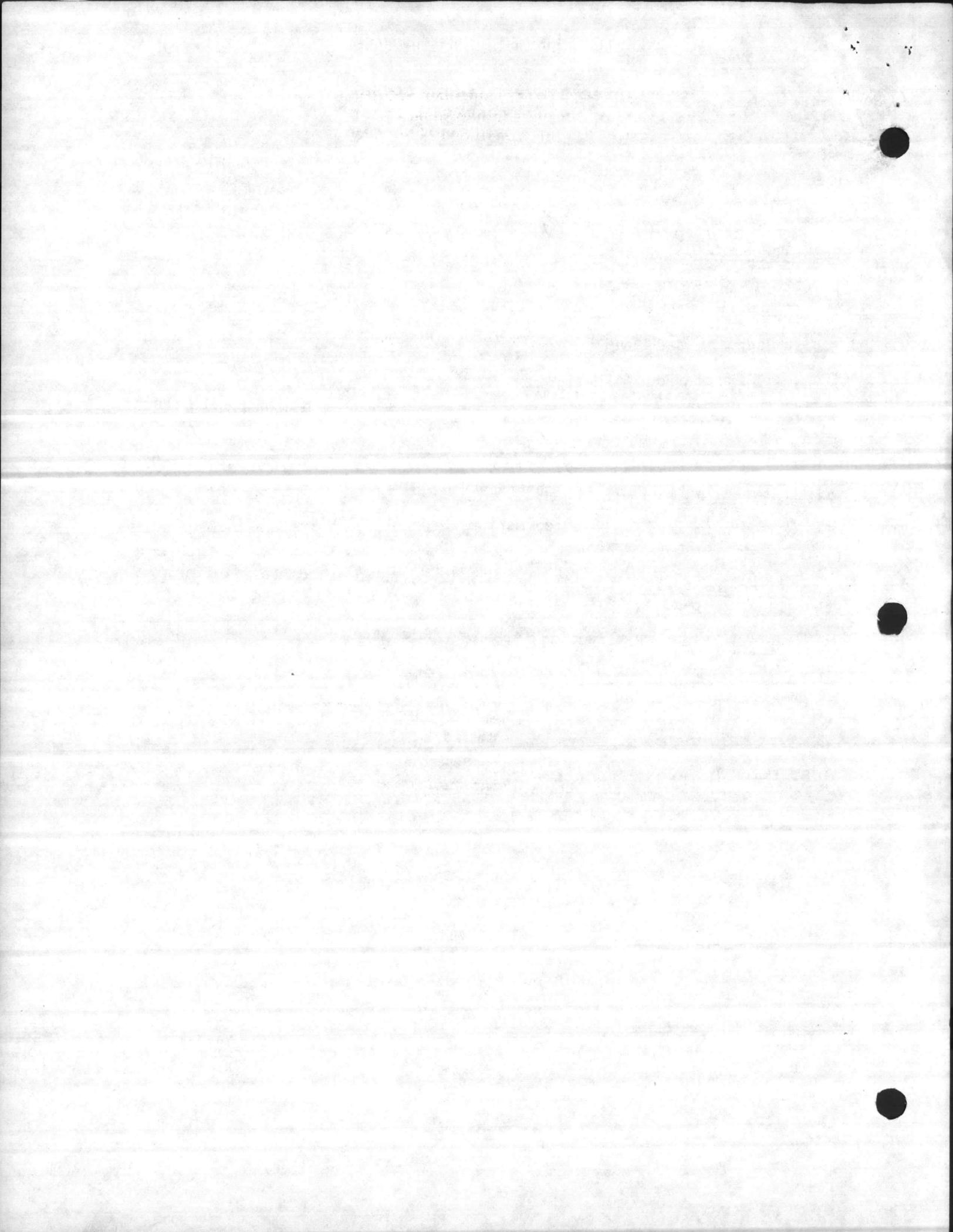
2. Filing Instructions. This change will be filed immediately following the signature page of the basic manual.

3. Certification. Reviewed and approved this date.

A handwritten signature in black ink, appearing to read "W. F. Sheehan", is written above the typed name.

W. F. SHEEHAN
Chief of Staff

DISTRIBUTION: X, A-1 Cat II, III, IV
Plus MCAS, Cherry Point (25 Copies)





UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
AND
2D MARINE AIRCRAFT WING, FLEET MARINE FORCE, ATLANTIC
CHERRY POINT, NORTH CAROLINA 28533

AirSta0 1640.20 Ch 2
Wg0 1640.2 Ch 2
JA-jh/CS
20 MAY 1982

AIR STATION ORDER 1640.20 Ch 2

WING ORDER 1640.2 Ch 2

From: Commanding General
To: Distribution List

Subj: Standard Operating Procedure for Confinement and Release

1. Purpose. To direct a pen change to the basic Order.
2. Effective Date. 1 May 1982.
3. Action. Delete subparagraph 5a(3) in its entirety and substitute the following:

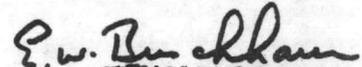
"(3) After interview by counsel, the individual will be escorted by chaser to the Naval Hospital, accompanied by the appropriately completed confinement order, pretrial confinement report form, and Military Magistrate's decision form (enclosure (3)). The Medical Officer will indicate upon the confinement order whether or not the individual is determined to be fit for confinement. After normal working hours, if a Medical Officer is not immediately available at the time of confinement, this determination shall be made by paramedical personnel and followed by a physical examination by a Medical Officer within 24 hours. In the event the individual is determined to be unfit for confinement, the examining official will note the unfitness on the confinement order and appropriate action for the treatment and medical disposition made."

4. Summary of Change. This Change will preclude any undue delay in placing a prisoner into confinement in the event a Medical Officer is not readily available.
5. Filing Instructions. This Change will be filed immediately following page 5 of the basic Order.

AirSta0 1640.20 Ch 2
Wg0 1640.2 Ch 2
20 MAY 1982

6. Concurrence. The Commanding Officers of the Naval Hospital and the Naval Air Rework Facility concur with this Change insofar as it pertains to members of their command.


F. J. CONE
Chief of Staff


E. W. BUSCHHAUS
CHIEF OF STAFF

DISTRIBUTION: MCAS A-2 plus OIC, Detention Facility (10) less 2dMAW
2dMAW A less MCAS

Copy to
CO, Correctional Facility, MCB, Cam Lej, NC

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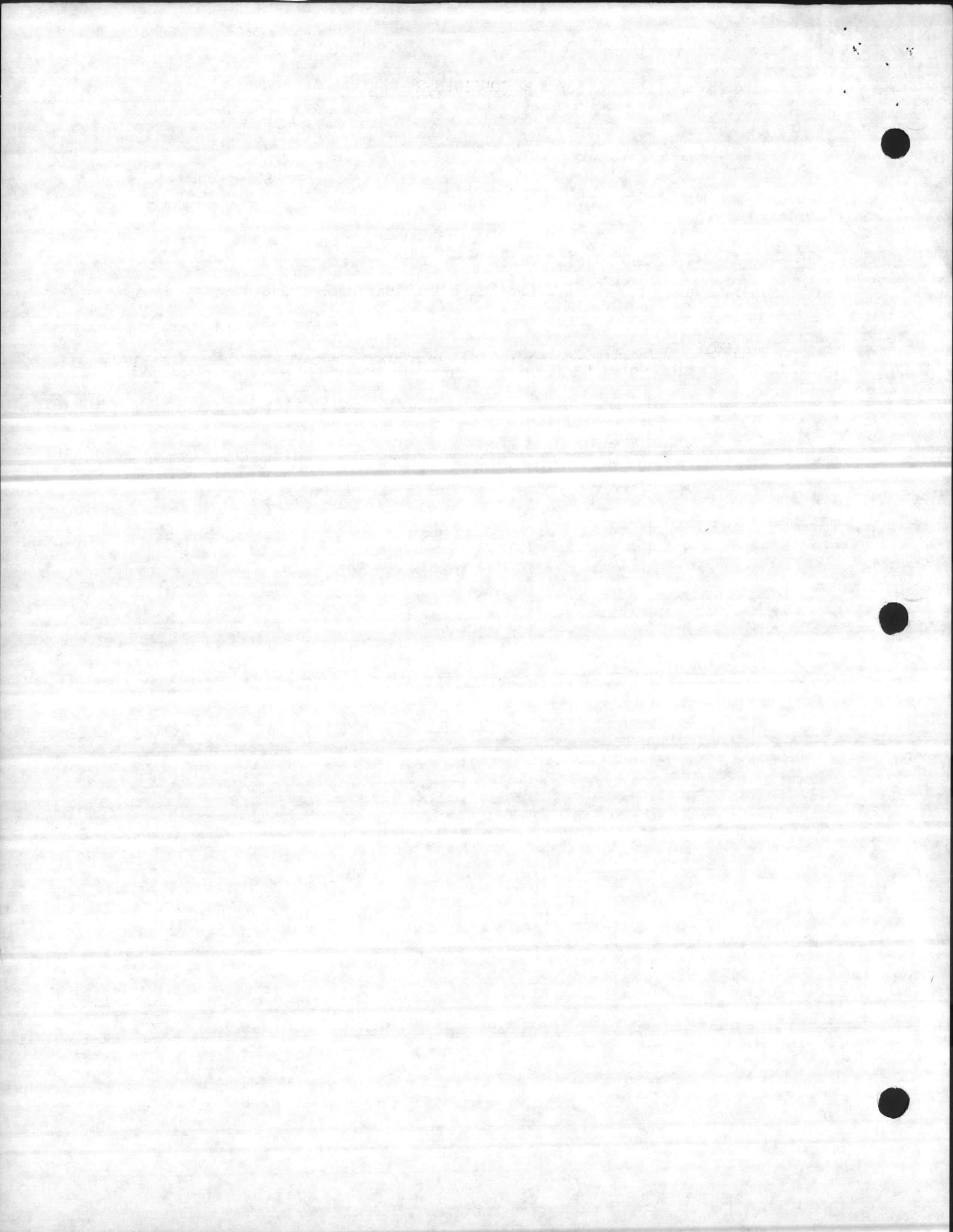
BO P1640.9
7 Mar 1978

