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Security

AIR FORCE CORRECTIONS SYSTEM

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This Air Force Instruction (AFI) implements Air Force Policy Directive (AFPD) 31-1, *Integrated Defense*, Department of Defense Directive 1325.04, *Confinement of Military Prisoners and Administration of Military Correction Programs and Facilities*, August 17, 2001 and Department of Defense Instruction 1325.07, *Administration of Military Correctional Facilities and Clemency and Parole Authority*, March 11, 2013. It provides guidance and procedure for the Air Force Corrections System (AFCS). It applies to all individuals who operate, administer, or supervise AF confinement/corrections facilities and programs. This publication describes how to administer corrections, rehabilitation, parole and clemency programs; how to secure confinement/corrections facilities; and how to control and transfer military confinees. This publication does not apply to the US Department of Justice or the Federal Bureau of Prison facilities located on AF installations. The authorities to waive wing/unit level requirements in this publication are identified by a Tier ("T-0, T-1, T-2, and T-3") number following the compliance statement. See AFI 33-360, *Publications and Forms Management*, Table 1.1 for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the Publication OPR for non-tiered compliance items. Ensure that all records created as a result of processes prescribed in this publication are maintained IAW AF Manual (AFMAN) 33-363, *Management of Records*, and disposed of IAW Records Disposition Schedule (RDS) located in the AF Records Information Management System (AFRIMS). Use of a name or mark of any specific manufacturer, commercial product, commodity, or service in this publication does not imply AF endorsement. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using the AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through the

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This AFI has been completely rewritten and should be reviewed in its entirety.

Chapter 1—THE AIR FORCE CORRECTIONS SYSTEM **7**

1.1. Program Policy and Purpose. 7

1.2. Program Guidelines. 7

1.3. Corrections System Responsibilities: 9

Chapter 2—FACILITY FUNCTIONS AND CONFINEE MANAGEMENT **18**

2.1. Managing Confinement Facilities and Holding/Detention Cell Operations: 18

2.2. Confinement Facility (CF) Requirements. 19

2.3. Confinement Staff. 20

2.4. Staff Manpower and Qualifications. 21

2.5. Incident Reporting. 22

2.6. Level I Staff Training Requirements. 24

2.7. Management of Human Immunodeficiency Virus (HIV) Positive Confinees. 28

2.8. Assessment and Treatment of HIV Positive Confinees. 28

2.9. Confinee Training. 28

Chapter 3—ADMINISTRATION **30**

3.1. Admission Procedures. 30

3.2. Correctional Treatment File (CTF). 33

3.3. Desk Blotters. 34

3.4. Disposition and Release of Confinee Records. 35

3.5. Clothing and personal property. 36

3.6. Funds and Valuables. 37

Chapter 4—FACILITY CRITERIA **40**

4.1. AFCS Facilities. 40
4.2. Safety, Security, Fire Prevention, and Comfort Measures. 41
4.3. Prohibited Security Measures. 44
4.4. Furnishings. 45
4.5. Equipment. 45

Chapter 5—FACILITY MANAGEMENT **46**

5.1. Facility Management. 46
5.2. Confinement Locations. 47
5.3. Confinee Status. 48
5.4. Initial Confinee Custody Classifications. 49
5.5. Quarters Assignment. 49
5.6. Sentence Computation and Abatement. 51
Table 5.1. Partial Month Rate of Earning Table. 53
5.7. Confinement Facility (CF) Assessments by Military Treatment Facility (MTF) and Medical Liaison Officer Appointments. 59
5.8. Hospitalized Confinees. 61
5.9. Public Affairs. 63
5.10. Alien Notification. 64
5.11. Release From Confinement. 64
5.12. Annual Confinement Report. 66
5.13. Requests for Deviation from Security Criteria. 66
5.14. American Red Cross Notifications. 66

Chapter 6—ALLOWANCES AND SERVICES **67**

6.1. Health and Comfort Items. 67
6.2. Correspondence and Visitation. 67
6.3. Support Services. 71
6.4. Complaints. 72

Chapter 7—VICTIM WITNESS, SEX OFFENDER, AND DNA REQUIREMENTS **73**

7.1. Victim/Witness Assistance Program. 73
Table 7.1. Notification Procedures. 75
7.2. Crimes Against Children and Sexually Violent Offender Registration under Federal Law. 80
7.3. Compliance with Deoxyribonucleic Acid (DNA) Collection under Federal Law. 85

Chapter 8—CONTROL AND SUPERVISION **86**

8.1. Internal Control. 86

Table 8.1. Basic Controls For Common Activities. 86

Table 8.2. Post-Trial Reclassification Considerations. 87

8.2. Escort Planning for Installation/Local Area Movements. 87

8.3. Escort Requirements for Installation/Local Area Escort Movements. 88

8.4. Contraband Control. 89

8.5. Confinee Body Searches. 90

8.6. Emergency Plans. 90

8.7. Weapons and Other Means of Force. 91

8.8. Escape of Pretrial Detainee or Post-trial Inmate. 93

8.9. Suicide Prevention. 94

8.10. First Responder. 95

Chapter 9—PROCEDURES AND MEASURES FOR DISCIPLINARY AND ADJUSTMENT BOARDS AND ADMINISTRATIVE ACTIONS **96**

9.1. Discipline and Adjustment Boards (D&A Bds). 96

9.2. Administrative or Disciplinary Segregation Actions. 100

Chapter 10—DETAINEE/INMATE TRANSFERS **103**

10.1. Pre-Transfer Requirements. 103

10.2. Pre-Transfer Conference. 104

10.3. Confinement Officer’s Transfer Responsibilities. 104

10.4. Transfer of Confinees. 105

10.5. Out-Processing and Assigning Transfer Escorts. 105

10.6. Confinement Staff Actions. 106

10.7. Determining AFSFC/SFC Gain of Inmates. 107

10.8. Transfers From OCONUS. 107

10.9. Confinee Movement Aboard Commercial Aircraft. 108

10.10. Confinee Movement Aboard Military Aircraft. 108

10.11. Confinee Movement Aboard Ground Transportation. 108

10.12. Transfer Escort Responsibilities. 108

10.13. Appearance of Confinees as Defendants and Witnesses at Civil or Military Proceedings. 108

Chapter 11—REHABILITATION SERVICES **110**

11.1. Required Level I Programs. 110
11.2. Correctional Treatment Programs. 111
11.3. Training, Treatment, and Transition Program (TTTP). 112
11.4. Education. 112
11.5. Physical Exercise and Recreation. 112

Chapter 12—CLEMENCY AND PAROLE **114**

12.1. Process. 114
12.2. The Disposition Board. 114
12.3. Disposition Board Authority. 114
12.4. Scheduling Disposition Boards. 114
12.5. Disposition Board Case File Preparation at AF Level I Confinement Facilities. .. 114
12.6. Disposition Board Considerations. 115
12.7. Disposition Board Procedures at AF Level I Confinement Facilities. 116
12.8. Facility Disposition Boards at DoD Level II and III Corrections Facilities. 116
12.9. Air Force Clemency and Parole Board. 116
12.10. Clemency and Parole/Mandatory Supervised Release (MSR) Considerations. 118
12.11. Eligibility for Clemency (Sentence Reduction, Restoration, Reenlistment and/or Return-to-Duty). 118
12.12. Announcement of Clemency Results. 118
12.13. Eligibility for Parole. 119
12.14. Objectives of Parole. 119
12.15. Parole/Mandatory Supervised Release (MSR) Preparation Assistance. 120
12.16. Conditions for Release on Parole/MSR. 120
12.17. Announcement of Parole Results. 121
12.18. Appeal of Parole Denial. 121
12.19. Parole Processing. 121
12.20. Parole Termination. 122
12.21. Parole Suspension. 122
12.22. Parole Revocation (Parole Violation Warrants). 123
12.23. Emergency Parole (EP). 124
12.24. Mandatory Supervised Release (MSR) Eligibility. 124

Attachment 1—GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION 126

Attachment 2—CONTENT OF THE CORRECTIONAL TREATMENT FILE 138

Attachment 3—HEALTH AND COMFORT ITEMS 139

Attachment 4—CONFINEMENT/CORRECTIONS FACILITY OFFENSES 140

Attachment 5—EMERGENCY ACTIONS 146

Attachment 6—RISK SURVEY FOR CONFINEE VICTIMIZATION AND ABUSIVENESS 150

Attachment 7—GUIDANCE ON DNA COLLECTION 152

Attachment 8—SAMPLE - PERSONAL DEPOSIT FUND ACTIVITY REPORT 154

Attachment 9—SAMPLE - CERTIFICATE OF TRANSFER OF ACCOUNTABILITY 155

Attachment 10—MARRIAGE OF CONFINEES 156

Attachment 11—SAMPLE – INITIAL VICTIM/WITNESS NOTIFICATION COVER LETTER 159

Attachment 12—SAMPLE – CLEMENCY/PAROLE NOTIFICATION COVER LETTER 161

Attachment 13—SAMPLE – INMATE STATUS CHANGE LETTER 163

Attachment 14—SAMPLE – VICTIM/WITNESS NOTIFICATION RECORD 164

Attachment 15—SAMPLE – SEX OFFENDER REGISTRATION NOTIFICATION COVER LETTER 165

Attachment 16—NOTIFICATION OF COMMUNITY TREATMENT PROGRAMS 167

Attachment 17—SAMPLE INMATE TRANSFER REQUEST MESSAGE 168

Attachment 18—AIR FORCE RETURN-TO-DUTY APPLICATION REQUIREMENTS, AND AFC&PB CLEMENCY CONSIDERATIONS AND DECISIONS 170

Chapter 1

THE AIR FORCE CORRECTIONS SYSTEM

1.1. Program Policy and Purpose. The Air Force Corrections System (AFCS) provides quality confinement and rehabilitation services. The primary system recipients are pretrial detainees pending a court-martial and post-trial inmates serving a court-martial sentence to confinement. (Hereafter, pretrial detainees and post-trial inmates are collectively referred to as confinees unless an exact confinement status indication is necessary.) The AFCS ensures a secure, humane, and productive environment for confinees and staff. All confinees receive fair and humane treatment according to laws, instructions, and directives consistent with custody requirements. The AFCS provides opportunities for confinee education, training and rehabilitation. Those not retained for further military service have the opportunity to return to society as a responsible and productive citizen. The AFCS is committed to ensuring that confinees, crime victims, and witnesses are afforded all the rights and privileges to which they are entitled under law. Further, the AFCS is committed to ensuring the prevention, detection, response and elimination of sexual abuse, sexual harassment, and all other types of violence against confinees. The AFCS creates a system of management to ensure all applicable requirements are met.

1.2. Program Guidelines. The AFCS is based upon a corrective rather than punitive basis for post-trial inmates. It requires positive programs to preserve and strengthen an inmate's dignity. Inmates receive sentences to confinement *as* punishment not *for* punishment. Pretrial detainees are confined pursuant to a pretrial confinement order. This AFI implements and complements DoDI 1325.07, *Administration of Military Correctional Facilities and Clemency and Parole Authority*, and DoDD 1325.04, *Confinement of Military Prisoners and Administration of Military Correctional Programs and Facilities*. The AFI defers to the DoDI and DoDD if necessary to resolve any narrative differences, but the AFI may increase the compliance requirements from the DoDI and DoDD.

1.2.1. Post-trial inmates serve sentences of confinement under the Uniform Code of Military Justice (UCMJ). Pretrial confinement is not punishment; rather, it is to prevent harm and/or eliminate flight risk while awaiting trial. Pretrial detainees found guilty are credited with their time served. **(T-0)**

1.2.2. Confinees in DoD or non-DoD facilities are subject to that facility's legally applied rules or directives including conduct, administrative discipline, uniforms, procedures and treatment. **(T-0)**

1.2.2.1. If a Military Confinement Facility is not reasonably available, the installation commander may authorize confinees to be placed into civilian facilities used or approved by the US Marshals Service (USMS). If such a facility is not reasonably available, a military confinee may be transferred to a facility accredited by the American Correctional Association (ACA) or a facility accredited by the State in which the confinee is located. Only use/contract with those non-military facilities that are Prison Rape Elimination Act (PREA) compliant or actively seeking PREA compliance. If immediate USMS assistance is required after hours, contact the USMS Command Center at 1-800-336-0102. **(T-0)**

1.2.2.2. Support Agreements (SA) and Contracts. Any circumstance that would cause an anticipated incarceration at a location other than the parent installation necessitates a

written SA (with a Federal or DoD entity) or contract (with a non-federal government or a civilian entity) to ensure promised services and payments are rendered IAW AFI 25-201, *Intra-Service, Intra-Agency, and Inter-Agency Support Agreements Procedures*. Reasons for an installation to have a SA/contracts in effect include, but are not limited to, the lack of an organic correctional facility; natural disaster preparedness should organic facility become unusable; or lack of bed space (temporary high population, gender mix of the confinees, special needs of the confinee, etc.). Coordinate emergency and unusual circumstances that would preclude the ability to properly execute a SA/contract with Air Force Security Forces Center, Corrections Division (AFSFC/SFC), for assistance. If possible, AFSFC/SFC assists with placement and transfer of confinees not covered by an existing SA or contracts. The parent installation still retains responsibility to secure appropriate facilities via SA or contract. When desiring to establish a SA with a sister Service facility, route through AFSFC/SFC, who in-turn pre-coordinates with that Service's Correctional HQs. **(T-1)**

1.2.2.2.1. Possible solutions for housing confinees in prioritized order: organic base facility, other DoD facilities, and then civilian governmental operated facilities. No member of the armed forces may be placed in confinement with foreign nationals whom are not members of the armed forces (IAW Article 12, UCMJ) as well as not punishing pretrial detainees except for the need to confine (IAW Article 13, UCMJ). For safety and security, separate both high profile and military unique charged (e.g., espionage, etc.) confinees, when using non-military facilities, from the general population. Confinees are subject to that facility's instructions/policies (i.e., conduct, administrative discipline, etc.), unless specifically waived in the SA. **(T-0)**

NOTE 1: See paragraph 5.5 for additional information on quarter's assignments.