LOCATOR SHEET

Subj: Standard Operating Procedure for Confinement and Release

Location:

(Indicate the location(s) of the copy(ies) of this publication)

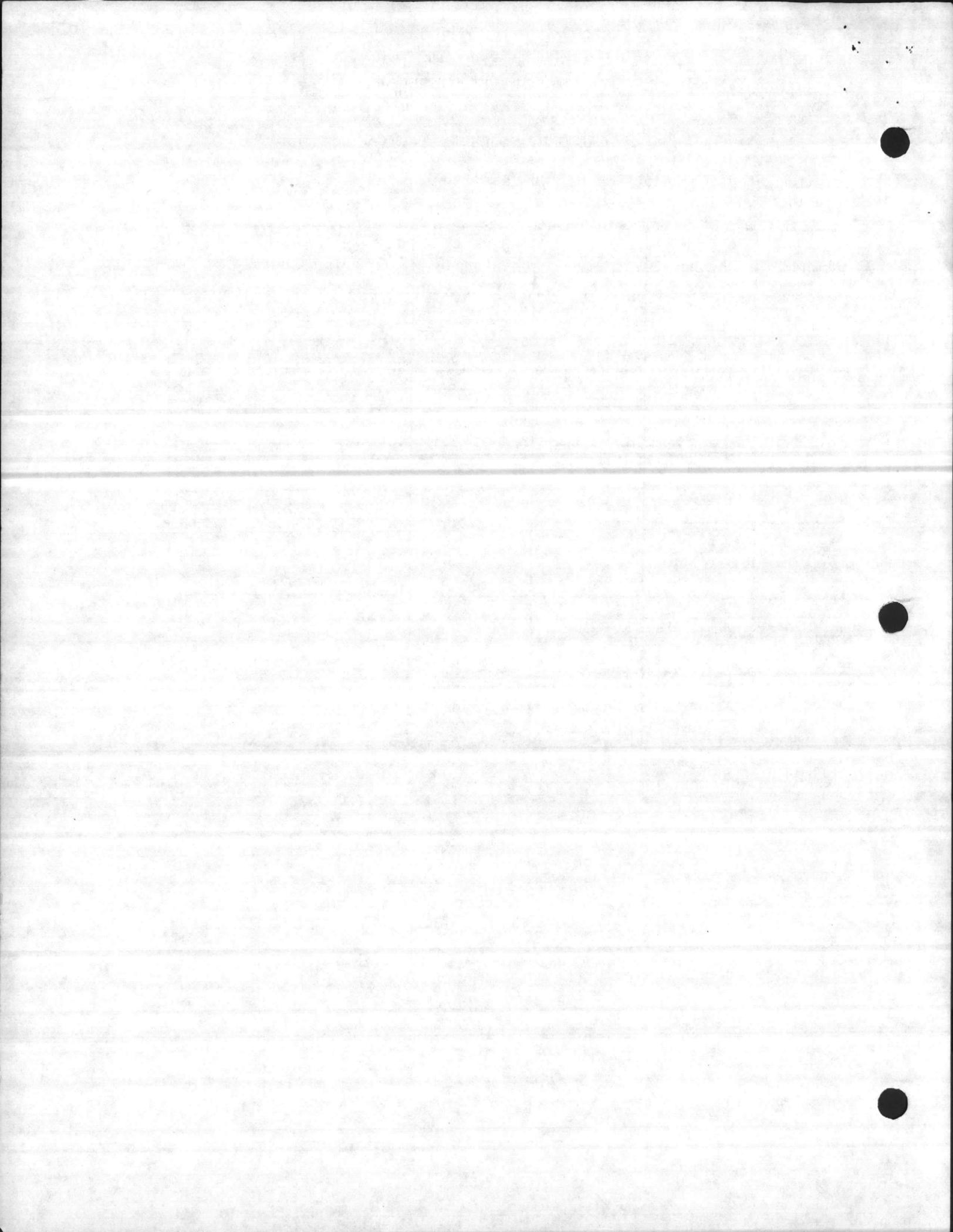


SOP FOR CONFINEMENT AND RELEASE

RECORD OF CHANGES

Log completed change action as indicated.

Change Number	Date of Change	Date Received	Date Entered	Signature of Person Entering Change
1	4 Dec 78	18 Dec 78	18 Dec 78	M. R. Hays



SOP FOR CONFINEMENT AND RELEASE

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SOP FOR CONFINEMENT AND RELEASE

SECTION I

104.2

CONFINEMENT

101. POLICY. It is policy of the Commanding General, Marine Corps Base, Camp Lejeune, North Carolina that treatment of personnel in confinement will be uniform and in full accord with the provisions of the Uniform Code of Military Justice and SECNAVINST 1640.9.

102. AUTHORITY. The Chief of Naval Personnel and Deputy Chief of Staff, Manpower, Headquarters, U. S. Marine Corps are designated by the Secretary of the Navy to administer Correctional Facilities in accordance with Chapters 47 and 48, Title 10 of the United States Code.

103. APPLICABILITY. The regulations and procedures set forth in this Order govern the confinement and administration of confinees in the Correctional Facility, Marine Corps Base, Camp Lejeune, North Carolina and their release therefrom. This Order is applicable to the Commanding Officer, Correctional Facility and officers possessing special courts-martial convening authority.

104. PLACES OF CONFINEMENT

1. The Commandant of the Marine Corps has designated the U. S. Disciplinary Barracks, Fort Leavenworth, Kansas as a place of confinement for male Marines to serve general and special courts-martial sentences. The policy, transfer criteria, and procedures for transferring confinees to the Disciplinary Barracks is set forth in MCO 1640.3.

2. The Secretary of the Navy and the Commandant of the Marine Corps have approved and designated the Correctional Facility, Marine Corps Base, Camp Lejeune, North Carolina as the confinement activity in support of the major commands located at Camp Lejeune, North Carolina, Marine Corps Air Station, Cherry Point, North Carolina and Marine Corps Air Station, New River, North Carolina.

a. The Correctional Facility (Building 1041), Marine Corps Base, Camp Lejeune, North Carolina is a place of confinement for male enlisted service members.

b. Confinement of women in the Correctional Facility, Camp Lejeune, North Carolina is not authorized. Guidance for the confinement of women is in paragraph 110 of SECNAVINST 1640.9.

c. Civilians subject to the Uniform Code of Military Justice will not be confined in the Correctional Facility, except in accordance with the provisions of U. S. Navy Regulations and by order of the Commanding

SOP FOR CONFINEMENT AND RELEASE

105.1

General, Marine Corps Base, Camp Lejeune, North Carolina.

d. While only a commanding officer to whose authority an officer is subject may order an officer or warrant officer into confinement, it is the policy of this command to further limit this authority. Except in case of emergency, only the Commanding Generals of Marine Corps Base, 2d Marine Division (Rein), FMF, Marine Corps Air Station, Cherry Point, 2d Marine Air Wing, Force Troops/2d Force Service Support Group and Commanding Officers of Marine Corps Air Station, New River, Naval Regional Medical Center, and Naval Regional Dental Center may order an officer or warrant officer under their command into confinement. The authority to confine an officer cannot be delegated. It must be ordered in writing and delivered in person by another officer. Paragraph 109.6 of SECNAV-INST 1640.9 states, "Officers shall not be confined in close company with enlisted prisoners. In the event it is necessary to confine an officer, the officer should be confined to quarters or other suitable place apart from the confinement facility. If required, an adequate guard may be posted."

105. AUTHORITY TO CONFINE

1. Each officer empowered to confine shall adhere to the confinement procedures set forth herein. It is the policy of this Command to limit confining authority to the officers listed below.

- a. General courts-martial convening authority.
- b. Commanding Officers empowered to convene special courts-martial, or in their absence, the executive officer.
- c. Provost Marshal and designated assistants.
- d. The Staff Duty Officers of:
 - (1) Marine Corps Base
 - (2) 2d Marine Division (Rein), FMF
 - (3) Marine Corps Air Station, Cherry Point, N.C.
 - (4) 2d Marine Aircraft Wing
 - (5) Force Troops/2d Force Service Support Group
 - (6) Marine Corps Air Station, New River, N. C.
 - (7) Naval Regional Medical Center, Camp Lejeune, North Carolina
 - (8) Naval Regional Dental Center, Camp Lejeune, North Carolina

e. Trial counsel after receiving concurrence of the convening authority of the accused.

106. DISCUSSION

1. Confinement is the physical restraint of a person (UCMJ, art. 9a). Normally, confinement is a type of punishment imposed by sentence of a courts-martial.

2. A person will not be placed in confinement based solely on impending discharge proceedings. The confinee will be released immediately (unless serving sentence) upon notification that appropriate authority has approved the confinee's administrative discharge. Release of adjudged or sentenced confinees will be upon remission, suspension, deferment or completion of sentence.

3. Confinement, other than that adjudged by courts-martial, shall not be imposed unless deemed necessary to ensure the presence of the accused at a trial by general or special courts-martial. Confinement not imposed as a result of a courts-martial will be limited strictly to cases fully justifiable, i.e., to avoid foreseeable future serious criminal misconduct of the accused including any efforts at obstructing justice, and wherein no alternative action is practicable or appropriate. Absentees who surrender, or even though apprehended, indicate they will not absent themselves again, senior enlisted personnel facing relatively minor charges after previous unblemished records, and obviously stable individuals facing minor charges should not be placed in pretrial confinement. An individual who is to be tried by summary courts-martial will not be placed in pretrial confinement without specific approval of the officer exercising general courts-martial authority. If approval is granted, the Commanding Officer or the Corrections Officer of the Correctional Facility shall be made aware of the circumstances.

107. MILITARY MAGISTRATE

1. An officer who orders an individual into pretrial confinement will provide the military magistrate of the confinement facility a letter containing sufficient information to permit a review of the factual basis of the confinement. This letter must be provided within 72 hours.

2. The letter as a minimum will contain the following information.

- a. Hour, date, and place of confinement.
- b. Offenses allegedly committed.
- c. General circumstances surrounding the offense.
- d. Previous disciplinary record of the accused.

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107.2

- e. Mitigating or extenuating circumstances.
 - f. Reason pretrial confinement is considered necessary.
3. In the absence of clear evidence establishing a need for pretrial confinement, the accused is entitled to release and will be immediately released from confinement by direction of the military magistrate. The commanding officer of the accused may thereafter impose any authorized form of pretrial restraint, other than confinement, deemed necessary.
4. The accused, once released by the military magistrate, may be re-confined only upon discovery of:
- a. A different offense which warrants pretrial confinement.
 - b. New evidence pertaining to the offense for which pretrial confinement was originally ordered.
 - c. New evidence which indicates the accused may flee to avoid trial.
5. The decision of the military magistrate is final in all cases.

SECTION II

ADMINISTRATION

201. GENERAL. An individual will not be accepted for confinement upon a verbal request or order (paragraph 301.2c of SECNAVINST 1640.9). A properly executed confinement order (NAVPERS 1640/4 revised 8-74) must accompany prospective confinees.

202. CONFINEMENT ORDER

1. An original and two copies of the confinement order, is required to confine an individual.

- a. The original is retained by the Correctional Facility.
- b. A copy is returned to the unit as an endorsement or receipt for the confinee.
- c. A copy is retained by the medical officer conducting the confinement physical examination.

2. Confinement orders must be complete and accurate.

a. The confinement order will state the individual's full name, social security number, rate/grade, branch of service, organization, and date (sec. A of fig. 1, 2, and 3 of this SOP). Plus provide the individual background data on the reverse side, lower half, of the confinement order (see. fig 1, 2, and 3).

b. It is essential to the facility staff that the legal status of each confinee in the Correctional Facility be known and clearly identified (sec. B and C of fig. 1, 2, and 3 of this SOP). Terms and definitions regarding confinee status are listed below:

(1) Detained. A person subject to the Uniform Code of Military Justice who has been legally ordered into confinement. The detained person has been accused of committing an offense against the Uniform Code of Military Justice and is awaiting trial or rehearing. No person can be confined without charges (paragraph 109.1 of SECNAVINST 1640.9):

(2) Adjudged. A confinee tried and convicted by courts-martial and sentenced to a period of confinement and/or forfeiture of pay and allowances, reduction in grade, and/or a punitive discharge. A sentence to confinement commences on the date it is adjudged unless it is deferred or suspended.

(3) Sentenced. A confinee whose sentence to confinement has been ordered executed following the appropriate level of review.

(4) Administrative Legal Status

SOP FOR CONFINEMENT AND RELEASE

202.2

(a) Awaiting Commanding Officer (ACO). This category relates to a confinee in pretrial confinement who has not appeared before the commanding officer at office hours, but has been confined because there is good and sufficient reason to believe, due to the nature of the charge and the subsequent sentence if found guilty in a trial by court-martial, that the individual would not be present for trial.

(b) Awaiting Special Courts-Martial (ASPCM). This category relates to a confinee in pretrial confinement "To ensure the presence of the accused at the trial" who has appeared before the commanding officer at office hours and is awaiting trial by special courts-martial.

(c) Awaiting General Courts-Martial (AGCM). This category relates to a confinee in pretrial confinement "To Ensure the Presence of the Accused at the Trial" following a completed Article 32 UCMJ Investigation and who is awaiting trial by general courts-martial.

(d) Awaiting Article 32 UCMJ Investigation (AART 32). This category relates to a confinee in pretrial confinement who has appeared before the commanding officer at office hours and has been referred to an Article 32 UCMJ Investigation.

(e) Awaiting Article 72 UCMJ Hearing (AART-72). This category relates to a confinee in pretrial confinement "To Ensure the Presence of the Accused at the Trial" or who is awaiting "Vacation of Suspension" proceedings of a previously suspended sentence that included confinement.

c. The status portion of the confinement order for pretrial confinement must include the Article(s) allegedly violated and include a concise statement concerning the act committed or omitted. Examples are shown below:

- Article 86: Absent appointed place of duty.
Dining Facility 4444 at: 0515, 1 JUL 77,
1330, 2 JUL 77, and company formation
at 0700, 2 JUL 77.
- Article 86: UA 0730, 1 JUL 77 until 2000, 30 JUL 77.
- Article 89: Disrespectful toward a 2ndLt by saying to
him, "I do not respect you or your rank,
so go honk a horn."
- Article 90: Did strike the CoCmdr with his fist during
office hours.
- Article 92: Violate a lawful order issued by a GySgt
to clean his rifle by 1300.

- Article 108: Damage a military typewriter by throwing it through a window to the pavement below.
- Article 122: Did rob a LCpl by means of force (pistol/knife/by use of fists) of \$3888.00 on 5 Jun 77.
- Article 128: Did assault a SSgt by hitting him in the head with a piece of steel pipe.

The officer directing confinement (the officer who signs the confinement order) will ensure that an individual to be confined in a detained status has been informed of the alleged offenses, and the proper dates and signatures of the accused and witness are placed on the confinement order. If the accused refuses to sign, in place of the signature write "Refused to Sign" and the witness signs in the appropriate place. If an earlier edition of the confinement order is utilized, the information will be recorded on the reverse side. (sec. B of fig. 1 of this SOP).

(1) Administrative legal status may be indicated on the front or on the reverse of the confinement order (sec. B of fig. 1 of this SOP).

d. Confinement orders for adjudged confinees following trial shall indicate the type of court, the complete sentence adjudged and the date of the court (sec C of fig. 2 of this SOP). Results of Court Martial Trial Report (MCBCL 5813) will accompany the confinement order.

(1) In the event a pretrial agreement has been executed, provide the maximum sentence authorized on the reverse of the confinement order.

(2) If the sentence was deferred, the date deferred and the date the deferment was terminated must be indicated.

e. When an individual is confined in a detained status, the pre-trial confinement block shall be properly executed to indicate the necessity for confinement. "To ensure the presence of the accused at the trial" will be marked (sec. D of fig. 1 of this SOP).

f. For Article 86 offenses, the confinement order will indicate whether the individual "surrendered" or was "apprehended", and if apprehended, by what authority i.e., FBI, County, City, or Military. This information is required for both, detained and convicted confinees (sec. E of fig. 1, 2, and 3 of this SOP). If an earlier edition of the confinement order is utilized, this information will be recorded on reverse side.

g. When an individual is confined as a result of vacation proceedings of a previously suspended sentence, the confinement order must list

SOP FOR CONFINEMENT AND RELEASE

202.2

a chronological sequence of events. The following should be indicated on the confinement order.

- (1) Mark "Vacated Suspension" and the type of courts-martial for which convicted.
- (2) List in the appropriate space or on reverse of the confinement order the article(s) for which originally convicted.
- (3) The entire original sentence awarded by the courts-martial, and the date the sentence was awarded.
- (4) If the sentence was deferred, the date deferred and the date the deferment was terminated.
- (5) The appropriate dates the sentence was approved by the convening or higher authority.
- (6) Under "Remarks" or on the reverse indicate any period of confinement that was served prior to deferment or prior to suspension of the sentence. (sec. C and reverse of fig. 3 of this SOP).

h. The hour and date confinement was directed must be indicated. Ensure the name, rank and title of the confining authority is included. (sec. F of fig. 1, 2, and 3 of this SOP).

i. Preconfinement physicals will be conducted by the Correctional Facility in the following manner:

(1) The health and dental records of each prospective confinee must accompany the individual to the Correctional Facility at the time of confinement. For those individuals unable to locate their health record locally, the unit shall prepare a temporary health/dental record for confinement purposes. Correctional Facility medical personnel will prepare Request for Medical/Dental Records or information (DD Form 877) to obtain permanent records for the confinees with only temporary records.

(2) Each prospective confinee shall have a preconfinement physical examination to determine his fitness for confinement or requirement for hospitalization. This preconfinement physical will be performed by the Correctional Facility hospital corpsman who will annotate his clinical findings in the health record and mark a determination of fitness/unfitness for confinement on the confinement orders. The examining hospital corpsman shall pay special attention to accurately describe and record the presence/absence of any lacerations, abrasions, contusions, hematomas or other unusual marks on both the confinement order and the Chronological Record of Medical Care (SF 600).

(3) In those cases where the examining hospital corpsman finds

clinical contraindications for confinement, the prospective confinee will be referred to a medical officer for further evaluation and disposition. This referral will be to Branch Clinic, Building 15, during normal working hours and to the emergency room, Naval Regional Medical Center at other times.