1.2.2.2.2. All SA or contracts must be in writing and should detail responsibilities and services IAW AFI 25-201. AFSFC/SFC provides review, guidance and approval for all SAs to ensure confinement and treatment standards. Provide copy of installation's most current SA or contract to AFSFC/SFC, 1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119 (DSN FAX: 945-5411). **(T-0)**

1.2.2.2.2.1. SA or Contract standards to be negotiated include, but are not be limited to; separation of pretrial detainees from post-trial inmates to the maximum extent possible, separation of offenders charged with or committed minor offenses from offenders charged with or committed serious offenses (as determined by the DFC to the maximum extent possible), facility condition and cleanliness. Ensure compliance with paragraph 1.2.2.1. **(T-0)**

1.2.2.2.2.2. SA or contracts negotiations should ensure accessibility to confinees by unit, legal, medical, and chaplain personnel, etc., and the ability of the facility to temporarily release and/or re-confine as needed. Ensure the meals provided are sufficient in quality, quantity and can meet special dietary requirements (e.g., religious, medical, etc.). **(T-1)** Ensure obligation for the provider to comply with Prison Rape Elimination Act (PREA) and allow for compliance monitoring by the installation. **(T-0)**

1.2.2.2.3. Normally, all transfers internal to the AFCS are approved and facilitated by AFSFC/SFC, unless using a previously AFSFC/SFC coordinated/approved SA or contract. **(T-1)**

EXCEPTION: When conducting transfers under a preapproved SA or contract for a high profile confinee (due to notoriety of the offense or previous rank/position) notify AFSFC/SFC whose expertise can provide planning assistance with these type missions.

1.2.2.2.4. Establish local Memorandum or Operating Instructions with base installation support agencies, i.e., Chaplain, Services (dining facility), and Medical/Mental Health Services, to maintain consistency of support service(s) for the facility, especially when Confinement Facilities (CFs) may require assistance above the normal level of service. Housing confinees off-base does not eliminate an installation's responsibility for medical/social services, rehabilitation, etc. **(T-1)**

1.2.2.2.5. The parent unit's financial responsibility for transferring a confinee is to use Operation and Maintenance (O&M) funds for costs associated with housing and escort(s). Transfers into the AFCS are paid by PCS ID code E (CONUS) and code J (OCONUS). **(T-0)**

1.2.3. Do not use correctional personnel or facilities for AFI 31-208, *Remotivation Program (ne: Correctional Custody)*. Do not allow Remotivation Program Correctees to have direct contact with AFCS confinees. **(T-1)**

1.2.4. The installation commander may approve, on a case-by-case emergency basis, temporary use of their CFs to house transient confinees under the control of civilian law enforcement officers. Consult with the SJA beforehand. **(T-3)**

1.2.4.1. Do not use military personnel as guards for the transients or transient guards for military confinees. Do not mix military confinees with these transients. Consult with the local SJA to ensure conditions do not violate Articles 12 and 13, UCMJ before allowing emergency civilian use. **(T-0)**

1.2.5. The DoD and AFCS consist of three levels of facilities: Level I, Level II and Level III. See Attachment 1 for definitions.

1.3. Corrections System Responsibilities:

1.3.1. HQ USAF/A4S establishes policy for the AFCS.

1.3.2. HQ AFDW/CC, JB Andrews MD, is the General Courts-Martial Convening Authority (GCMCA) for inmates assigned (including those on appellate leave) to AFSFC/SFC. This also includes all AF parolees and those on Mandatory Supervised Release. **(T-1)**

1.3.3. AFSFC/CC commands the Corrections Division and the associated corrections Detachments and Operating Locations (OL). Unless delegated to the Vice Commander, the AFSFC/CC also establishes warrants issued by the AF Clemency and Parole Board (AFC&PB) by authorizing transmittal into the National Crime Information Center (NCIC).

1.3.4. AFSFC/SFC is the single OPR for confinee management and oversight of AFCS. Responsibilities include, but are not limited to, correctional program development, training standards and guidance, bed space management, confinee classification criteria, confinee transfers, and compliance with Federal Statutes, as well as DoD and AF directives regarding

corrections. To meet these responsibilities, AFSFC/SFC is authorized to direct local unit compliance with applicable instructions as necessary to meet the stated goals and objectives of DoDD 1325.04, DoDI 1325.07, and this Instruction.

1.3.4.1. Duties/responsibilities of AFSFC/SFC:

1.3.4.1.1. Implements and oversees the AFCS worldwide and approves all waivers unless otherwise delegated in this Instruction.

1.3.4.1.2. Responsible for pay and personnel matters concerning AF confinees or appellants gained by AFSFC/SFC. The Director, AF Corrections, is the AFSFC commander's designated representative on any AFSFC confinee personnel or military pay action requiring a designated representative signature and is the AFSFC commander's designated representative signature involving cancellation of parole violation warrants after return to military control.

1.3.4.1.3. Responsible for all sister Service correctional liaisons within the DoD correctional system. (ref: paragraph 1.2.2.2. for SA guidance and restrictions.)

1.3.4.1.4. Coordinates, directs, and approves <u>all</u> AF confinee <u>transfers</u> in and out of confinement or correctional facilities, to include all transfers between AF facilities or transfers into DoD Facilities, unless there is an AFSFC/SFC coordinated/approved SA or contract.

NOTE: The PBD 720 directed streamlining of many processes. Confinement/corrections experienced the elimination of MAJCOM/SFs from notification and involvement with routine issues including transfer messages.

1.3.4.1.5. Maintains administrative records for those on parole or Mandatory Supervised Release (MSR), when administratively assigned to AFSFC/SFC. As appropriate, coordinates issues regarding the parolee with the last assigned corrections facility or last assigned permanent duty station. While individuals are on parole/MSR or appellate review, they remain the operational responsibility of the losing parent unit (unit which sought the court-martial) for items such as; Line of Duty Determinations, casualty reporting, and family assistance. (See current AFPC PGMs on Appellate Leave Responsibilities.) **(T-1)**

1.3.4.1.6. Develops and provides confinee training, treatment, and transition program guidance and assistance to AF CFs (i.e., Level I).

1.3.4.1.7. Develops self-inspection checklists.

1.3.4.1.8. Designates Air Force level Prison Rape Elimination Act (PREA) compliance coordinator with authority to develop, implement and oversee Air Force wide efforts to comply with PREA standards. Works with Department of Justice sanctioned PREA Non-Governmental Organizations, PREA offices assigned to Federal, State, or Local agencies, DoD's PREA offices, and PREA compliance managers at facilities under the Air Force Corrections System to ensure Service wide PREA compliance. **(T-0)**

1.3.4.2. Designated as the AF Central Repository (CR) for the AF Victim/Witness Assistance Program (AF VWAP). AFSFC/SFC serves as a clearinghouse of information on confinee status and collects and reports data on the delivery of the victim and witness assistance program, including notification of confinee status changes IAW DoDD 1030.1, *Victim and Witness Assistance*, paragraph 5.3.3. and AFI 51-201, *Administration of Military Justice*, paragraph 7.

1.3.4.2.1. To fulfill these functions, AFSFC/SFC designates a Central Repository Responsible Official (CRRO) for AF VWAP notifications. However, the Judge Advocate General (TJAG) remains the AF's Responsible Official (RO) for managing the overall AF VWAP.

1.3.4.2.2. Scope of responsibilities for the CRRO includes:

1.3.4.2.2.1. Receives a post-trial copy of DD Form 2704, *Victim/Witness Certification and Election Concerning Inmate Status*, from the SJA, indicating whether the victim/witness elects notification IAW DoDI 1030.2, *Victim and Witness Procedures*, paragraph 6.4.2., and AFI 51-201, Chapter 7. **(T-0)**

1.3.4.2.2.2. Files the DD Form 2704 in AFSFC/SFC's CR for all inmates and is retained by the inmate's last name alphabetically by year court-martialed.

1.3.4.2.2.3. Tracks facility notifications made to victims/witnesses by the VWAP.

1.3.4.2.2.4. Ensures facility makes timely notifications with random spot checks of victim/witness data.

1.3.4.2.2.5. Updates victim/witness data concerning change requests received for election status on the filed copy of the DD Form 2704 when victim(s)/witness(es) move or desire to change their election status. If this option is unavailable, victim(s)/witness(es) may write the CR at AFSFC/SFC, 1517 Billy Mitchell Blvd, JBSA Lackland, TX 78236-0119. Once written requests are received, the CRRO updates victim/witness notification data by changing election status and attaching written requests to the filed copy of the form. If circumstances warrant immediate notification after failed attempts to contact the base legal office, victim(s)/witness(es) may contact the CRRO at 1-877-273-3098, extension 5607, or email: **afsfc.sfcv@us.af.mil.**

1.3.4.2.2.6. Provides statistical data to HQ AFLOA for inclusion in DD Form 2706, *Annual Report on Victim and Witness Assistance.* Send to **usaf.pentagon.af-ja.mbx.afloa-jajm-workflow@mail.mil** .

1.3.4.2.2.7. Tracks changes in election or personal data on each DD Form 2704.

1.3.5. The AF Corrections, Chief, Clinical Services, for the AFCS is assigned to AFSFC Detachment 2.

1.3.5.1. Provides oversight for rehabilitation, evaluation, treatment, and professional recommendations with regard to selection and use of confinee programs within the AFCS. **(T-1)**

1.3.5.2. Serves as a focal point for behavioral health services and pre-release programs within the AFCS and for consultation with others (i.e., Area Defense Counsel, Judiciary, AFC&PB) concerning these services. **(T-1)**

1.3.5.3. Serves as liaison with AF rehabilitation staff assignments and credentialing agencies.

1.3.5.4. Develops and implements, in coordination with AFSFC/SFC, training, treatment, and transition requirements and programs for AF Level I CFs. **(T-1)**

1.3.6. Commanders of AFSFC Detachment 1, US Disciplinary Barracks, Ft Leavenworth KS, and Detachment 2, Naval Consolidated Brig, Marine Corps Air Station Miramar CA, and their AF staffs are responsible for the welfare and administration of confinees incarcerated at their respective locations. The commanders also support behavioral health programs, education/vocational testing, and security as required by the support agreement.

NOTE: For the purpose of this instruction, detachment commanders have the same responsibilities and authority as described for the installation Defense Force Commander (DFC) concerning correctional decisions. Host service (Army, Navy) specific equivalent programs already in place at those institutions satisfy the requirements of this instruction.

1.3.7. The Executive Secretary of the AFC&PB, or designee, chairs the Board and announces the decision of the Secretary of the Air Force (SAF) on clemency, parole, restoration to duty, and reenlistment coding of those adjudicated by a courts-martial.

1.3.8. The Director, AF Corrections (AFSFC/SFC), is a voting member of the AFC&PB.

1.3.9. The Chief, Clemency, Corrections, and Officer Review (AFLOA/JAJR), advises AFSFC/SFC on legal matters concerning corrections and rehabilitation issues and is a voting member of the AFC&PB.

1.3.9.1. The installation SJA provides the installation DFC and confinement officer with legal interpretation, guidance on confinement matters, and information concerning the offenses.

1.3.10. Installation commanders maintain the *capability* to house pretrial detainees and adjudged inmates with sentences up to 1 year, through organic confinement facilities, adjacent DoD facilities, civilian contracts, or a combination of organic, SA or contract derived bed space. **(T-1)**

1.3.10.1. The need for a 1 year *capability* is to ensure housing of long term pretrial detainees and to provide adequate flexibility when there is a waiting list for DoD Level II or III transfers. For post-trial confinements over 120 days, with a punitive discharge, the confinement NCOs may coordinate with AFSFC/SFCT (Inmate Transfers) to seek a possible space available transfer to a Level II facility. **(T-1)**

NOTE: History has shown that moving inmates who do not arrive with at least 90 days remaining on their sentence is usually not cost effective. Confinement NCOs with questions should contact AFSFC/SFCT.