(4) In either case of fitness or unfitness, the examining hospital corpsman will deliver his findings on the confinement order to the Duty Corrections Supervisor or other competent authority for appropriate action.

(5) Each confinee admitted to the correctional facility on the basis of provisional fitness for confinement as determined by a hospital corpsman will be examined within 24 hours of confinement by a medical officer in accordance with NRMCIINST 5000.2(Series).

(6) When an individual is confined who possesses physical or mental characteristics that may require special custodial status, a statement of explanation will be recorded either under the "remarks" section of the confinement order or on the reverse. Individuals with known or suspected suicidal, homicidal, or homosexual tendencies and individuals with drug or alcohol problems will be brought to the attention of the facility staff through appropriate remarks on the confinement order.

j. The confinement/release supervisor at the correctional facility will complete the bottom portion of the confinement order. The signature on the return copy of the confinement order is a receipt to the unit for the confinee.

k. Three copies of the confinement order must be signed. Carbon paper may be used.

l. Pay status (paragraph 202.3 of this SOP), availability of clothing and health and comfort (paragraph 202.4 of this SOP) must be indicated on the reverse of the confinement order.

3. The convening authority must determine the pay status of the individual to be confined, and indicate the status on the confinement order. Valid pay status includes:

a. Full Pay Status. An individual who is in receipt of pay on each pay day. An individual who is overpaid is considered to be in a full pay status.

b. Unknown Pay Status. Individuals with long term unauthorized absence offenses are in this category. Additionally, this category will apply in any case in which there is doubt concerning the actual pay status of the individual. When a "Checkage of Pay" is effected on an

SOP FOR CONFINEMENT AND RELEASE

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individual in this category, the Disbursing Officer will hold the "checkage" in abeyance pending determination of actual pay status.

c. Non-Pay Status. This category is reserved for the individual who is in one of the situations listed below upon expiration of current contract (ECC):

- (1) Unauthorized absence
- (2) Period of desertion
- (3) In hands of civil authorities
- (4) In a military confinement facility

d. For individuals who are in a true "non-pay" status and clothing and health and comfort items are required, the cost of such items will be charged against appropriated funds. The facility staff will prepare the appropriate forms and procure these items once confinement has been effected.

e. Include the following statement on the reverse of the confinement order to indicate the appropriate pay status.

"(Name of prisoner) is in a (Full) (Unknown) (Non) Pay Status."

4. Although the responsibility for providing uniform clothing and health and comfort items rests with the confining authority, experience has proven that this system is time consuming. Therefore, the confinee's commanding officer shall be responsible for delivery of items that are available in the battalion area, or in government or private quarters in the local area. Once this is accomplished, the Commanding Officer of the Correctional Facility will assume responsibility in acquiring additional items to meet the Facility minimum requirements. Figure 4 of this SOP lists the minimum uniform clothing and health and comfort items required for confinement.

a. Required items of uniform clothing and health and comfort supplies will be obtained by the facility staff from the clothing cash sales and the Industrial Area Post Exchange outlet. Items will be paid for by the individual confinee through cash purchase or checkage of pay, except for confinees in a "non-pay" status.

b. The facility staff must know if the individual was confined with all necessary items available in the battalion or quarters area. If the individual is confined late at night and items in the battalion area or in the quarters area were not accessible, the facility staff will delay processing the necessary forms to procure the required

items. The confinee will be released on a "Temporary Release" the first work day to obtain the items. Close coordination with facility staff is required to ensure temporary release does not interfere with confinement physicals by the medical officer. If the individual is confined with all the items owned from the battalion area and or quarters area, the facility staff will immediately commence processing the morning of the next working day to procure additional required items. One of the following statements will appear on the confinement order.

"(NAME) has in possession all clothing and H&C items available in Bn. or qtrs area."

"(NAME) has clothing and H&C items in the Bn. or qtrs area and will be on "Temporary Release" to obtain them."

203. CONFINEMENT BY STAFF DUTY OFFICERS

1. Individuals delivered to Marine Corps Base, Camp Lejeune, North Carolina after normal working hours and who are members of local major commands will be delivered to their parent command for determination of restraint required. Officers indicated in paragraph 105 of this SOP are authorized to confine such individuals.

2. When an individual is ordered into confinement by other than the commanding officer, the officer ordering the confinement will ensure that the confinee's commanding officer is notified as soon as practical after such confinement. The confinee's commanding officer will, within 24 hours of notification, prepare new confinement orders if it is determined further confinement is appropriate. When an individual is confined on a holiday or weekend, this 24 hour period may be extended to the next working day.

204. REPORTS

1. Commanding officers will keep the Commanding Officer, Correctional Facility informed of the current status of each confined member of their command. Change of status reports will be in writing and may be either in letter format, or reported on a new confinement order. Change of status reports will be required as follows:

a. Immediately following office hours of a confinee. The report will be delivered by the unit escort returning the confinee to the Facility.

b. Immediately following trial of a confinee. The report will include the entire sentence adjudged by the court, to include any pre-trial agreement when applicable. This report will include only those offenses for which the prisoner was convicted and sentenced. The report

should be delivered by the unit escort returning the confinee to the facility. The results of trial are acceptable as a change of status report. The confinee will not be accepted for confinement without a change of status report.

2. Courts-martial orders promulgated at the convening and supervisory authority levels must be reported to the facility administration office. These actions may reduce, suspend, or remit confinement, and may reduce in severity, suspend, or remit punitive discharges.

a. Occasionally a suspension of confinement that is not immediately reported causes a confinee to remain in confinement past the normal date of release, and is illegal confinement.

b. Courts-martial Progress Reports are submitted to the Naval Clemency and Parole Board only on individuals with an unsuspended punitive discharge. An administrative burden is created when a report is prepared and forwarded by the facility staff when in fact the convening authority had already suspended the punitive discharge.

c. Pretrial agreements that suspend or remit confinement and/or punitive discharges should be reported to the facility staff immediately following trial.

d. Courts-martial orders and pretrial agreements shall be certified true copies.

3. The Commanding Officer, Base Correctional Facility, will compile and submit to the Commanding General, Marine Corps Base, Camp Lejeune, North Carolina a report of individuals confined and released as of 0600 daily. (Form NAVPERS 1640/12 will be used.) Confinements and releases from 0600 Friday until the next normal working day shall be consolidated and submitted on that working day. Copies of this report will be provided to the Commanding Generals of 2d Marine Division (Rein), FMF, Marine Corps Air Station, Cherry Point, 2d Marine Aircraft Wing, and Force Troops/2d Force Service Support Group.

4. The Commanding Officer, Base Correctional Facility will compile a report of detained, adjudged, and sentenced confinees on Tuesday of each week, as of 0600 that date, and submit it to the Commanding General, Marine Corps Base, Camp Lejeune, North Carolina. Copies of the Weekly Report will be provided to all addressees listed in paragraph 105.1 of this Order, the respective staff judge advocates, and the commanding officer of each confinee.

205. OFFICIAL VISITS AND REQUIREMENTS

1. Monthly. Commanding officers or their executive officers will personally visit each member of their command who is confined at least once

each month. In the event a confinee's confinement record, performance, and attitude while confined warrant, clemency action should be considered.

2. Weekly. An officer or staff noncommissioned officer will visit each confinee at least once each week. The purpose of this visit will be to inform the confinee of his status e. g. pending court progress, options for expeditious discharge, pay and allowances, commanding officer's clemency and other pertinent matters. The officer or staff noncommissioned officer selected for this visitation must have a working knowledge of each confinee's case. The visiting officer or staff noncommissioned officer will direct the commander's attention to problems presented by confinees, the corrective action taken or anticipated and conduct such follow-up action as required. Confinees in the Restoration Program will not be seen prior to 1300 by visiting officers due to the training schedule.

3. Visit by Legal Counsel

a. Confinees may be interviewed by their military legal counsel at the Correctional Facility, at the confinee's unit or organization, or the office of the staff judge advocate.

b. Civilian legal counsel will interview confinees at a location mutually designated by the Commanding Officer, Correctional Facility, and the staff judge advocate of the command to which the accused is assigned.

c. Confinees segregated for disciplinary reasons will not be released for interview. Counsel, military or civilian, will conduct interviews with such confinees at a location designated by the Commanding Officer of the Correctional Facility. Exceptions may be made with approval of the Commanding Officer of the Correctional Facility.

d. In accordance with paragraph 603.1e(3) of SECNAVINST 1640.9 for each thirty days a confinee is in either disciplinary or administrative segregation, the confinee will be interviewed at least once by military counsel.

206. HOLD-INS FOR OFFICIAL VISITS OR TEMPORARY RELEASES

1. A unit must request a "Hold-In" to ensure the availability of a confinee for an official visit or temporary release.

a. Requests must be made by 1500 on the workday prior to the day of the planned visit or release.

b. Requests will be made to Confinee Records Unit, Base extension 2330 or 1493.

2. Exceptions for requests after 1500 are releases for scheduled

SOP FOR CONFINEMENT AND RELEASE

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medical appointments, courts-martial, and request mast with the confinee's commanding general.

3. "Hold-Ins" will be requested for mornings or afternoons. This enables the facility staff to effectively train or employ the confinee during the other half of the day. Therefore, it can be expected that the confinee will be available for visits or temporary releases only during the time requested.

SECTION III

RELEASE FROM CONFINEMENT

301. GENERAL

1. Paragraph 22 of the Manual for Courts-Martial sets forth criteria for release from confinement. Once an individual is properly confined, that individual passes beyond the power of control and release of the officer who initially ordered confinement.
2. A Commanding Officer cannot arbitrarily release a sentenced or adjudged confinee without remitting, deferring or suspending the sentence. The Commanding Officer of the Military Correctional Facility is the proper authority to release from confinement. Therefore, officers requesting release of a confinee must present a valid written reason to the Commanding Officer of the Correctional Facility. Certified legal documents (deferment, remission, or suspension of sentence) must accompany a request for the release of a confinee serving sentence.
3. The Military Magistrate may direct the release of a detainee after a hearing or rehearing has demonstrated no grounds for confinement.

302. PERMANENT RELEASE. The Commanding Officer of the Correctional Facility will effect permanent release of a confinee upon:

1. Expiration of sentence.
2. Receipt of "certified true" documents directing:
 - a. Disapproval of sentence to confinement by appropriate convening or reviewing authority.
 - b. Suspension or remission of remaining confinement.
 - c. Deferment of confinement.
 - d. Rehearing on finding or sentence.

(Refer to fig. 5 of this SOP).

3. Transfer to Federal Institutions or U. S. Disciplinary Barracks.
4. Receipt of a valid "Request for Release" in the case of a detained confinee either from the military magistrate or the confinee's command-inf officer.
5. Upon notification that a detainee's request for a "Good of the Service" discharge has been approved. (Figure 5 of this SOP)

SOP FOR CONFINEMENT AND RELEASE

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303. TEMPORARY RELEASE

1. Request for temporary release should normally be signed by the convening authority, executive officer, or adjutant/legal officer. However, any officer under the command/staff cognizance of the convening authority may forward a valid request for temporary release which will be acted upon by the Commanding Officer of the Correctional Facility. (Refer fig. 6 of this SOP).
2. Valid reasons for temporary release include the following:
 - a. Appearance at courts-martial, Article 32 UCMJ hearing, Article 72, UCMJ hearing, and office hours.
 - b. Request mast.
 - c. Consult with legal counsel.
 - d. Investigations.
 - e. Procurement of uniform of the day for trial.
 - f. Medical or dental appointments.

304. EMERGENCY LEAVE RELEASE

1. SECNAVINST 1640.9 authorizes the commanding officer to release any confinee for the purpose of emergency leave.
2. Emergency leave may be granted to confinees to attend the bedside of a critically ill immediate relative. Immediate relatives include the confinee's wife, children, parents, brothers, sisters, or other persons who have the status of parent to the individual. The relationship and condition of the person being visited will be verified through official sources, the American Red Cross, or other recognized agencies.
3. Travel and incidental costs will be at no expense to the government. The use of available government transportation is authorized. Confinees on emergency leave generally travel without escort, however, if required, the escort's travel expense and other necessary incidentals must be borne by the government.
4. Confinees on emergency leave will wear the same uniform as other persons of their service traveling the same route. Periods of emergency leave shall be considered as time served in confinement and the leave will be charged against the confinee's leave balance, if any, for the period of absence.

5. Authority should not be given for attendance at the sick bed and later at the funeral unless, in the opinion of the commanding officer the circumstances warrant an exception. The visit should be of short duration, ordinarily 24 hours plus necessary travel time. This period may be lengthened at the discretion of the commanding officer.

6. The Commanding Officer of the Correctional Facility will ensure the confinee is carefully briefed on the conduct expected of him while traveling and at his destination.

305. RELEASE FOR HOSPITALIZATION

1. Confinees who are required to be admitted, by competent medical authority, to the Naval Regional Medical Center at Camp Lejeune, North Carolina, shall be transferred from the Correctional Facility and delivered in accordance with SECNAVINST 1640.9 and as amplified herein. The Commanding Officer of the Correctional Facility shall prepare the following to accompany the confinee upon transfer for hospitalization:

- a. Prisoner Evaluation (NAVPERS 1640/13).
- b. Prisoner Data Card (NAVPERS 1640/5).
- c. Prisoner Conduct Record (NAVPERS 1640/8).

2. The confinee's personal effects will be inventoried and listed on the Valuables and Personal Effects Inventory and Receipt (NAVPERS 1640/17), and will accompany the confinee to the hospital. Appropriate signatures will be obtained from the hospital staff to be retained in the confinee's files at the Correctional Facility.

3. A confinee who is hospitalized in an adjudged or sentence status will be considered as serving time in confinement during the period of hospitalization. Upon termination of the period of required hospitalization, the confinee who has not completed the sentence to confinement, will be reconfined in the Correctional Facility. Hospitalized confinees should not normally be granted convalescent leave from the hospital.

4. Confinees in a detained status who are transferred to a medical facility, during working hours, shall be permanently released from confinement and shall be admitted through the same channels and by the same methods as other service personnel. Detainees who require hospitalization during non working hours will be permanently released on the first work day after hospitalization.

306. RELEASE FOR TRANSFER TO U. S. DISCIPLINARY BARRACKS (USDB), FORT LEAVENWORTH, KANSAS

1. The Commanding Officer of the Correctional Facility will select confinees who meet the transfer criteria in MCO 1640.3. Names of the confinees meeting the criteria will be submitted to the staff judge advocate of the appropriate command for approval to transfer.

2. The Commanding Officer of the Correctional Facility will implement the administrative procedures for transfer.
3. Coordination for all administrative matters pertaining to the transfer shall be accomplished by the Correctional Facility staff.

307. ESCORT REQUIREMENT FOR RELEASE

1. Permanent Release. Escorts are not required for confinees being released for the following reasons:
 - a. Expiration of sentence.
 - b. Deferment of sentence.
 - c. Clemency action release.
 - d. Release for rehearing on findings or sentence.

Although an escort is not required, it is recommended that the former confinee be released to a representative of the unit.

2. Temporary Release. It is the responsibility of the officer requesting temporary release of a confinee to provide an escort with a valid confinee escort identification card as issued by the staff of the Correctional Facility.

- a. Staff noncommissioned officers may act as an escort without a confinee escort identification card.
- b. Commissioned officers will not act as a confinee escort without prior approval of the Corrections Officer.
- c. Confinees will not be transported in private vehicles, nor will escorts drive vehicles and escort at the same time except as noted in paragraph 307.2 of this SOP.
- d. Escorts will ensure each confinee on a temporary release is returned to the Correctional Facility by 1700. In the event return by 1700 is not possible, the escort will notify the Correctional Facility and ensure confinee(s) are fed during regularly scheduled meal hours.
- e. Temporary release will not normally be granted during the first 24 hours of confinement due to the administrative requirements of the Facility.
- f. Units will ensure two escorts with handcuffs are provided for each confinee in maximum custody classification.

g. Units will ensure one escort with handcuffs is provided for each confinee in a close custody classification.

h. Confinees classified as medium custody require only one escort for every one to five confinees. Handcuffs will be used only if the confinee(s) become unruly and difficult to control.

i. Confinees classified as minimum custody normally require no escorts, unless the surroundings and situation make it necessary. If the situation is appropriate, a driver may double as an escort for a minimum custody confinee.

308. CLEMENCY. Action taken by duly constituted authority to reduce the amount or severity of a courts-martial sentence. Clemency may consist of mitigating, remitting, or suspending the sentence in whole or in part.

1. The Uniform Code of Military Justice gives the Armed Services broad authority to punish their own members for various offenses. It also gives the service the authority to reduce punishments. The authority to make reductions, which collectively is known as clemency, extends from minor punishments imposed under the Uniform Code of Military Justice, Article 15, up to the most severe punishment. Clemency may be exercised during legal review, after legal review is final, or at any time prior to completion of the sentence.

2. It is the policy of the Commandant of the Marine Corps to extend to persons convicted by courts-martial, whatever clemency is in the best interests of the Marine Corps and the individual. Procedures are established at the Correctional Facility to ensure a timely review of the status of each person in confinement, considering each for such clemency as is appropriate including release from confinement.

3. The Correctional Facility will consider each adjudged and sentenced confinee for a clemency hearing (Disposition Board hearing) when the confinee's attitude and progress have been monitored sufficiently to make a recommendation.

4. Each confinee sentenced to confinement and a bad conduct discharge or dishonorable discharge will appear before the Disposition Board for a recommendation to the commanding officer concerning the discharge in accordance with SECNAVINST 1640.9.

5. Under authority of the Manual for Courts-Martial, 1969 (Rev.), paragraph 97a, and Manual of the Judge Advocate General, Section 0129, commanding officers (convening authorities) are authorized to exercise clemency on summary courts-martial, and special courts-martial sentences which do not include punitive discharges.

6. Convening authorities having summary and special courts-martial authority should interview confinees without punitive discharges midway through their sentence in order to consider them for release. It is recommended convening authorities interview the confinees at the Correctional Facility where they have access to the Correctional Facility records. Should convening authorities find it impracticable to conduct interviews at the Correctional Facility, they may call the confinee's correctional counselor, who will provide a summary of the material in the confinee's record (work and training reports, conduct record, etc.).

7. In cases where clemency is considered to be warranted but in which the exercise of clemency is not within the authority of the commanding officer, progress reports with recommendations will be submitted in accordance with SECNAVINST 5815.3D.

8. The basic authority for clemency actions taken by officers exercising general courts-martial jurisdiction, as separate from the authority held in the legal review process, is set forth in Uniform Code of Military Justice, Article 74a, and Manual of the Judge Advocate General, Section 0129. Officers designated to exercise general courts-martial jurisdiction are shown in Manual of Judge Advocate General, Section 0103.a.