1.3.10.2. Installations having an organic Confinement Facility (including Holding and Detention Cells, see paragraphs 2.1.3. and 2.1.4. for definitions) implement their confinement programs according to this instruction and ensure adequate O&M funding to comply with all appropriate policies, procedures and standards associated with operation of a confinement facility. **(T-0)**

NOTE: Even though installations may use civilian contracts, there are certain requirements contained in this instruction which require completion of confinement NCO duties due to compliance with federal law and DoD/AF instructions for programs such as: VWAP, DNA collections and submissions, Sex Offender registrations and Prison Rape Elimination Act (PREA) requirements.

1.3.10.3. Installation commanders already maintain a zero tolerance written standard for sexual abuse, sexual harassment, and all other types of violence by prevention planning and enforcement of appropriate measures within their command. In addition, installation commanders ensure their staffs monitor prevention, detection, and response to allegations for their Confinement Facility. **(T-0)**

1.3.10.4. Installation commanders ensure SA or contracts with another correctional facility must be coordinated and approved as described in paragraph 1.2.2.2. **(T-1)**

1.3.11. Parent unit responsibilities (unit that preferred court-martial charges):

1.3.11.1. Parent units are responsible to provide for their confined Airmen; escorts (if needed by the DFC), escort travel (transfer) orders, uniform items (as required), funding (if necessary), and to assist confined members' families. Parent unit conducted command visits (by commanders, first sergeants, or a designed unit representative) is to be at least monthly. However, if the confinee is geographically separated, the parent unit conducts (and documents) at least monthly telephonic contacts with the confinee vice in person visits. Upon AFSFC/SFC's personnel force gaining action the unit is relieved of their responsibility except as noted in paragraph 1.3.4.1.5. **(T-1)**

1.3.11.2. Use of the confinee's parent unit personnel is authorized to augment SF in order to cover and sustain confinement operations. However, the detailed parent unit personnel do not necessarily have to be assigned to the Confinement section. For example, the DFC can decide to place the detailed parent unit member on another SF post or duty in order to free up a SF member for confinement duties (e.g., this would be most useful in situations when the confined member is in maximum custody). **(T-3)**

1.3.11.3. Transportation of confinees to military appointments (e.g., medical, mental health, chaplain, legal, etc.) may require parent unit assistance. The DFC may require this manning assistance when transporting/transferring to another confinement facility.

NOTE: If prohibitive due to custody classification, thus requiring SF to conduct the escort, the unit provides fund cite and backfill of manpower to SF to accomplish the transfer.

1.3.11.4. Properly trained parent unit personnel may escort minimum custody inmates to perform work details inside or outside of the facility. **(T-1)**

1.3.11.5. The parent unit commander is responsible for updating the personnel data system of changes in duty status until the confinee is gained by AFSFC/SFC. Individual circumstances may dictate that confinees are not gained, such as: no punitive discharge

ordered, or as determined by AFSFC/SFC. It is the policy of AFSFC/SFC to aid the parent unit by assisting in the personnel administration process or doing a personnel force gain when possible and appropriate. **(T-1)**

1.3.11.6. The parent unit ensures a copy of the AF Form 2098, *Duty Status Change*, is received for placement into the Correctional Treatment File (CTF) at the Confinement Facility. The parent unit also updates duty status codes and processes through the local Force Support Squadron (FSS) and Financial Services Office (FSO). **(T-1)**

NOTE: See Attachment 2 for CTF list of contents.

1.3.11.7. The parent unit assists inmates with dependents when applying for household goods relocation using AFI 36-3020, *Family Member Travel*, and the *Joint Travel Regulation (JTR)*. **(T-0)**

1.3.11.8. Parent units are responsible for the confinee's orders and transportation arrangements on transfers. For specific guidance on orders, refer to the appropriate AFPC Personnel Services Delivery Guide (PSDG). **(T-1)**

1.3.11.9. Parent unit ensures confinees in non-pay status are provided haircuts and issued Health and Comfort (H&C) items according to facility guidelines. Haircuts and H&C items are purchased for confinees in non-pay status using parent unit O&M funds or provided as part of the facility's established stock purchased through installation O&M funds. **(T-1)**

1.3.11.10. Parent unit commanders/First Sergeants or their appointees in the grade of E-7 / GS-9 or higher may visit confinees at any time (official visit). There are no restrictions on official visits as long as they do not interrupt normal facility operations (e.g., meals, medication calls, etc.). **(T-1)**

1.3.11.11. The parent unit commander ensures a confinee has all required clothing upon entry into confinement, based upon the facility weather and climate requirements. Unless otherwise prescribed in a transfer order, confinees arrive with the following minimum requirements: one complete set of service dress (with light blue shirt and tie/tab), four complete sets of ABUs, one APEX, one pair of boots, one pair of low quarter shoes, appropriate belts, headgear, undergarments, socks, and one set of AF PTU (or Service equivalent) and athletic shoes. Shower shoes are optional. The confinement NCO stores excess items not needed for daily use (e.g., Service Dress items including tie/tab and low quarter shoes). The parent unit provides missing or unserviceable items prior to confinement or transfer. **(T-1)**

1.3.11.12. The parent unit assists in the disposition of unauthorized personal property in concert with the inmate's preferences, as appropriate. Corrections staff members use AF Form 807, *Receipt-Inmate's Personal Property*, to document personal property and file in CTF. **(T-1)**

1.3.11.13. Prior to transfer, the losing commander provides documents relating to security clearance suspension or withdrawal for inclusion in the CTF. **(T-0)**

1.3.11.14. The parent unit ensures appropriate dependent ID cards are issued according to AFI 36-3026 (I), *Identification Cards for Members of the Uniformed Services, Their*

Eligible Family Members, and Other Eligible Personnel. Dependent ID cards may possibly be confiscated depending upon the orders of the courts-martial. **(T-1)**

1.3.11.15. Parent unit responsibilities concerning transfers are discussed at a pre-transfer conference arranged by the confinement officer/NCO with the confinee and their commander, or appointed representative, to explain the requirements of the transfer and resolve the disposition of property and funds. The pre-transfer conference discussion includes the following parent unit responsibilities: **(T-0)**

NOTE: Geographically separated parent units may attend via telephone conference line.

1.3.11.15.1. The parent unit assists in document preparation as necessary for command sponsored dependent travel authorization on ERD (Early Return of Dependents) orders for CONUS (JTR U5240-F; 1-6)/OCONUS (JTR U5900-D, 2h, 1-9) travel. **(T-0)**

1.3.11.15.2. Command sponsored dependents may ship household goods CONUS (JTR U5370-H; 1-2) OCONUS (U5900, D2h8; Note 1: ICW early return of dependents). **(T-0)**

1.3.11.15.3. Parent unit ensures shipment of household goods for single and divorced members is conducted IAW the most current JTR to determine entitlements to ship/store household goods and personal property at government expense. **(T-0)**

1.3.11.15.4. The parent unit ensures installation out-processing is completed prior to the transfer, as well as receives and discusses clothing and administrative checklists from confinement officer/NCO. **(T-0)**

1.3.11.15.5. The parent unit provides resources (funding and escort support) consistent with custody classification and security requirements. All confinees are escorted, regardless of previous status/rank. **(T-0)**

1.3.11.16. Parent unit's personnel office is responsible for submitting the proper documentation to the FSO to place member on excess leave (appellate leave). **(T-1)**

1.3.11.17. Ensure government transportation is provided in accordance with JTR. **(T-0)**

1.3.11.18. For ease of administration, the installation commander may wish to consolidate any or all issues concerning funding from the squadron level to the installation level. **(T-3)**

1.3.12. The DFC appoints a commissioned officer, in writing, as the confinement officer. This position is usually the unit Operations Officer/S3. The confinement NCO is operationally responsible to the confinement officer and no lower than an E-4. **(T-1)**

NOTE: Due to the complexity of compliance criteria associated with confinement operations and management highly recommend the confinement NCO be at least an E-5 or E-5 select.

1.3.12.1. The DFC ensures compliance with the corrections system guidelines in this instruction. They may restore all or part of previously forfeited or withheld Good Conduct Time (GCT), Earned Time (ET), or Special Acts Abatement (SAA), including time withheld or forfeited at other facilities, as applicable. **(T-0)**

1.3.12.2. The DFC reports all allegations of sexual abuse or sexual harassment associated with the confinement facility to the Air Force Office of Special Investigation (AFOSI). The AFOSI determines if the case falls under the current Air Force purview for investigation. If the AFOSI declines, then the Security Forces Investigation (SFI) staff works the case(s). Should the DFC become aware of sexual abuse or sexual harassment at another confinement facility they follow notification procedures listed in paragraph 2.6.2.16. **(T-0)**

1.3.12.2.1. The DFC designates a facility PREA compliance manager with sufficient time and authority to coordinate the facilities efforts to comply under PREA. **(T-0)**

NOTE 1: Suggest STAN-EVAL staff member (not NCOIC) is in the best position for this designation.
NOTE 2: The facility level PREA compliance manager follows the administrative lead of the Air Force level PREA compliance coordinator in order to share information and effort to ensure satisfactory inspection compliance.

1.3.12.2.2. The DFC ensures a Sexual Abuse Incident Review is conducted upon the completion of the law enforcement investigation, unless the investigation determines the report to be unfounded. DFC uses the information from this review to improve the effectiveness of the confinement facility's prevention, detection, and response policies, practices, and training. To provide timely staff reaction and response ordinarily this review should begin no later than 30 days after the incident is reported and include input from supervisors, investigators, and medical and mental health practitioners. Consider if demographics were relevant motives. Provide report and recommendations to the DFC for approval. Forward DFC decisions to the AF level PREA compliance coordinator who shares approved recommendations and justifications for non-approved recommendations for AF, and possibly DoD wide, cross flow. **(T-0)**

NOTE: Suggest DFC appoints STAN-EVAL NCOIC (who is not the PREA compliance manager) to conduct review.

1.3.12.2.3. The DFC, or designated SNCO or above on non-duty days, conducts daily documented visits to confinees in disciplinary segregation. **(T-0)**

1.3.13. The confinement officer ensures proper custody, control, administration, and correctional treatment using this instruction, DoDI 1325.07, DoDD 1325.04, and applicable laws. The confinement officer develops an operating instruction (OI) to ensure uniform daily operation of the facility. The OI should be sufficiently detailed to assist staff in completing assigned tasks. Further, include actions for response to incidents of sexual abuse such as; separating of belligerents, separating abusers and victims, as well as, manner/method of notifying, investigators, medical/mental health practitioners, and facility leadership.**(T-0)**

1.3.13.1. The confinement officer ensures procedures are established for those who elect to protect their rights of under the Victims and Witnesses Assistance Program via use of the DD Form 2704. **(T-0)**

1.3.13.2. The confinement officer establishes an issue stock of H&C items. (See Attachment 3 for listing of H&C items.) As a minimum, provide items for personal hygiene. Confinees in a non-pay status are provided H&C items and haircuts at government expense. (See paragraph 1.3.11.9.) Confinees in a pay status are charged against their pay accounts or from their personal funds for items and haircuts. Confinees comply with AFI 36-2903, *Dress and Personal Appearance of AF Personnel*. Additional guidance is found in DoDI 1325.07, reference enclosure 2, paragraph 8. **(T-0)**

1.3.13.3. The confinement officer, after consultation with SJA, releases pretrial detainees upon written order of an authorized official (i.e., confining official), to a representative from their parent unit. **(T-0)**

NOTE: Refer to Chapter 5 of this instruction for more detailed information.

1.3.13.4. The confinement officer provides a cash donation not to exceed $25, IAW DoDI 7000.14-R, *Financial Management Regulation*, Volume 7A, Chapter 35, Table 35-11 (Military Pay Policy and Procedures Active Duty and Reserve Pay), for inmates released upon expiration of sentence with a punitive discharge (regardless if the discharge is executed or not), or on parole/MSR or appellate review leave. The DoDI allows this gratuity only for inmates who were enlisted. There is no gratuity for inmates who were officers. **(T-0)**

1.3.13.5. The confinement officer ensures a list of rules (Facility Rules Book) is provided (and receipted) to each confinee which includes as a minimum: information on the complaint system; procedures for how to request official calls or visits with a defense attorney, chaplain, First Sergeant, etc.; prescribed visitation hours; H&C requisition procedures; sick call procedures; anticipated daily/weekend/holiday schedules; list of facility offenses (rules violations) and, discipline and control measures; and other *information* deemed necessary. Rules should be kept to a minimum necessary and be positive in nature. Confinees are not to be *tested* on this information. **(T-0)**

NOTE: See Attachment 4 for list of Facility Offenses.

1.3.14. Confinee is responsible for their travel expenses, including escorts, related for approved Emergency Parole (EP). Number of escorts is determined by custody classification. Refer to paragraph 12.23 for more details on EP. **(T-1)**

Chapter 2

FACILITY FUNCTIONS AND CONFINEE MANAGEMENT

2.1. Managing Confinement Facilities and Holding/Detention Cell Operations: For the purposes of this instruction, all AF confinement facilities (*excluding* holding and detention cells) conduct reporting IAW DIBRS/NIBRS case reporting and the DoD Annual Confinement Report. All AF confinement facilities (*including* holding and detention cells) are considered Level I facilities for compliance of all other administrative, training, operational reasons including Prison Rape Elimination Act (PREA). **(T-0)**

2.1.1. Establishing, Closing, or Changing Designation of Confinement Facilities or Cells. Because of the joint nature of military confinement/corrections, any installation changes in status (confinement facility or detention cells), or renovations of an existing facility or cell, must be coordinated/approved by AFSFC/SFC. This is to maintain single manager oversight and if necessary, present as appropriate to the DoD Corrections Council or to OUSD (P&R), as appropriate, for approval. Send requests to AFSFC/SFC, 1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119; or email: **all.afsfc.sfc@us.af.mil.** **(T-0)**

2.1.1.1. When establishing a facility, designing or re-designing cell capability, contact AFSFC/SFC for expertise and guidance. AFSFC/SFC has access to the American Correctional Association's Planning and Design Guides with subsequent editions and can assist in coordination with the AF Civil Engineering Center's Building Information Modeling (BIM) standard for SF infrastructure to ensure it meets the most current correctional guidelines for incarceration. **(T-0)**

2.1.1.2. Closing Installation Confinement Facilities. For facilities that routinely house multi-Service confinees, the closure request is staffed IAW DoDD 1325.04, through the chain up to OUSD (P&R) for a decision. The DoDD requires requests be made 60-days in advance in order to properly coordinate and decide (include 30-days additional time so it may be staffed inside the AF before going to DoD). **(T-0)**

2.1.1.3. For facilities that do not routinely house multi-Service confinees the closure request is staffed from the installation through their chain to AFSFC/SFC for a recommendation and then up to the DCS level (AF/A4, DCS Logistics, Installations and Mission Support) for a decision. (**T-1)**

NOTE: However, for example, if severe storm damage causes occupancy issues; the wellbeing of confinees/staff is paramount. Closure may be necessary in advance of coordination/notification. In these unique situations, AFSFC/SFC will seek to expedite the process.

2.1.1.4. As part of the staffing process to the DCS, it may be necessary for AFSFC/SFC to present it to the DoD Corrections Council for a recommendation because of the interconnectivity of all levels of DoD corrections facilities. Requests to close an existing facility, except situations involving safety, security, health, and wellbeing of confinee/staff, or emergency conditions, should be well reasoned. At a minimum, either circumstance (multi-Service or single Service facility) should be staffed to AFSFC/SFC for comment at least 90 days before a decision is desired. (**T-1)**

NOTE: However, for example, if severe storm damage causes occupancy issues; the wellbeing of confinees/staff is paramount. Closure may be necessary in advance of coordination/notification. In these unique situations, AFSFC/SFC will seek to expedite the process.

2.1.2. Confinement Facility (CF). A CF provides the following (as a minimum): one or more beds with toilet/sink in cell, segregation cell(s), a day room, shower, recreation yard, washer/dryer within the secure area of the operation, an administrative room, storage room, and means to prevent escape. **(T-0)**

NOTE: DoDI 1325.07 requires Level I Facilities to have a minimum of 5% of segregation cells. Due to the fact that Level I Facilities often include confinees of both genders, AFSFC/SFC highly recommends at least two cells be able to be converted to meet segregation standards. When segregation needs are not required, it is permissible (if physically possible on short notice) to convert the cell back to non-segregation standard and vice versa.

2.1.3. Holding Cell designation. A cell not equipped with a toilet/sink, but the fixtures are available in the building under escort, is considered a Holding Cell. Optimally, this cell holds individuals up to 8-hours. Normally, these cells support law enforcement operations/investigations. The DFC can for good cause, after consultation with the SJA, extend the 8-hour time limit. This cell is a temporary solution and should never exceed 24 hours. Specifications for this cell are the same as a CF cell, minus the fixtures and the laundry/shower, day room, and recreation yard as part of the physical plant. **(T-1)**

NOTE: Do not co-mingle in any manner pretrial detainees with post-trial inmates or with individuals detained for law enforcement processing (i.e., DUI suspect, etc.).

2.1.4. Detention Cell designation. A cell equipped with a toilet/sink is considered a Detention Cell. Optimally, this cell holds individuals for up to 72-hours. Normally, these cells are used as a staging location for pretrial detainees or post-trial inmates while awaiting transfer to an appropriate confinement/correctional facility. The lack of a collocated laundry/shower and recreation yard make this more than a temporary solution but less than a permanent solution. The DFC can for good cause, after consultation with the SJA, extend the time limit to the absolute minimum time necessary to facilitate the earliest opportunity for transfer. Specifications for this cell are the same as a CF cell, minus the laundry/shower, day room, and recreation yard as part of the physical plant. The DFC ensures non-athletic recreation and hygiene arrangements are made (e.g., use of another appropriate facility for showers/laundry), even if manpower intensive. **(T-1)**

2.1.5. Closing Detention or Holding Cells. To close a detention or holding cell, first consult with AFSFC/SFC to determine possible effects on the DoD community **(T-1)** and then seek approval as determined by the installation chain of command.

2.2. Confinement Facility (CF) Requirements. New construction or modification of existing structures for incarceration purposes will be based upon approved designs IAW applicable federal building codes for penal institutions. **(T-0)**

NOTE: For new construction, build CFs vice detention and holding cells because while construction cost is nearly identical, the costs for operations and manpower is almost always lower with CFs.

2.2.1. New AF CFs should be located away from (as determined by the DFC) installation perimeter fences, childcare facilities/schools, public thoroughfares, gates, swimming pools, base exchanges, theaters, family housing, Airmen billets, service clubs, open messes, foliage or wooded areas, active flight lines, or firing ranges. **(T-3)**

2.3. Confinement Staff.

2.3.1. Know and adhere to use-of-force policies established in applicable DoD and AF directives. Include policy application and training of special restraint devices unique to confinement in local training in concert with the SF unit training branch. **(T-0)**

2.3.2. Act in accordance with all the requirements of the UCMJ and observe the constitutional rights of individuals. The following aspects of behavior by confinement/corrections staff members merit special emphasis and the DFC immediately reviews any violations: **(T-0)**

2.3.2.1. Personal dignity of all individuals is to be observed and any act or work assignment that demeans, degrades, humiliates, or serves only to embarrass a confinee is expressly prohibited. **(T-0)**

2.3.2.2. Striking or laying hands upon confinees is prohibited by staff members except in self-defense, to prevent serious injury to self or others, to prevent serious damage to property, to effect an authorized search, or to quell a disturbance. In such cases, the amount of force used will be the minimum amount necessary to bring the situation under control. **(T-0)**

2.3.2.3. Physical abuse, hazing, use of unnecessary force, and any form of corporal punishment by a staff member are prohibited. **(T-0)**

2.3.2.3.1. Using provoking speech, inflammatory profanity, in-your-face yelling, or purposeful demeaning language is prohibited. **(T-0)**

NOTE: Such language and staff behavior is counter-productive in a corrections environment. Being a firm staff member does not equal a combative staff attitude. Choose words and delivery of language to maintain order and discipline. Say what you mean and mean what you say, calmly.

2.3.2.4. Staff members are prohibited from bartering, giving, or selling any item or service to confinees and are prohibited from permitting others to conduct such activities. **(T-0)**

2.3.2.5. Staff members are prohibited from extending privileges, favored assignments, or information to individual confinees that are not similarly available to all in the same custody classification/status. **(T-0)**

2.3.2.6. Staff members are prohibited from using their official position to establish or maintain social contacts or relationships with confinees, their families, or friends. **(T-0)**

2.3.2.7. Staff members are prohibited from releasing information on individual confinees without the authorization of the confinement officer. **(T-0)**

2.3.2.8. Staff members who set high personal standards of appearance and military bearing generally have better behaved confinees. **Be fair, firm, and consistent.**

2.3.2.9. Staff members are prohibited from fraternizing with confinees or engaging in sexual acts/contact of any kind. These restrictions do not prohibit all contact, such as exchange of routine social pleasantries between confinees and staff members. **(T-0)**

2.3.2.9.1. Confinees cannot consent to sexual acts/contact of any kind with staff members, nor can confinees consent to sexual acts/contact of any kind with another confinee. **(T-0)**

2.3.2.9.2. Staff members are required to enforce the prohibition against confinees having sexual acts/contact of any kind with other confinees. **(T-0)**

2.3.2.9.3. Invasion of privacy of a confinee showering or performing bodily functions by staff, unrelated to official duties, or any form of voyeurism by staff is prohibited. Such viewing incidental to routine cell checks is considered official duty. Initial or subsequent strip searches for cause are considered official duties. If related to maintaining constant observation under suicide watch use same gender staff. **(T-0)**

2.3.2.9.4. Staff may not search or physically examine a confinee under PREA for the sole purpose of determining gender. If in question, use established medical or personnel records for answer or, seek determination from a medical practitioner. **(T-0)**

2.3.2.10. Sexual abuse and harassment are prohibited. This behavior interferes with individual performance and creates an intimidating, hostile, and offensive environment. Whether a detainee, inmate, or staff member; sexual abuse and harassment denies the individual respect and dignity. It is contrary to the mission. **(T-0)**

2.3.3. Ensure accessibility to training, treatment, and transition programs to promote opportunities for rehabilitating inmates for their post-trial return to society or return to duty. Providing meaningful work and opportunities for personal improvement is the keystone to successful CF operations. **(T-0)**

2.4. Staff Manpower and Qualifications. Unless otherwise directed by higher headquarters or appropriate documents affecting manpower (e.g., Program Action Directives, etc.) staffing for installation confinement (Level I) facilities is documented in an AF-approved manpower standard. Each SF unit earns a Confinement Program billet in accordance with the SF Capabilities-based Manpower Standard, CMS 43SXXX. MAJCOMS may determine additional staffing requirements for Level I facilities. AFSFC determines AF manpower (i.e., staff) assigned to Level II and Level III facilities. **(T-1)**

2.4.1. Staff members who do not possess a high degree of maturity and emotional stability are generally unsuccessful in a corrections environment. The DFC is highly encouraged not to assign staff members who are less than an E-4 and do not hold a 5-skill level.

2.4.1.1. Historically, confinees who were formally of a higher rank attempt to use their years of AF knowledge to their benefit over less experienced staff members. Prevention is best when DFCs are highly selective of staff members seeking those who are emotionally and intellectually mature.

2.4.1.2. For personnel to work as confinement staff members or augmentees, IAW DoDI 1325.07, they must, 1) possess a high degree of maturity and emotional stability, and 2) have no civilian felony convictions or court-martial convictions for any offense for which

a maximum authorized sentence to confinement exceeds 1 year, whether or not adjudged to be in excess of 1 year. **(T-0)**

2.4.1.2.1. Confinement staff members, escorts or augmentees cannot have an active Unfavorable Information File (UIF) **(T-1)** Additionally, they must self-disclose any information that involves legal misconduct to the facility's supervisory chain. **(T-0)**

2.4.1.2.2. Personnel other than 3P0X1, used to supervise, escort, and/or guard confinees must be properly trained (and documented) in the following areas as a minimum: frisk search, vehicle search (as it relates to transportation of confinees) cuffing, release and escort procedures, including actions for travel routes, escape, and illness. **(T-1)**

2.4.1.2.3. If Level I confinement staff are tasked with additional duties not in support of the facility, those duties should not degrade or otherwise compromise security of the facility. **(T-1)**

2.4.1.3. When determining staffing manpower, staff of the opposite gender may supervise or guard confinees' activities in the facility. However, pursuant to 42 USC §§15601-15609, aka Prison Rape Elimination Act (PREA), this arrangement must not result in undue viewing or invasion of confinee privacy (e.g., hygiene, dressing, etc.), or viewing of the breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Strip and frisk searches of confinees must be conducted by same gender staff except in exigent circumstances. Cavity searches of anal or genital openings will be done by a medical practitioner. **(T-0)**

NOTE: The Air Force considers undue viewing of the opposite gender to include viewing on CCTV monitors. Since CCTV is not authorized in the shower or toilet areas, the intention of the Air Force is that CCTV use in segregation or suicide watch cells will be monitored by same gender staff. (If the cell can be converted from segregation cell to general population cell, the camera lens must be capped.)