9. Generally, any officer exercising general courts-martial jurisdiction over the command to which the accused is attached is empowered to remit or suspend any part or amount of the unexecuted portion of any sentence, including any uncollected forfeitures, other than a sentence approved by the President of the United States, and in cases involving officers and warrant officers. Officers who take such clemency action on any sentence which includes a punitive discharge or confinement of eight months or more shall coordinate such action with the Naval Clemency and Parole Board in accordance with provisions of SECNAVINST 5815.3D.

SOP FOR CONFINEMENT AND RELEASE
SECTION IV
EXAMPLES

CONFINEMENT ORDER
NAVPERS 1640/4 (Rev. 8-74) S/N 0106-LF-016-4020

NAME (Last, first, middle) BELLEOS, Jason Riley	SSN A 000 00 00 00	RATE/GRADE LCpl/E-3	BRANCH SER USMC
SHIP OR ORGANIZATION Co E, 2dBn, 8thMar, 2dMarDiv, (Rein), FMF		DATE 16 Dec 1977	

STATUS																			
DETAINED (Alleged violation of UCMJ Articles) B Art. 86: UA 0730, 1 JUL 76 until 0500, 10 AUG 76 UA 1630, 15 AUG 76 until 1800, 2 JUN 77 UA 1000, 15 FEB 77 until 1800, 16 DEC 77 (Continued on reverse)	CONFINED AS RESULT OF <input type="checkbox"/> VACATED SUSPENSION <input type="checkbox"/> NJP <input type="checkbox"/> SCM <input type="checkbox"/> SPCM <input type="checkbox"/> GCM CHARGES AND SPECIFICATION CONVICTED OF C SENTENCE ADJUDGED: _____ DATE _____ IF SENTENCE DEFERRED, DATE DEFERMENT TERMINATED _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>SENTENCE APPROVED</th> <th>APPROVED BY</th> <th>DATE</th> </tr> <tr> <td> </td> <td>CA</td> <td> </td> </tr> <tr> <td> </td> <td>SA</td> <td> </td> </tr> <tr> <td> </td> <td>NCMR</td> <td> </td> </tr> <tr> <td> </td> <td>USCMA</td> <td> </td> </tr> <tr> <td> </td> <td>OTHER</td> <td> </td> </tr> </table>	SENTENCE APPROVED	APPROVED BY	DATE		CA			SA			NCMR			USCMA			OTHER	
SENTENCE APPROVED	APPROVED BY	DATE																	
	CA																		
	SA																		
	NCMR																		
	USCMA																		
	OTHER																		
"I have been informed that I am being confined for the above alleged offenses)" 16 Dec 1977 _____ <small>Date Signature of accused</small> 16 Dec 1977 _____ <small>Date Signature of witness</small>																			

PRE-TRIAL CONFINEMENT NECESSARY— <input type="checkbox"/> D BECAUSE OF THE SERIOUSNESS OF THE OFFENSE CHARGED <input checked="" type="checkbox"/> TO ENSURE THE PRESENCE OF THE ACCUSED AT THE TRIAL	REMARKS SECTION FOR ARTICAL 86 OFFENSE ONLY: E <input type="checkbox"/> SURRENDERED (VOLUNTARY RETURN) <input checked="" type="checkbox"/> APPREHENDED BY CIVIL XXXXXX AUTHORITIES FBI
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CONFINEMENT DIRECTED AT F HOUR DATE 1500 16 Dec 1977	TYPED NAME/RANK/TITLE I. M. COMMANDING, LtCol, BnComdr SIGNATURE <i>I.M. Commanding</i>
---	--

MEDICAL CERTIFICATE

The above named individual was examined by me at 1800 (HOUR) on 16 Dec 1977 (DATE) and found to be

fit unfit for confinement. The following irregularities were noted during the examination: (if none, so state):

P 74 BPI 120/80 Temp 98.8 R18 NKA

TYPED NAME/RANK/TITLE J. E. CORPSMAN, HM2	SIGNATURE <i>J.E. Corpman</i>
--	----------------------------------

RECEIPT FOR PRISONER

The above named individual was received at Correctional Facility, MCB, Camp Lejeune, N.C.
(NAME OF CORRECTIONAL CENTER)

at 1810 (HOUR) on 16 Dec 1977 (DATE)

TYPED NAME/RANK/TITLE I. M. CONFINER, Sgt, Conf/Release Supervisor	SIGNATURE <i>I.M. Confiner</i>
---	-----------------------------------

SOP FOR CONFINEMENT AND RELEASE

Art. 122: Did rob LCpl JONES by means of force (Knife) of \$225 on 14 OCT 77.
Art. 128: Did assault a M.P. with a knife on 14 OCT 77.

LCpl BELLEOS is in a non-pay status (ECC 771101).

LCpl BELLEOS has in possession all clothing and H&C items available in Bn and qtrs areas.

LCpl BELLEOS is awaiting trial by special courts-martial.

LCpl BELLEOS is a heavy drinker and has a history of alcohol related problems.

1. Education ____ yrs
2. AA GT score ____
3. Prior Punishments
Art 15 (Corr Cust) ____
Art 15 (Other) ____
SCM ____
SPCM ____
GCM ____
4. Months Honorable Service ____
5. Navy "A" schools, Marine MOS schools attended ____
6. Total days unauthorized absence presently pending disciplinary action ____
7. Number of civil arrests prior to service, other than traffic ____
8. Recruit training at _____

Figure 1.—Example of Confinement Order - Pretrial Confinement —Continued.

SOP FOR CONFINEMENT AND RELEASE

CONFINEMENT ORDER
NAVPERS 1640/4 (Rev. 8-74) S/N 0106-LF-016-4020

NAME (Last, first, middle) BELLEOS, Jason Riley	SSN A 000 00 00 00	RATE/GRADE LCpl/E-3	BRANCH SER USMC
SHIP OR ORGANIZATION Co E, 2dBn, 8thMar, 2dMarDiv (Rein), FMF		DATE 16 Dec 1977	

B "I have been informed that I am being confined for the above alleged offense(s):" _____ Date _____ Signature of accused _____ Date _____ Signature of witness	STATUS DETAINED (Alleged violation of UCMJ Articles)		
	CONFINED AS RESULT OF <input type="checkbox"/> NJP <input type="checkbox"/> SCM <input checked="" type="checkbox"/> SPCM <input type="checkbox"/> GCM <input type="checkbox"/> VACATED SUSPENSION		
CHARGES AND SPECIFICATION CONVICTED OF Art. 86: UA 1000, 15FEB77 until 1800, 4JUL77 UA 0020, 5JUL77 until 2000, 14OCT77 C (Continued on reverse)			
SENTENCE ADJUDGED: CH1x4Mos, F\$200.00x4Mos, Red E-1, BCD			DATE 16 Dec 1977
IF SENTENCE DEFERRED, DATE DEFERMENT TERMINATED:			
SENTENCE APPROVED		APPROVED BY	DATE
		CA	
		SA	
		NCMR	
		USCMA	
		OTHER	

PRE-TRIAL CONFINEMENT NECESSARY - <input checked="" type="checkbox"/> D BECAUSE OF THE SERIOUSNESS OF THE OFFENSE CHARGED <input type="checkbox"/> TO ENSURE THE PRESENCE OF THE ACCUSED AT THE TRIAL	REMARKS SECTION FOR ARTICAL B6 OFFENSE ONLY <input type="checkbox"/> SURRENDERED (VOLUNTARY RETURN) <input checked="" type="checkbox"/> APPREHENDED BY CIVIL AUTHORITIES FBI
---	--

F CONFINEMENT DIRECTED AT HOUR: 1500 DATE: 16 Dec 1977	TYPED NAME/RANK/TITLE I. M. COMMANDING, LtCol, BnComdr SIGNATURE <i>I.M. Commanding</i>
---	--

MEDICAL CERTIFICATE

The above named individual was examined by me at 1800 (HOUR) on 16 Dec 1977 (DATE) and found to be

fit unfit for confinement. The following irregularities were noted during the examination: (if none, so state):

P 74 BPI 120/80 Temp 98.8 R18 NKA

TYPED NAME/RANK/TITLE J. E. CORPSMAN, HM2	SIGNATURE <i>J.E. Corpman</i>
--	----------------------------------

RECEIPT FOR PRISONER

The above named individual was received at Correctional Faciliyy, MCB, Camp Lejeune, N. C. (NAME OF CORRECTIONAL CENTER)

at 1810 (HOUR) on 16 Dec 1977 (DATE)

TYPED NAME/RANK/TITLE I. M. CONFINER, Sgt, Conf/Release Supervisor	SIGNATURE <i>I.M. Confines</i>
---	-----------------------------------

Figure 2.—Example of Confinement Order - Adjudged.

SOP FOR CONFINEMENT AND RELEASE

Art. 122: Did rob LCpl JONES by means of force (Knife) of \$225 on 14 Oct 1977.
Art. 128: Did assault a M.P. with a knife on 14 Oct 1977.

LCpl BELLEOS is in a pay status.

LCpl BELLEOS has in possession all clothing and H&C items available in
Bn or qtrs areas.

LCpl BELLEOS is a heavy drinker and has a history of alcohol related problems.

- ➔ 1. Education _____ yrs
- ➔ 2. AA GT score _____
- ➔ 3. Prior Punishments
 - Art 15 (Corr Cust) _____
 - Art 15 (Other) _____
 - SCM _____
 - SPCM _____
 - GCM _____
- ➔ 4. Months Honorable Service _____
- ➔ 5. Navy "A" schools; Marine MOS schools attended _____
- ➔ 6. Total days unauthorized absence presently pending disciplinary action _____
- ➔ 7. Number of civil arrests prior to service, other than traffic _____
- ➔ 8. Recruit training at _____

Figure 2.—Example of Confinement Order - Adjudged — Continued.