2.4.1.3.1. Under PREA, DFC conducts an annual review of the staffing plan (manpower), CCTV plan, and policy of documented (blotter) on-duty/off-duty higher level unannounced supervisory visits. DFC includes this information in a brief signed letter along with the Annual Confinement Report.**(T-0)**

2.4.1.4. Any qualified 3P0X1 (usually personnel assigned to flight) trained in escort procedures may be used as an escort outside the facility. Use a same gender escort. **(T-0)**

2.4.1.4.1. When two or more escorts are required, due to custody classification or number of confinees, at least one escort must be the same gender. **(T-0)**

2.4.1.4.2. If an emergency situation occurs in the facility or during an escort mission, e.g., involving escape or a life or death medical situation; the first action is to resolve the situation, the second action is to ensure proper staff/escort gender requirements. **(T-0)**

2.5. Incident Reporting. Incident reports include, but are not limited to: allegations of sexual harassment, allegations of abuse (sexual or otherwise), disturbances with injury or significant property damage, escape, or death of a confinee. **(T-0)**

2.5.1. As soon as the situation permits, the confinement officer or NCO reports any serious or significant incidents to their chain of command, up to and including AFSFC/SFC. During non-duty hours, notify the AFSFC/OPS Center at 1-877-273-3098. In turn, AFSFC/SFC ensures AFSFC/CC and the appropriate chain is notified. **(T-1)**

2.5.1.1. Sexual assault or sexual harassment allegations will be referred for criminal investigation to AFOSI or another criminal investigative agency as AFOSI determines and are not considered administrative investigations. The facility separates accuser and accused pending resolution. **(T-1)**

2.5.1.1.1. Following sexual crime protocol, the investigating agency provides confinee with access as appropriate to a forensic medical examination preformed, where possible, by a Sexual Assault Forensic Examiner (SAFE) or a Sexual Assault Nurse Examiner (SANE), as part of evidence gathering. If SAFE or SANE examinations are not possible, then document the effort and obtain other qualified medical practitioner(s) for evidence gathering. Ensure sexual abuse, rape crisis victim advocate and/or mental health care access options, as appropriate, are made readily available and that support protocols are followed. Sexual abuse confinee victims are informed by the facility of the result of the investigation either; substantiated, unsubstantiated, or unfounded and document all notifications in the CTF. **(T-0)**

2.5.1.1.2. If a staff member is the accused (unless the allegation is unfounded) the facility informs the accuser when; the staff member is no longer posted in the confinement facility or housing unit (AFSFC facilities are not sub-divided into housing units which is more common at larger facilities), and/or a charge is made against the staff member relative to this sexual abuse allegation and documents all notifications in the CTF. **(T-0)**

2.5.1.1.3. If another confinee is the accused the facility informs the accuser when the accused has been charged and results of the trial relative to this sexual abuse allegation. The facility's obligation to report this information under PREA terminates if the accused is transferred/released from the facility. **(T-0)**

2.5.1.2. Grievance reporting by confinees. Ensure the Facilities Rules Book instructs confinees how to report grievances. Confinees may tell a staff member verbally, or signed or anonymously in writing. (The staff member receiving a grievance from a confinee is independently responsible to report it to the proper office for review/investigation with all sexual abuse and sexual harassment grievances being initially referred to AFOSI.) Confinees may use their privileged communication (telephone/mail) options as one method. They may also use in person communication with legal, pastoral or medical staff during scheduled appointments. However, to reduce delays and still maintain privacy, additional methods are necessary. Facilities will make available a direct dial only non-recorded/monitored phone (suggest placing in the day room). As a minimum link this phone to the installation SAPRO, the DoD Safe Helpline (1-877-995-5247), installation Chaplain, ADC and local time/weather recording. (Other direct lines can be added as locally deemed necessary.) The object is to provide discreet multiple authorized direct connections so that an observer cannot assume to whom the call is being placed. In cases of reporting sexual abuse or sexual harassment the response time is paramount. **(T-0)**

NOTE: Occasionally test (determine frequency conditions locally) each line on the direct phone and logging the tests in the blotter.

2.5.1.2.1. Staff also accepts reports from third parties. A third party report cannot go forward unless the suspected abused/harassed confinee agrees to pursue the grievance (this prevents repeated erroneous allegations made to purposefully distract the staff). **(T-0)**

2.5.1.2.2. Should it be determined (via investigation) confinees have filed grievances (including sexual abuse or sexual harassment under PREA) in bad faith, the facility is authorized to consider administrative discipline (see discipline and adjustment board). **(T-0)**

2.5.2. Disciplinary actions taken for any staff member are IAW Air Force policy, DoD policy, military law and the UCMJ. **(T-0)**

2.5.3. Promptly forward all incident reports, investigation reports and sexual abuse incident reviews to AFSFC/SFC to provide the data necessary to complete various Air Force level annual reports for the Department of Justice, e.g., the Survey of Sexual Violence, et.al. **(T-0)**

2.5.4. For AFSFC/SFC to communicate immediate information, it benefits CFs to obtain a facility workflow email address (check with your Communications Squadron) in the following suggested format: **basenameconfinement@basename.af.mil.** Individual facility staffs change over time however, use of an org email address to ensures communications link. AFSFC also has org email addresses which are referenced in the appropriate paragraphs of the instruction. **(T-3)**

2.6. Level I Staff Training Requirements. Minimal required Level I staff training standards, for the Air Force, as per DoDI 1325.07, Enclosure 2, Paragraph 14.a.(1). **(T-0)**

2.6.1. Confinement officers and confinement NCOs, with or without organic facilities, establish a structured training program in conjunction with the SF unit training section tailored to meet the local mission needs.

2.6.1.1. Installations with or without confinement facilities designate confinement staff positions as critical duty and Airmen are certified upon satisfactorily completing a confinement Duty Position Evaluation (DPE) by STAN-EVAL. **(T-1)**

NOTE: Even if the installation doesn't have an organic confinement facility, staff training/DPE is still necessary to properly conduct post-trial documentations. Further, staffing and training/DPE the appropriate number of male and female transfer team personnel is necessary in order to conduct armed/unarmed transfer missions to appropriate facilities. For example, installations without a facility are likely to conduct a higher number of local/non-local transfer missions and should take notice to be proficient in those administrative and physical aspects. See AFM 31-127, *Security Forces Armed/Unarmed Transfer Team Procedures* for additional information.

2.6.1.2. Units design staff training programs unique to their confinement situation (organic or non-organic facility) to ensure all personnel assigned duties associated with confinement are fully trained. As a minimum include training and subsequent STAN-EVALS for staff assigned to a facility on; custody, escort procedures, proper use of restraining devices, suicide prevention, administrative management, VWAP,

management/observation/administration of medication calls, sex offender registration/notification requirements, and sexual abuse prevention/detection/reporting. Ensure training is current in safety, Self-Aid/Buddy Care, Adult CPR, and use of AED. **(T-1)**

2.6.1.3. Trainers document and maintain entries in Air Force Training Records (AFTR) system. For others, including 3P0X1 personnel performing escort duties, ensure training covers the areas as stated in paragraph 2.4.1.2. **(T-1)**

2.6.1.4. Confinement NCOs possess or must complete one of the following courses within 6 months of duty assignment: the AF Corrections Advanced Distributed Learning (ADL), any Service's in-residence or correspondence corrections course (i.e., Navy Corrections course); or complete an American Correctional Association (ACA) Correctional Officer correspondence course for guards. **(T-0)**

NOTE: It is highly recommended all personnel performing correctional duties be afforded the opportunity to complete continuation training (i.e., ACA Correctional Officer/Supervisor/Mid-Manager correspondence courses, etc.).

2.6.2. Initial and recurring corrections staff training programs. Units ***with*** organic facilities complete paragraphs 2.6.2.1. to 2.6.2.18., as a minimum. Units ***without*** an organic facility complete paragraphs 2. 2.6.2.3. to 2.6.2.18., as a minimum. DoD and Federal confinement/corrections standards require refresher training be accomplished at least every two years, however, passing a confinement STAN-EVAL resets the two year time requirement. **(T-0)**

2.6.2.1. Know the mission, purpose, and objective of the facility as prescribed in the facility OI. **(T-0)**

2.6.2.2. Know emergency action plans for fire, natural disaster, escapes, disturbances, injuries, or illness. **(T-0)**

NOTE: See Attachment 5 for a template list of emergency actions.

2.6.2.3. Thorough familiarity with the rules of detainee/inmate conduct, discipline and control measures available to the staff (paragraph 8.7.), and the rationale for the rules. **(T-0)**

2.6.2.4. Understand suicide prevention. Detailed suicide prevention plans should address each of the following: training, identification, communication, intervention, reporting, follow-up, and review. **(T-0)**

2.6.2.5. Understand the staff/confinee professional relationship. **(T-0)**

2.6.2.6. Know use of force and weapons restrictions. **(T-0)**

2.6.2.7. Know escort responsibilities and custody classification requirements. **(T-0)**

2.6.2.8. Know administration, to include Privacy Act confidentiality of confinee information. **(T-0)**

2.6.2.9. Understand the general function and relationship of referral agencies to the confinement mission (i.e., legal, clinic, mental health, finance, etc.). **(T-0)**

2.6.2.10. Know Victim/Witness, DNA, and sex offender requirements. **(T-0)**

2.6.2.11. Know evidence and property handling. **(T-0)**

2.6.2.12. Know Area, Vehicle, and Person Searches as related to confinement.

2.6.2.12.1. Area Searches. Concentric circle (spiral) search is often used in rooms, buildings, and small outdoor areas. Perform this search by proceeding in ever widening or ever narrowing circles, in a systematic clockwise or counterclockwise manner. **(T-1)**

NOTE: For additional information see the most current SF Career Development Course (CDCs) on searching.

2.6.2.12.1.1. Area Searches are most often used for the cell, the day room or any other common access room such as: the shower area or recreational yard. Concentrate the searches looking for items that are usually small and may initially appear as harmless. Look under desks, tables, and mattresses. Look in vents. Look at tops of doors, including the door jam. Include visual inspection of common use items such as; removing the caps of shaving cream or inspecting the battery compartment of a Day Room television remote. Leafing through magazines or books (including religious books which are to be treated with respect) upside down looking for hidden papers or other contraband. Items in this type of search may be; handwritten notes, currency (paper or coin), tools (including eating utensils), weapons (e.g., razor embedded into the plastic of a toothbrush, comb or brush) or anything that is out of place in a confinement environment. Search the visitation room before and after *any visitation*, even non-threatening visits such as; command, legal or chaplain. Visits can be dangerous if the confinee can find a weapon to use beforehand or, if the official visitor should accidently leave or misplace an item upon departure. If anything suspicious is found, on any search, notify the on-call SF Investigator for assistance in securing the evidence and to begin investigation to determine identity of "owner" and item's source. **(T-1)**

2.6.2.12.2. Vehicle Searches of the seat location(s) to be used by a confinee are necessary before and after transportation. This prevents the access to contraband previously left in the vehicle (e.g., SF member's personal pocket knife accidently fallen out of a pocket) and ensures removal of any contraband left behind or disposed of by the confinee. **(T-1)**

NOTE: For additional information see the most current SF CDCs on searching.

2.6.2.12.3. Person Searches. Use the technique most relevant to the situation at hand; either a standing or prone search. Person Searches are necessary to prevent the removal of items from the facility or the introduction of contraband into the facility by use of a frisk search. Use same gender for frisk searches unless in exigent circumstances. Even in same gender frisk search, it is a safety best practice to have another same gender person to observe. Only medical authorities can conduct invasive body cavity searches; however, staff can request to view into an open the mouth, e.g., prevent hiding something or to ensure a pill was swallowed. **(T-0)**

NOTE: For additional information see the most current SF CDCs on searching. However, PREA standards are usually more strict than SF standards, use the stricter standard.