SOP FOR CONFINEMENT AND RELEASE

CONFINEMENT ORDER
NAVPERS 1640/4 (Rev. 8-74) S/N 0106-LF-016-4020

NAME (Last, first, middle) BELLEOS, Jason Riley	SSN A 000 00 00 00	RATE/GRADE Pvt/E-1	BRANCH SER USMC
SHIP OR ORGANIZATION Co E, 2dBn, 8thMar, 2dMarDiv (Rein), FMF		DATE 1 Feb 1978	

STATUS

DETAINED (Alleged violation of UCMJ Articles) **B**

CONFINED AS RESULT OF

NJP SCM VACATED SUSPENSION GCM

SPCM

CHARGES AND SPECIFICATION CONVICTED OF

C Art. 86: UA 1630, 15AUG76 until 1800, 2JAN77
UA 0020, 5JUL77 until 2000, 14OCT77
(Continued on reverse)

SENTENCE ADJUDGED: **CHLx4Mos,** DATE **16 Dec 1977**
F\$200.00x4Mos, Red E-1, BCD
IF SENTENCE DEFERRED, DATE DEFERMENT TERMINATED

"I have been informed that I am being confined for the above alleged offense(s)"

SENTENCE APPROVED	APPROVED BY	DATE
	CA	
	SA	
	NCMR	
	USCMA	
	OTHER	

Date _____ Signature of accused _____

Date _____ Signature of witness _____

PRE-TRIAL CONFINEMENT NECESSARY-

D

BECAUSE OF THE SERIOUSNESS OF THE OFFENSE CHARGED

TO ENSURE THE PRESENCE OF THE ACCUSED AT THE TRIAL

REMARKS SECTION

FOR ARTICAL B6 OFFENSE ONLY: **E**

SURRENDERED (VOLUNTARY RETURN)

APPREHENDED BY CIVIL ~~LOCAL~~ AUTHORITIES **FBI**

CONFINEMENT DIRECTED AT

F HOUR DATE

1500 1 Feb 1978

TYPED NAME/RANK/TITLE

I. M. COMMANDING, LtCol, BnComdr

SIGNATURE

I.M. Commanding

MEDICAL CERTIFICATE

The above named individual was examined by me at **1800** (HOUR) on **1 Feb 1978** (DATE) and found to be

fit unfit for confinement. The following irregularities were noted during the examination, (if none, so state):

P 74 BPI 120/80 Temp 98.8 R18 NKA

TYPED NAME/RANK/TITLE

J. E. CORPSMAN, HM2

SIGNATURE

J.E. Corpsman

RECEIPT FOR PRISONER

The above named individual was received at **Correctional Facility, MCB, Camp Lejeune, N. C.** (NAME OF CORRECTIONAL CENTER)

at **1810** (HOUR) on **1 Feb 1978** (DATE)

TYPED NAME/RANK/TITLE

I. M. CONFINER, Sgt, Conf/Release Supervisor

SIGNATURE

I.M. Confiner

U.S. GOVERNMENT PRINTING OFFICE: 1975-803-627/5244 2-1

Figure 3.—Example of Confinement Order - Vacated Sentence.

SOP FOR CONFINEMENT AND RELEASE

Art. 122: Did rob LCpl JONES by means of force (Knife) of \$225 on 14 Oct 1977.
Art. 128: Did assault a M.P. with a knife on 14 Oct 1977.

Sentence Deferred: 771216
Deferment Terminated: 771220
Sentence Suspended: 771220
Approved: 780110
Suspension Vacated: 780201

Pvt BELLEOS is in a pay status.

Pvt BELLEOS has in possession all clothing and H&C items available in Bn and qtrs areas.

Pvt BELLEOS is a heavy drinker and has a history of alcohol related problems.

- ➔ 1. Education ____ yrs
- ➔ 2. AA GT score _____
- ➔ 3. Prior Punishments
Art 15 (Corr Cust) _____
Art 15 (Other) _____
SCM _____
SPCM _____
GCM _____
- ➔ 4. Months Honorable Service _____
- ➔ 5. Navy "A" schools; Marine MOS schools attended _____
- ➔ 6. Total days unauthorized absence presently pending disciplinary action _____
- ➔ 7. Number of civil arrests prior to service, other than traffic _____
- ➔ 8. Recruit training at _____

Figure 3.—Example of Confinement Order - Vacated Sentence - Continued.

SOP FOR CONFINEMENT AND RELEASE

CLOTHING, HEALTH AND COMFORT REQUIREMENT LIST

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CLOTHING

- 3 UTILITY TROUSERS/CAMOUFLAGE
- 3 UTILITY JACKETS/CAMOUFLAGE
- 2 UTILITY COVERS
- 6 DRAWERS, COTTON
- 3 WORKSOCKS, PAIR
- 2 WEB BELTS W/BUCKLES
- 1 BOOT COMBAT, PAIR
- 1 FIELD JACKET (DURING WINTER MONTHS)
- 1 GLOVES, PAIR (DURING WINTER MONTHS)

HEALTH AND COMFORT ITEMS

- LAUNDRY BAG
- RAZOR
- RAZOR BLADES
- TOOTH BRUSH
- TOOTH PASTE
- SHAVING CREAM
- BATH SOAP
- BATH TOWELS (2)
- SHOWER SHOES
- SHOE SHINING GEAR
- WRITING GEAR
- STAMPS
- MARKING KIT
- CLOTH, WASH
- CLIPPER, NAIL
- BRASS POLISH OR DURAGLIT
- COMB OR BRUSH
- CIGARETTES

UNAUTHORIZED ITEMS

- WALLET
- ID CARD
- PERSONAL CHECKS (EXCEPT U. S. GOV'T PAYROLL CHECK OR U. S. POSTAL MONEY ORDER)
- WATCHES
- RINGS (EXCEPT WEDDING BANDS)
- OTHER ITEMS OF VALUE

Figure 4.—Clothing, Health and Comfort Requirement List.

SOP FOR CONFINEMENT AND RELEASE

PRISONER'S RELEASE ORDER		DATE
		16 Dec 1977
TO: Confinement or Brig Officer	INSTALLATION Correctional Facility, MCB, CamLej., N.C.	
THE PRISONER NAMED BELOW WILL BE RELEASED FROM CONFINEMENT		17 Dec 1977
THE ORGANIZATION SHOWN		AND DELIVERED TO
LAST NAME - FIRST NAME - MIDDLE INITIAL (Printed or typed) BELLEOS, Jason R.	SERVICE NUMBER 000 00 00 00	GRADE/RANK E-3/LCpl
DEPARTMENT OF MILITARY SERVICE USMC	ORGANIZATION E Co, 2/8, 2dMarDiv (Rein), FMF, CamLej., N. C.	
REASON FOR RELEASE PERMANENT RELEASE:	Release for court-martial (or) GOS Approved (or) CA's Action (Attach certified copy of action taken) (or) CO's Action (Pre-Trial confinement no longer deemed necessary) (or) Release directed by Military Magistrate	
FOR THE COMMANDER		
AUTHENTICATING OFFICER (Printed or typed) I. M. COMMANDING	SIGNATURE <i>I. M. Commanding</i>	
GRADE/RANK, ORGANIZATION, AND TITLE LtCol., 2/8, 2dMarDiv, Commanding ficer		
RECEIPT		
RECEIPT OF THE ABOVE NAMED RELEASED PERSON IS ACKNOWLEDGED	DATE 17 Dec 1977	TIME 1000
NAME, GRADE/RANK, ORGANIZATION, TITLE (Printed or typed) R. ESCORT, E-5/Sgt E Co., 2/8, 2dMarDiv, Escort	SIGNATURE <i>R. Escort</i>	
REMARKS		

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DEC 57

EDITION OF 1 JUNE 1951 MAY BE USED *U.S.GPO 1975-603-624/5164 2-1

S/N 0102-LF 003-8800

Figure 5.--Example of Prisoner Release Order-Permanent Release

SOP FOR CONFINEMENT AND RELEASE

PRISONER'S RELEASE ORDER		DATE
TO: Confinement or Brig Officer		16 Dec 1977
THE PRISONER NAMED BELOW WILL BE RELEASED FROM CONFINEMENT		17 Dec 1977
THE ORGANIZATION SHOWN		AND DELIVERED TO
LAST NAME - FIRST NAME - MIDDLE INITIAL (Printed or typed)		DATE
BELLEOS, Jason R.		
SERVICE NUMBER		GRADE/RANK
000 00 00 00		E-3/LCpl
DEPARTMENT OF MILITARY SERVICE	ORGANIZATION	
USMC	"E" Co., 2/8, 2dMarDiv (Rein), FMF, CamLej., N. C.	
REASON FOR RELEASE		
TEMPORARY RELEASE: FOR MEDICAL REASON (or) REQUEST MASTS (or) OFFICE HOURS (or) COURTS-MARTIAL		
FOR THE COMMANDER		
AUTHENTICATING OFFICER (Printed or typed)		SIGNATURE
I. M. COMMANDING		<i>I. M. Commanding</i>
GRADE/RANK, ORGANIZATION, AND TITLE		
LtCol, 2/8, 2dMarDiv, Commanding		
RECEIPT		
RECEIPT OF THE ABOVE NAMED RELEASED PERSON IS ACKNOWLEDGED	DATE	TIME
	17 Dec 1977	0900
NAME, GRADE/RANK, ORGANIZATION, TITLE (Printed or typed)		SIGNATURE
R. ESCORT, E-5/Sgt E Co., 2/8, 2dMarDiv Escort		<i>R. Escort</i>
REMARKS		