2.6.2.12.3.1. Person Searches are always conducted when confinees depart the facility and conducted when confinees return to the facility if the confinee has been escorted by someone other than a SF member. Recommend conducting random person searches upon return to the facility even when the escort was entirely performed by a SF member. The person being searched keeps all clothing on except cold weather gear and hats. (Search cold weather gear as well.) Check under hats and check long hair on females. For all during the frisk; physically check waistbands, groin areas and sides of boots looking for contraband. Also inspect any materials (e.g., leaf through notebooks looking for contraband). For females during the frisk; physically check the bra straps and the space between the bra cups. **(T-0)**

2.6.2.13. Know Cardio-Pulmonary Resuscitation (CPR), First Aid procedures, and disposal of contaminated First Aid materials. **(T-0)**

2.6.2.14. Know process for decontaminating material, cells, and other spaces when blood or other bodily fluids are present. AFSFC/SFCT has a video series on Personal Protective Equipment (PPE) available. Also, see AFI 31-118, *Security Forces Standards and Procedures, Attachment 5, Blood Borne Pathogen Exposure Control Plans.* **(T-1)**

2.6.2.15. Training includes measures to protect against HIV transmission, including first aid protection measures. Design the training to preclude rumors, correct misinformation, calm fears, and provide current factual information. Contact military public health office regularly to update information. **(T-0)**

2.6.2.16. Training on Sexual Assault Prevention and Response Awareness includes; detection, response, and proper reporting. Further, the staff member who becomes personally aware of a sexual abuse, sexual harassment or a retaliation against confinees or staff that made such reports, or receives a grievance from a confinee, is independently responsible to report it to the proper office for review/investigation. (Exception: if the staff becomes aware of an unreported incident which occurred at another confinement facility then notify the DFC. The DFC determines as soon as possible but, no later than 72-hours, to either, 1) notify the head of the other facility of the allegation or, 2) notify the appropriate investigating agency. In either case, document the notification, as appropriate.) Instruct staff how to assist confinee(s) in gaining access to care and support services. If staff believes a confinee is subject to a substantial risk of imminent sexual abuse, take immediate action to protect the confinee. Further, once staff has reported this to the proper investigating office they do not disclose, other than to the official extent necessary, any of this information except when necessary to make decisions concerning treatment, investigation and other security and management decisions. **(T-0)**

NOTE: Follow the Air Force's established procedures on protection against retaliation against those who report (in good faith) violations under this paragraph.

2.6.2.17. Non-3P0XX personnel performing duties in any capacity (i.e., guard or escort) are trained using criteria from this chapter for that particular duty position with training documentation signed or e-signed. Maintain this documentation via computerized spreadsheet, log, or general-purpose form at the facility to prove training currency, as necessary. Maintain IAW Records Disposition Schedule (RDS) located in the Air Force Records Information Management System (AFRIMS). **(T-0)**

2.6.2.18. Local lesson plans should be developed for each above subject of instruction. AFSFC/SFC has training videos with lesson plans and testing material, which may be loaned to units. The videos are available online via AFSFC/SFC website. Ensure to document in appropriate training records. **(T-0)**

2.7. Management of Human Immunodeficiency Virus (HIV) Positive Confinees. A confinee's HIV positive status is not solely a consideration for transfer unless deemed necessary by medical authorities. Confinement officers ensure gaining unit is aware of HIV positive status. Confinement officers do not separate those who are HIV positive from the general confinee population based solely on HIV status. Confinement officers also consider the following when planning for HIV positive confinees. **(T-0)**

2.7.1. Follow medical authority requirements for special handling of contaminated laundry/linen. **(T-0)**

2.7.2. Toilet and shower facilities are no different from those used by other confinees. **(T-0)**

2.7.3. Food service sanitation provisions are no different from those used by other confinees. **(T-0)**

2.8. Assessment and Treatment of HIV Positive Confinees. Medical staffs test HIV negative confinees in accordance with current prescribed medical standards. Medical authorities determine post exposure actions. **(T-0)**

2.8.1. All incidents which could result in transmission of an infectious disease (i.e., sexual contact, tattooing, intravenous drug use, or body-fluid-to-body-fluid transfer), automatically require immediate HIV testing of participants unless all participants are HIV positive. Medical authorities immediately monitor/test as necessary all HIV negative confinee and confinement staff involved in an incident if one or more participants are HIV positive. **(T-0)**

2.8.2. HIV test results are not for public dissemination. As a minimum, medical authorities notify the parent unit commander, installation DFC, and confinement officer of HIV positive test results. Only inform confinement staff members designated by the confinement officer as having a need to know those confinees who are HIV positive. Confinement staffs do not annotate HIV status in the Correctional Treatment File (CTF) or other records unless the confinement officer, as advised by legal and medical authorities, directs the entry. Disclosure of HIV status for official purposes should only be discussed with command, confinement, medical, and dental personnel. **(T-0)**

2.8.3. The confinement officer may request HIV testing of any confinee at any time, provided there is a legitimate penal interest due to close communal living conditions. **(T-1)**

2.8.4. If escorts for medical purposes are required, then the parent unit provides escorts. If parent unit escorts are prohibitive due to custody classification requirements, the parent provides in-kind support (funds/manpower) to cover security forces escorts. **(T-1)**

2.9. Confinee Training. Upon inprocessing, ensure confinees are comprehensively briefed on emergency procedures (fire, severe weather, etc.), zero tolerance policy on sexual abuse and sexual harassment and any other local items deemed necessary. Document these actions in the CTF. Immediately follow up these briefings with handouts or incorporate the briefed information in the confinee's Facility Rules Book. Include information on how confinees can report incidents or suspicions of sexual abuse or sexual harassment. Instruct confinees that sexual abuse or sexual

harassment reports under PREA are either unrestricted reports or an anonymous report which is different than other active duty reporting guidelines. Place appropriate emergency procedure instructions in poster or map format (follow local safety guidelines for size of posters or maps) visible to the confinees (suggest day room) as well as, detection and reporting of sexual abuse and sexual harassment information in poster format (min 8x10 letter size) (suggest day room). **(T-0)**

Chapter 3

ADMINISTRATION

3.1. Admission Procedures. Confinement Officer establishes policies and procedures for the admission of confinees in the Operating Instruction. At a minimum, these procedures include: determine the detainee/inmate is legally confined, thorough search of the individual and possessions, disposition of personal property, photographing, fingerprinting, DNA collection, identification of marks/scars/tattoos, determine custody classifications via DD Form 2711, *Initial Custody Classification*, recording/entry of bio data, issue H&C items (if applicable), conduct a National Crime Information Center (NCIC)/National Law Enforcement Telecommunications System (NLETS) inquiry checking for wants/warrants and sex offender information, and provide written facility rulebook which contains as a minimum the facility rules and formal complaint process. Processing includes a brief verbal synopsis of facility rules and an interview by the confinement officer or NCO. Also, if a 'fit for confinement' physical has not been completed, ensure it is completed within 24-hours or the next duty day. **(T-0)**

NOTE: The CFs responsibility for the collection of DNA is found in 10 USC §1565 and 42 USC §14135a. See paragraph 7.3 and Attachment 7 of this AFI for additional instructions and information.

3.1.1. Facility Rules Book. The confinee signs for and maintains a copy of the facility rules book until departure. **(T-0)**

3.1.2. When opposite gender staff enters a cell area, they must announce their presence. **(T-0)**

3.1.3. In-processing includes: photographing and fingerprinting, search of the confinee's property (including clothing being worn), receipt for property, strip search of the person (removal of clothing) to permit visual inspection of breasts, buttocks and genitalia and to annotate scars/marks/tattoos. Pursuant to 42 USC §§15601-15609, the same gender conducts strip and frisk searches of confinees except in exigent circumstances. All opposite gender searches must be documented in the SF Blotter and the Confinement Blotter (see paragraph 8.5.). Cavity searches of anal or genital openings will be done by a medical practitioner. **(T-0)**

NOTE: If during the initial interview, the interviewer determines a confinee needs medical or behavioral health care, contact the medical or behavioral health clinic immediately for assistance.

3.1.3.1. Within 72-hours of inprocessing, screen the confinee for risk of sexual victimization and abusiveness using Attachment 6. This is meant to assist in determining potential risk "to become" a victim or "to become" an abuser. Screen (personally ask) the confinee using the questionnaire located on the AFSFC Corrections website (website usage ensures PREA screening questions are current with legal requirements). Take no disciplinary action for failure to cooperate with the assessment, specifically questions involving; sexual orientation, self-identified gender, previous sexual victim, or their perception of vulnerability. When necessary for staff assessment, obtain other screening answers by researching personnel records and/or criminal records, and by mere observation (e.g., size, body build, etc.). **(T-0)**

3.1.3.1.1. If the staff determines the confinee has, 1) experienced *prior sexual victimization* in a previous confinement facility, or in an institution or in the community or, 2) has *previously perpetrated sexual abuse* in a previous confinement facility, or in an institution or in the community then offer to schedule a follow up meeting (to occur within 14 days of the initial screening) with a medical or mental health practitioner. Place the screening document and note the acceptance/declination of the offer in the CTF. Subsequently, include in the CTF the medical or mental health practitioner recommendations relative to treatment plans, and security/management decisions for housing, work outlets and programs. **(T-0)**

3.1.3.1.2. If sexual victimization *in the community* was not self-identified in the at risk screening but, discovered by the medical or mental health practitioner they must seek informed consent from the confinee, if over 18 years of age, for the release of that information to the confinement staff. **(T-0)**

NOTE: PREA requires the above notice for those over 18 years of age. Obviously, very few military members are in the Service under 18, however with parental approval enlistment could occur at age 17 – if this situation occurs, it is most likely at Lackland AFB or a technical training location. Informed consent is not needed by the treatment staff to report this information to the confinement staff per PREA.

3.1.3.2. When the staff believes the confinee has adjusted to placement in a confined setting, using the same questions and methods, conduct the screening again however, do not exceed 30 days from inprocessing. Reassess as necessary, when additional information is received or an abusive or victimization situation occurs or is believed possible. Place the screening document in the CTF. **(T-0)**

3.1.3.3. Uses for the screening information. The goal is to make decisions to keep potential victims from potential abusers. The Confinement NCOIC makes individual determinations on the best manner to ensure safety for those at risk concerning housing, work outlets, etc. Conversely, do not use this information to separate groups of individuals (where no risk of harm or abuse exists) based solely on sexual orientation or self-identified gender unless under a legal order. **(T-0)**

3.1.4. Initial Confinement Physical Examination. This determination is made as a result of a health record check and physical examination by a medical officer. The examining medical officer certifies "fitness" for confinement on the confinement order within 24-hours after entry into confinement or next duty day for processing on weekends or holidays. Fitness for confinement is not synonymous with fitness for arduous duty. However, the examining official should specify physical limitations to full duty performance in writing or provide a copy of the individual's current AF Form 469, *Duty Limiting Condition Report*. If the examining medical officer determines the person is "not fit" for confinement, the person will be admitted to a medical treatment facility (see paragraph 5.7.) or placed in a CF capable of caring for the member's medical condition. The confinement examination, at a minimum, includes a medical and behavioral health records review (including immunization currency), a physical examination, appropriate laboratory screening, and medication reconciliation. **(T-0)**

3.1.4.1. The examining medical officer documents fitness for confinement recommendation on DD Form 2707, *Confinement Order*. Additionally, document history,

physical, and annotate the presence of cuts, bruises, or unusual marks on a SF 600, *Chronological Record of Medical Care*, or similar form. The medical officer validates the member's current medication list for the confinement facility. The medical officer tests for communicable diseases, including HIV, Tuberculosis (TB), Hepatitis B and C, and conduct urinalysis screening for illegal drug and narcotics use. The medical officer inspects all body cavities to prevent the introduction of contraband into the facility. The DD Form 2707 is filed in the CTF with all of the documented results, except HIV result, which is annotated in the medical treatment file. Mental and physical conditions are immediately discussed between the examining official and confinement Officer or NCO so that appropriate safeguards can be implemented, if necessary. Female confinees are administered a pregnancy test, with results annotated on the confinement order and in the medical treatment record. Finally, the medical officer renders an assessment of the confinee's ability to self-medicate while in the confinement facility. **(T-0)**

NOTE: See paragraph 2.8.2., the medical staff documents HIV test results in the confinee's medical records. Ensure results are immediately provided to either the military CF commander/officer/NCO so the staff may take appropriate safety/bio hazard measures for spilled bodily fluids.

3.1.4.2. If the confinee displays irrational or inappropriate behavior which is symptomatic of mental disturbance, consult a medical or mental health practitioner immediately for disposition. If the confinee displays the effects of hallucinatory substance, place the confinee in appropriate medical/mental health facility until such time as they are detoxified and medically/mentally certified fit for confinement. **(T-1)**

3.1.4.3. Urinalysis testing is required as an inspection for contraband, pursuant to MCM, Part III, Section III, MRE 313(b). Testing is conducted under the AF Drug Testing Program, category MO (medical drug test), IAW AFI 44-120, *Drug Abuse Testing Program*. **(T-0)**

3.1.5. Seek to segregate new detainees/inmates from others during initial processing and administration. Confinees, including pretrial Officer and NCO detainees, do not exercise command or supervisory authority over other persons. **(T-0)**

NOTE: It is not inappropriate to refer to a pretrial detainee by rank and name; however, avoid calling an officer detainee Sir or Ma'am.