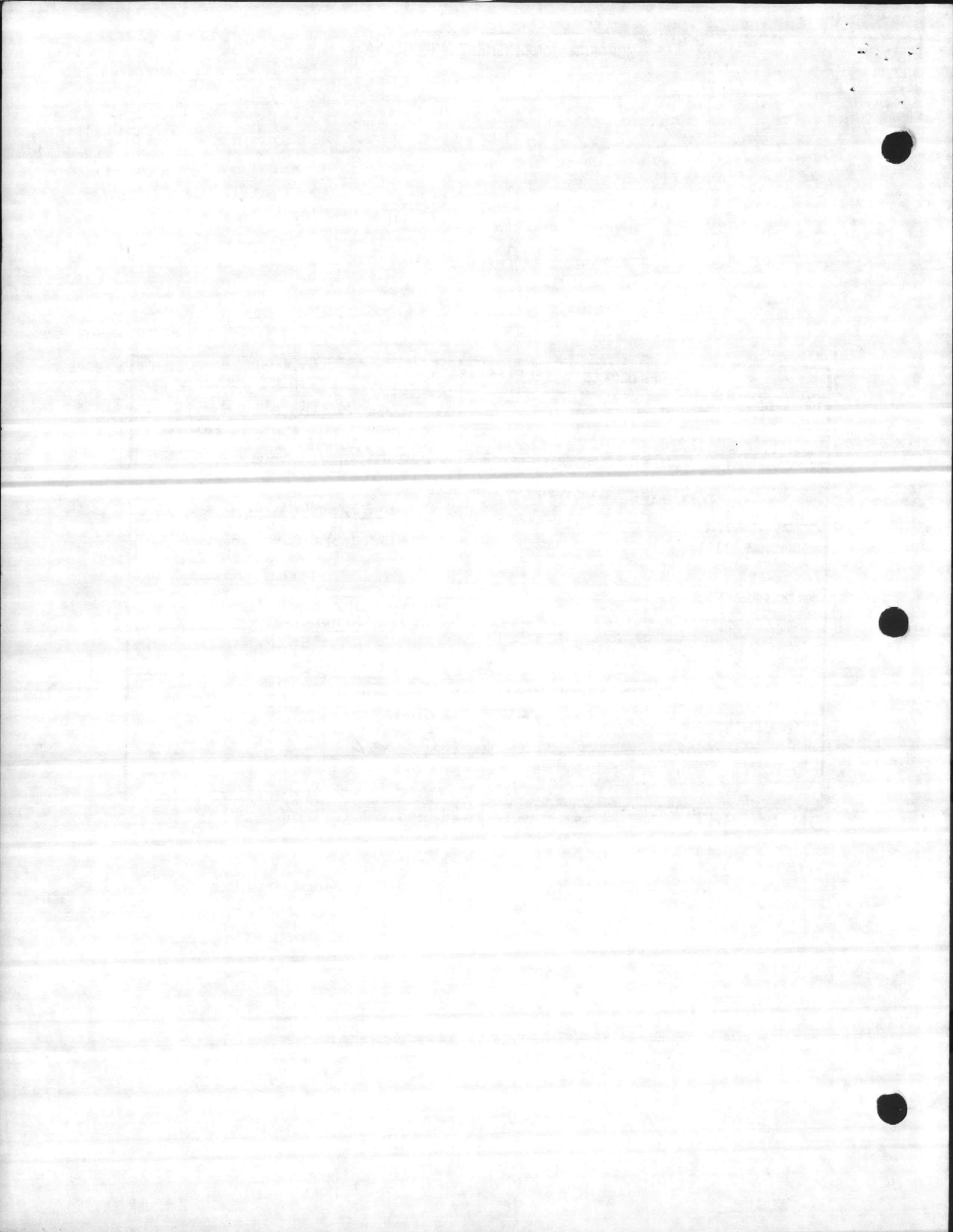
DD FORM 367
1 DEC 67

EDITION OF 1 JUNE 1951 MAY BE USED * U.S.GPO 1975-603-624/5164 2-1

S/N 0102-LF 003-8800

Sample Temporary Release

Figure 6.--Example of Prisoner Release Order-Temporary Release



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Wg0 1640.2
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PRETRIAL CONFINEMENT REPORT FORM

_____, CHERRY POINT, N. C.

DATE

NAME OF CONFINEE:

GRADE A:ID SSI

UNIT:

TIME AND DATE OF PRETRIAL CONFINEMENT:

SUMMARY OF ALLEGED OFFENSE(S) AND GENERAL CIRCUMSTANCES OF EACH OFFENSE:

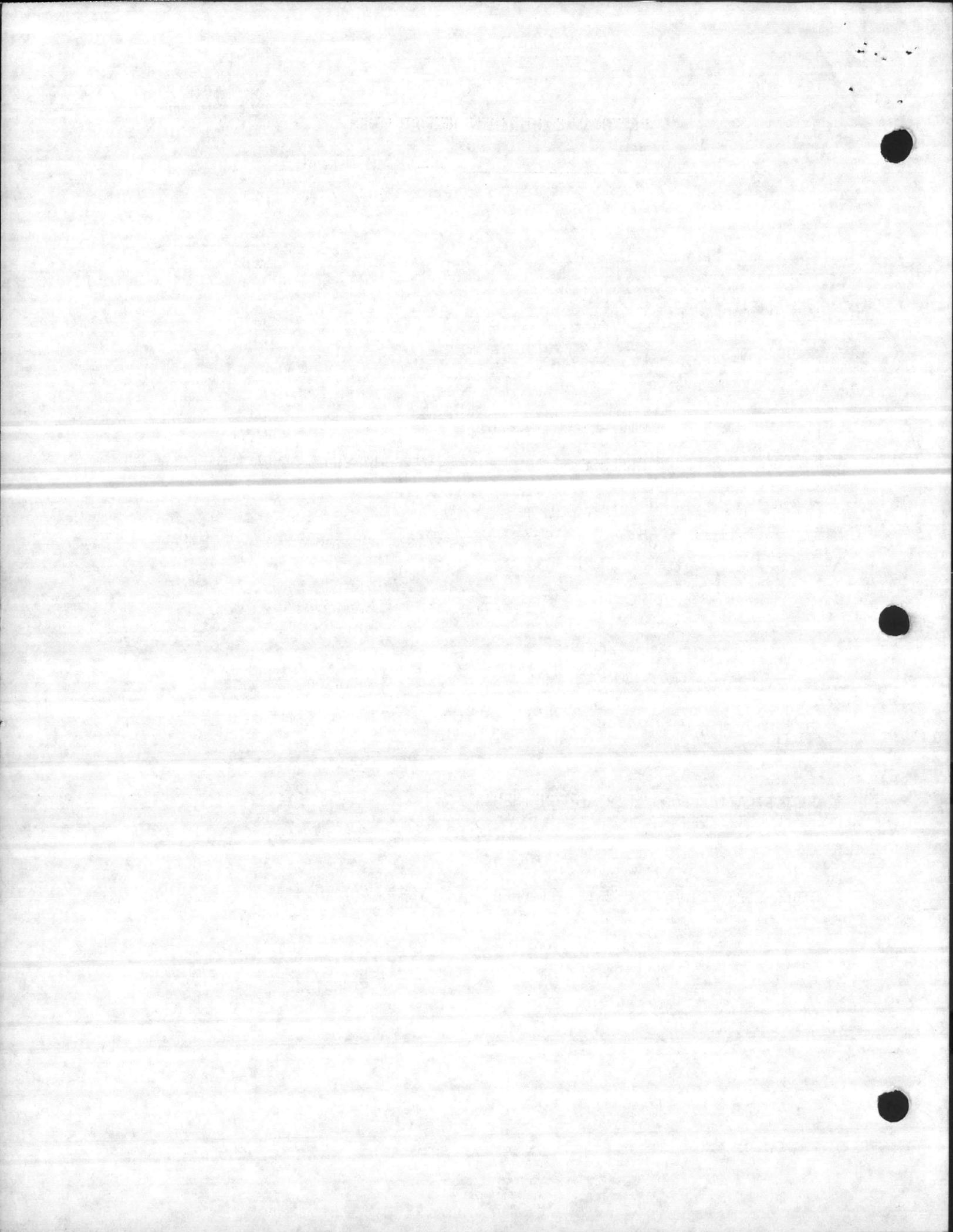
PREVIOUS DISCIPLINARY RECORD:

EXTENUATION & MITIGATION:

JUSTIFICATION FOR PRETRIAL CONFINEMENT:

OTHER SUPPORTING DOCUMENTS ATTACHED: () YES () NO

SIGNATURE OF CO



MILITARY MAGISTRATE'S DECISION FORM

AirSta0 1640.20

Wq0 1640.2

88 FEB 1980

UNIT/COMMAND HEADING

Date

From: Military Magistrate
To: Commanding Officer, _____

Subj: Pretrial Confinement; case of _____

Ref: (a) SECNAVINST 1640.10

Encl: (1)

1. This date a pretrial confinement hearing has been conducted in accordance with reference (a) and I have determined that pretrial confinement is (not) warranted.
2. Therefore, in accordance with the foregoing decision, subject Marine is ordered confined/released.
- 3.

Copy to:
NCOIC, Detention Space, MCAS, CherPt
CO, Correctional Facility, MCB, CamLej
GCM Convening Authority
SNM