3.1.6. Fingerprint Cards. When initially processed by an AF confinement facility, the staff completes two originals of the FD-249, *Arrest and Institution Card* (or its electronic equivalent), attaches a photograph to the form for all confinees in-processed on a military confinement order (whether housed on military installation or via a local contract with civilian facility). For all post-trial inmates, submit their electronic fingerprints to the Criminal Justice Information Services Division (CJIS), IAW AFI 31-118, *SF Standards and Procedures*. Since the **FBI only accepts electronic fingerprints,** consult SF Investigations for local procedures for submitting fingerprints to the FBI-CJIS, as it requires electronic submission equipment. File a copy of the fingerprints in the confinees CTF. **(T-0)**

NOTE: Do not submit inmate fingerprints to FBI on the same system used for security clearances.

3.1.6.1. Upon receipt of CA's action in which the adjudged sentence is set aside, remitted, or overturned, accomplish FBI Form R-84, *Final Disposition Report*. Mail one copy to: FBI, CJIS Division (Criminal Justice Information Services Division), 1000 Custer Hollow Road, Clarksburg WV 26306 and maintain a copy in the CTF. **(T-0)**

3.1.6.2. If an inmate with a FD-249 on file escapes, complete two originals of the FBI Form I-12, *Flash/Cancellation Notice*, in addition to reporting requirements referenced in paragraph 3.7. Upon recapture, complete another set of FBI Form I-12. For both situations, forward one form to the FBI CJIS Division, 1000 Custer Hollow Road, Clarksburg WV 26306, file the other in the CTF. **(T-0)**

3.1.6.3. If an inmate with a FD-249 on file dies, immediately notify the FBI CJIS Division, 1000 Custer Hollow Road, Clarksburg WV 26306, of the death by letter. Include postmortem fingerprints for humanitarian purposes only. **(T-0)**

3.1.6.3.1. In cases of an inmate (or parolee or appellant) death the commander is not required to send a condolence letter to the next of kin.

3.1.6.4. Order FBI forms from the FBI, Criminal Justice Information Services Division (CJIS), Attn: LSU, 1000 Custer Hollow Road, Clarksburg WV 26306 or (304) 625-3983; for questions or training materials, call (304) 625-2000. **(T-0)**

3.1.7. DD Form 506, *Daily Strength Record of Confinees*. Record arrival/departure of pretrial detainees and post-trial inmates. Report the following: entries into confinement; when there are changes in custody classification or status; releases; gains; losses; transfers; and death. A new report is not necessary if there is no change from day to day. Accomplish a new report only when changes occur. **(T-0)**

3.1.8. SFMIS Entries. Security Forces Management Information System (SFMIS) provides database tracking (confinee status, sex offender registration, DNA collection, VWAP) in real time, visible to MAJCOMs and AFSFC. Enter confinee information into Defense Information-Based Reporting System/National Incident-Based Reporting System (DIBRS/NIBRS), IAW AFI 31-203. **(T-1)**

3.1.9. DD Form 515, *Roster of Prisoners*, supplements DD Form 506. If confinement is to be served off-base in a civilian facility, follow locally established tracking procedures. As a minimum, the confinement NCO maintains facility contact and provides parent unit liaison, as needed, through release. **(T-1)**

3.2. Correctional Treatment File (CTF). Establish a CTF for each pretrial detainee and adjudged inmate during in-processing and actively maintain it during incarceration. Confinees are not allowed access nor may they receive information from any CTFs. **(T-0)**

3.2.1. At a minimum, the CTF includes the confinee's records outlined in the sub-paragraphs below and any requirements for counseling, special training, employment records, and/or personal problems that may affect treatment. The correctional officer may include other documents as necessary. **(T-0)**

NOTE: A six-part folder is usually the most efficient way to keep this information compartmentalized.

3.2.2. DD Form 2707, *Confinement Order*. All pretrial detainees and post-trial inmates are required to have a DD Form 2707 completed prior to incarceration. **(T-0)**

3.2.3. DD Form 2718, *Prisoner Release Order*, is used as authority to release a confinee from confinement. The DFC or designated representative with release authority may authenticate DD Form 2718 in cases when a pretrial detainee is acquitted or their charges are withdrawn, or when a post-trial inmate has completed their sentence or been paroled. The DD Form 2718 is not used when transferring to another confinement location, as orders are sufficient authority for accomplishing transfers. **(T-0)**

NOTE: Temporary release is done using DD Form 2708, *Receipt for Inmate or Detained Person.*

3.2.4. Complete DD Form 2710, *Prisoner Background Summary*. **(T-0)**

3.2.5. Complete DD Form 504, *Request and Receipt for Health and Comfort Supplies*. **(T-0)**

3.2.6. Complete DD Form 2714, *Prisoner Disciplinary Report*, as necessary. **(T-0)**

3.2.7. Complete DD Form 509, *Inspection Record of Prisoner in Segregation*. **(T-0)**

3.2.8. Complete DD Form 510, *Prisoner Request*. **(T-0)**

3.2.9. Complete DD Form 2715, *Clemency/Parole Submission*. Inmates may consult their area defense counsel or attorney prior to completing their request. **(T-0)**

3.2.10. Use DD Form 2715-2, *Prisoner Summary Data*, to record changes in status: progress during confinement, psychiatric or behavioral health evaluations, and parole officer recommendations. **(T-0)**

3.2.11. Use DD Form 2719, *Continuation Sheet*, to continue information from DD Forms 2710-1, *Inmate Sentence Information*; 2715; 2715-1, *Disposition Board Recommendation; and* 2715-2. **(T-0)**

3.2.12. Complete DD Form 2711. **(T-0)**

3.2.13. The parent unit updates confinee duty status codes and processes the form through the local FSS and FSO. Ensure Confinement NCOs receive a copy of the AF Form 2098, which places the confinee in the proper duty status. Place the form into the CTF. Reference AFI 36-2134, *Air Force Duty Status Program* for procedures. **(T-1)**

3.2.14. The CTF folder needs to be properly marked/identified if there are participants under VWAP (i.e., "CASE HAS VWAP PARTICIPANTS", or another appropriate jacket cover annotation). Separately file completed VWAP forms from the CTF in files, by inmate name, clearly marked, "CONTAINS VICTIM OR WITNESS INFORMATION" and "Do Not Release to Inmate." Place completed VWAP forms in a secure file location, with restricted access (i.e., VWAP monitor, confinement officer, etc.). **(T-0)**

3.2.15. When a detainee/inmate transfers, the losing facility keeps copies of documents closing the Personal Deposit Fund (PDF); a copy of the AF Form 330, *Record Transmittal*, listing all transferred items (including the CTF); and a copy of the DD Form 2708, *Receipt for Pre-Trial/Post Trial Prisoner or Detained Person*. **(T-0)**

3.3. Desk Blotters. Security Forces Desk Blotter is used to record all confinee in- and out-processing, daily arrivals/departures of confinees with destination locations/reason/names of escorts, contraband searches/finds, escapes, injuries, deaths, D-cell and H-cell activity for investigation or law enforcement process purposes, as well as, staff names conducting an

opposite gender search and reason. Initial blotter entries for newly arrived confinees include time of confinement with name, rank, organization, home station and reason (pretrial or post-trial).The DFC may decide to maintain an additional Confinement Blotter in the facility thus saving the SF Desk Blotter from the detailed routine daily chronological confinement events. If a separate Confinement Blotter is the DFC's preference it supplements the SF Desk Blotter by separately recording; reveille/retreat, PT, staff-on-duty, medication call, custody status changes, rec call, meals, mail call, visitation call with visitor names/times, and staff names conducting *same* gender search and reason. If the Confinement Blotter option is not used, include all the above entry information in the SF Desk Blotter. Use same archive disposition instructions for Confinement Blotter as SF Blotter. **(T-0)**

3.3.1. Staff ensures record management within the facility and adheres to policy and procedures, as well as acts in accordance with AF Records Information Management System (AFRIMS). Reference records disposition instructions in AFRIMS, *Records Disposition Schedule*, Table 31-2. **(T-1)**

3.4. Disposition and Release of Confinee Records. The establishment, use, and content of confinee records; right to privacy; secure placement and preservation of records; and schedule for archiving and destroying of inactive confinee is a collective key administrative requirement to ensure proper continuity and safety of all. **(T-0)**

3.4.1. Release of Inmate Records. To the maximum extent possible, confinement staff needs to protect process information involved in corrections (i.e., VWAP, Sex Offender), clemency and parole, restoration, and reenlistment in the release of records requested. Ensure release of information is in accordance with the Freedom of Information Act (FOIA) and/or the Privacy Act (PA). Consult DoD 5400.7-R_AFMAN 33-302, *Freedom of Information Act Program*, and AFI 33-332, *AF Privacy and Civil Liberties Program*, for FOIA/PA procedures concerning release or denial of information. **(T-0)**

3.4.2. The AF has an exemption under the Privacy Act for all corrections and rehabilitation records. See 32 CFR §806b.30 (1998) and 5 USC §552a(j)(2)(West 1996) concerning this exemption. Cite both as the reason for not releasing exempt information. **(T-0)**

3.4.3. Confinement staff members work with the FOIA officer to determine releasability under FOIA of information in corrections and rehabilitation records and identify exemptions. Typically, evaluations and recommendations are usually exempt under 5 USC §552(b)(5). **(T-0)**

3.4.4. When pretrial detainees are released from confinement due to not guilty findings from Courts-Martial or if charges were dismissed and when post-trial inmates complete confinement sentences at Level I and are returned to their unit of assignment or placed on appellate leave, the CTF remains at the facility. The facility is responsible for the disposition of the CTF, IAW AFRIMS, *Records Disposition Schedule*. Confinees are not allowed access to VWAP or CTF files since these files are FOIA and PA exempt. Also, safeguard and apply appropriate restrictions on access to confinee medical treatment files. **(T-0)**

3.4.5. When transferred, either temporarily or permanently, to another military facility, the escort hand delivers the CTF and medical record. If transferred to a non-military federal facility or a civilian facility, the CTF and medical record remains with unit overseeing the SA or contract. Do not allow confinee access to the CTF. **(T-0)**

3.4.6. CTFs are privileged and are to be safeguarded from theft, compromise, and unauthorized disclosure. These files are used, among other purposes, for parole and clemency recommendations and determinations. The CTF is considered part of law enforcement files. **(T-0)**

3.4.7. All files maintenance and disposition of records are IAW AFRIMS, *Records Disposition Schedule*, Table 31-2. **(T-0)**

3.5. Clothing and personal property. Confinement officers authorize possession of personal property. The confinement staff inspects and inventories all personal property brought to the facility by the confinee. Confinees and parent units are responsible for disposition of unauthorized personal property. Confinement staff members use AF Form 807 to document personal property and file the form in the CTF. The confinement staff strictly and uniformly enforces removal of unauthorized and contraband items. All items which could be used to inflict injury are seized. The confinement officer's decision is not subject to confinee or parent unit appeal. **(T-0)**

3.5.1. Clothing. Pretrial detainees and post-trial inmates confined in the AFCS (i.e., Level I CFs) wear the ABU uniform or other Service equivalent. Distinctive uniforms are only authorized on a case-by-case basis for those detainees/inmates posing a danger to the public or an escape risk and then only after coordination and approval from AFSFC/SFC. Approval may be requested via e-mail or telephone. Because an individual determined to be appropriate for the request of a distinctive uniform may not actually be appropriate for confinement at a base jail, AFSFC/SFC's involvement helps navigate potential issues to find appropriate resolution. **(T-1)**

NOTE: Refer to paragraph 1.2., for the AFCS philosophy. Placing detainees or inmates in distinctive clothing, especially those with short sentences, for relatively minor crimes only draws attention to their status. This has been proven to be detrimental to rehabilitative efforts as it further ostracizes them from society. It is not appropriate to physically draw attention to confinees for the purpose of "deterrence" to others, to "remind" them of their status, or in any manner that would subject them to ridicule or be degrading. Distinctive or modified uniform or uniform components are not approved for entire AFCS facility population. Facilities may utilize locally designed/procured identification card badges or vendor available prison type identification wrist bands (i.e., using a word and barcode system to identify name, custody classification/status, photo, etc.,) which facilitates tracking/logging of movement with use of a barcode reader. Installation O&M funds are used to purchase distinctive uniforms approved for wear by AFSFC. As stated in Chapter 1, AF confinees housed in sister Service facilities follow their rules.

3.5.2. Pretrial detainee clothing. Military members in pretrial status are not convicted of a crime and will continue to wear the ABU (utility) uniform with authorized rank insignia, badges, patches, devices, etc. If it is determined by the DFC that a pretrial detainee poses a threat risk beyond the reasons for pretrial confinement (harm to self/others, flight risk, etc.), a distinctive uniform (if approved by AFSFC/SFC) may be used IAW MCM, Part II, Chap. 3, Rules 304 and 305. Pretrial distinctive uniforms will have the following items as a minimum: cloth USAF and name tapes and cloth rank insignia (or air crew style name patch). **(T-0)**

NOTE 1: At risk *pretrial detainees* wear distinctive uniforms different in color from at risk post-trial inmates (recommend at risk pretrial detainees wear orange jumpsuits). If

qualified/privileged Mental Health provider determines that safety or suicide is an issue, place into jumpsuit immediately and back brief AFSFC/SFC on the next duty day. For routine requests, e-mail: afsfc.sfct.inmate@us.af.mil, include confinee's name, justification, and length of time needed. For urgent (non-duty hours) assistance, call 1-877-273-3098 for AFSFC/SFC assistance.

NOTE 2: Except for court appearances, SF members placed in pretrial confinement will not wear the SF identification badge or beret.

3.5.3. Post-trial inmate clothing. Individuals in this status are still military members; however, they are not afforded many of the privileges of military members and they wear the ABU (utility) uniform with only the cloth USAF and name tapes. If it is determined by the DFC that a post-trial inmate poses a threat risk beyond the reasons for confinement (harm to self/others, flight risk, etc.), a distinctive uniform (if approved by AFSFC/SFC) may be used IAW MCM, Part II, Chap. 3, Rules 304 and 305. Post-trial distinctive uniforms will have the following items as a minimum: cloth USAF and name tapes with NO rank insignia (or air crew style name patch). **(T-0)**

NOTE 1: At risk *post-trial inmates* wear distinctive uniforms different in color from at risk pretrial detainees (recommend at risk post-trial inmates wear white or blue jumpsuits, be consistent within the facility for color choice). If qualified/privileged Mental Health provider determines that safety or suicide is an issue, place into jumpsuit immediately and back brief AFSFC/SFC on the next duty day. For routine requests, e-mail: afsfc.sfct.inmate@us.af.mil, include confinee's name, justification, and length of time needed. For urgent assistance, call 1-877-273-3098 to forward to AFSFC/SFC staff after hours.

NOTE 2: Post-trial enlisted inmates who are not reduced to Airman Basic, or for inmates who are a former officer, no rank insignia will be worn during the period of confinement. This aspect is for the administrative purpose of confinee population management and control and is not to be viewed as a form of "punishment". **EXCEPTION:** Post-trial inmates will wear grade insignia and authorized function badges and devices only on service dress uniform for court proceedings/hearings.

3.6. Funds and Valuables. In accordance with DoDI 1325.07, Enclosure 2, Paragraph 8a-b, the Services determine how to manage the personal deposit fund (PDF) concerning authorizations and reasonable limitations. The PDF is designed to have all confinee funds in one banking account with the individual's funds tracked separately by the custodian. It is essential to balance the bank total against the end of day deposits/withdraws from the individual confinees. Ensure a confinee's funds balance is presented to the confinee upon release or to the escort team to provide to the gaining facility, if the confinee is permanently transferred. Receipt any deposit or withdrawal action with one copy given to the confinee, one copy to the CFT and the original for the master file in the custodian's office. The PDF is for confinees to purchase their H&C items, as well as other confinee expenditures (e.g., dependent support, educational material, attorney fees, payment of debts, and restitution to victims, etc.). The DFC may authorize larger one time unique deposits in an amount intended to be immediately disbursed, i.e., to make interim mortgage payment, pay legal fees, make restitution, etc., pending legal resolution (via Power of Attorney, for example) of the confinee's financial obligations to another party of the confinee's choosing. It is the intent of the AF that the majority of deposit and withdraw actions by confinees be used for individual purchase of H&C items. **(T-1)**

NOTE 1: While some PDF form titles created by DoD indicate, "inmate" and/or "prisoner", while not exact in current terminology consider each to refer to a person who is confined.
NOTE 2: See Attachment 8 for sample template.

3.6.1. The PDF account is best managed when the total amounts are relatively small. Unless uniquely authorized by the DFC, per paragraph 3.6., the PDF custodian limits individual confinee total deposits on hand to be less than $200.00 in US currency or equivalent at any one time. Instruct the confinee to designate to whom, or to which bank, they wish excess funds to be disbursed. **(T-1)**

3.6.2. The DFC appoints by letter, a primary and two alternate PDF custodians, providing copies to the servicing bank and FSO, as needed. The custodian deposits confinee personal funds into the PDF. The custodian may use on or off base banking facilities, charging bank fees and costs to the installation O&M fund. **(T-1)**

The custodian maintains the PDF account using the guidelines below:

3.6.2.1. The custodian or alternate, balances the PDF each duty day. Quarterly, the DFC's rater appoints a disinterested party, unassociated with the PDF in the grade of E-7 or above or civilian equivalent, to audit the PDF and provide those results directly to the DFC's rater. **(T-1)**

3.6.2.2. Changes of custodian/alternates require transfer of PDF accountability. Use the certificate at Attachment 9 to document the custodian change. **(T-1)**

NOTE: Attempt to coincide custodian changes with the quarterly audits to enhance accountability.

3.6.2.3. Secure cash, checks, vouchers, and receipts properly. **(T-1)**

3.6.2.4. Use AF Form 1387, *Receipt-Inmate's Personal Deposit Fund*, to receipt for all funds (negotiable instruments). Provide the confinee a copy of the AF Form 1387 as a receipt and file the duplicate copy with the AF Form 1388, *Summary Receipt Voucher-Inmate's Personal Deposit Fund*. **(T-1)**

3.6.2.4.1. Deposit only checks from government/military accounts, PDF custodian checks, money orders, cashier checks, (or cash as related to initial confinement in-processing). The *only cash* allowed to be deposited into the PDF is any cash being held by a pretrial detainee or immediate post-trial inmate during initial confinement in-processing. For any non-US currency or instruments, the servicing bank determines the exchange rates. Custodian deposits cash in the servicing bank as soon as possible. **(T-1)**

3.6.2.4.2. Do not accept payroll deposits to the account. **(T-1)**

3.6.2.5. Use AF Form 1388 to total daily receipts and assign a voucher number to the form (e.g., AXX-01). XX indicates the last two digits of the current year; and 01 indicates the first voucher of the year, add a number for each subsequent voucher. This procedure applies to AF Forms 1391 and 1393. **(T-1)**

3.6.2.5.1. Use DD Form 504, to process H&C purchase requests. **(T-1)**

3.6.2.5.2. Use AF Form 1390, *Withdrawal Request-Inmate's Personal Deposit Fund*, to make purchase requests or forward money. **(T-1)**

3.6.2.5.3. Use AF Form 1391, *Group Purchase Voucher-Inmate's Personal Deposit Fund*, for requests involving more than one confinee. Assign voucher numbers (e.g., BXX-01) in the same manner as AF Form 1388. **(T-1)**

3.6.2.5.4. Use AF Form 1392, *Summary Disbursement Voucher-Inmate's Personal Deposit Fund,* to list all checks drawn from the PDF. **(T-1)**

3.6.2.5.5. Use AF Form 1393, *Petty Cash Voucher-Inmate's Personal Deposit Fund*, for locally authorized expenditures. Assign voucher numbers (e.g., CXX-01) in the same manner as the AF Forms 1388 and 1391. **(T-1)**

3.6.2.5.6. . Use AF Form 1398, *Daily Status-Inmate's Personal Deposit Fund*, to record confinee's daily PDF balances. **(T-1)**

3.6.2.5.7. Stamp all checks written from PDF account as "Void after (30, 60, 90 days)" as locally determined appropriate. **(T-1)**

NOTE: The least amount of time possible is generally best to reduce number of outstanding checks.

3.6.3. Maintain appropriate copies of requests and vouchers in the confinee's CTF. Maintain the master copies in the facility. Individual PDF records may be destroyed along with the CTF. Master copies, including bank statements, are maintained in the facility for two CYs, and then destroyed. **(T-1)**

3.6.4. Occasionally, the ledger needs to be cleared of abandoned checks. Consult with the installation FSO for disposition of funds when confinees or payees have not cashed checks within 181 days past the void after date of the check.

Chapter 4

FACILITY CRITERIA

4.1. AFCS Facilities. Level I CFs include cells for general population and segregation. Refer to paragraph 2.1.-2.2. for differences between CFs and holding/detention operations.

4.1.1. Standards for cells and other areas in the CF. The facility design must include escape prevention, as well as safety and emergency evacuation. Confinement cells have as a minimum: hot/cold running water, toilet, HVAC, lighting, an elevated (off the floor) sleeping surface in the cells. Within the CF secured perimeter it must have showers, washer/dryer, day room, interview/visitation room, staff admin/storage, and recreation area. **(T-0)**

4.1.1.1. Cell design standard.

4.1.1.1.1. Facilities which routinely house the confinee in their cell/room for <u>less</u> than 10-hours a day, not including sleep time, are to be a minimum of **72** square feet of space (35 square feet of which must be unencumbered) per single occupancy cells and **72** square feet of space per occupant (25 square feet of which must be unencumbered per person) in multiple occupancy cells/rooms. Minimum ceiling height of 8 feet. **(T-0)**

4.1.1.1.2. Facilities which routinely house the confinee in their cell/room for <u>more</u> than 10-hours a day, not including sleep time, are to be a minimum of **80** square feet of space (35 square feet of which must be unencumbered) per single occupancy cells and **80** square feet of space per occupant (25 square feet of which must be unencumbered per person) in multiple occupancy cells/rooms. Minimum ceiling height of 8 feet. **(T-0)**

NOTE 1: From time to time incidents or temporary staffing challenges may necessitate cell occupancies of more than 10-hours a day. To ensure future mission flexibility and to avoid noncompliance issues, plan for any new construction or modification to meet the **80** square feet requirement.

4.1.1.2. Segregation cells (Administrative/Disciplinary) are located so physical contact with other segregated or non-segregated confinees is impossible and minimize the possibility of escape and self-inflicted injury. Installations utilizing a contract with off-base civilian facilities will comply with paragraph 4.1.2. for division by housing. **(T-0)**

4.1.1.3. For dormitory style CFs built prior to 1 Jan 1997, design the space allotment on the basis of 72 square feet per confinee computed on a net room area that includes open aisle but excludes latrines, closed corridors, and utility space. Dormitory style CFs were not authorized to be built after 1 Jan 1997. **(T-0)**

4.1.1.4. When conditions prevent the use of standard space allocation during temporary periods of increased populations, provide 50 square feet per confinee. Installation commanders may approve operations under the reduced space allocation rule for up to 60 days. Installation should contact AFSFC/SFC for assistance in transfers to reduce population. Only AFSFC/SFC may approve emergency minimum space allocation for periods over 60 days. **(T-1)**

4.1.1.5. Ensure dayrooms provide a minimum of 40 square feet per confinee allowed to use the room at any one time. Dayrooms and/or recreation rooms will contain at least 100 square feet. **(T-0)**

4.1.1.6. Ensure CFs comply with all applicable standards and codes, to include: construction, fire safety, etc. **(T-0)**

4.1.2. Ensure division of confinee housing is by status (pretrial/post-trial), custody classification, and gender. Confinees not segregated for cause or in maximum custody *may share* dayroom and recreation yard times, when directly supervised by staff. **(T-0)**

4.1.3. Ensure provisions for reasonable comfort consistent with good order and discipline. **(T-1)**

4.1.4. Endeavor to make administrative areas separate from security functions. **(T-3)**

4.1.5. Provide secure storage space for personal property. **(T-0)**

4.1.6. Provide H&C items storage area. **(T-0)**

4.1.7. Provide secure janitorial supply storage area. **(T-0)**

4.1.8. Provide a visiting area with controlled entry and exit that allows for private conversation and has storage space for visitors' personal property, i.e., coats, handbags, etc. **(T-1)**

4.1.9. Provide dayrooms with space for reading, writing and table games. CFs can fulfill this requirement by having access to a room/area outside the cell. **(T-0)**

4.2. Safety, Security, Fire Prevention, and Comfort Measures. The confinement officer determines the level/frequency of extra-curricular self-inspections and safety drills through written policy and procedure. Coordinate with appropriate agencies to assist in facility compliance with safety, security, and fire prevention standards. Use the following guidelines:

4.2.1. The facility (building) manager develops written policy in concert with appropriate functional experts, with the approval of the confinement officer, IAW host requirements, for ground and fire safety, as well as security inspections. The confinement officer reviews fire safety policies and procedures with a qualified CES inspector during scheduled reviews/inspections. **(T-1)**

4.2.2. The confinement officer appoints in writing a confinement staff member or the facility manager to conduct weekly security, safety, fire prevention, and sanitation inspections. Seek expertise or training from qualified sources as necessary (fire inspector, installation safety office, etc.). **(T-1)**

NOTE: Local or State fire codes must be strictly adhered to in order to ensure the safety and well-being of confinees and staff. In the event local and/or state codes are not applicable, the requirements of the National Fire Protection Association (i.e., NFPA 101) Life Safety Code apply.

4.2.3. Weekly security inspections should include checking all bars, locks, windows, walls, floors, vent covers, glass panels, access plates, protective screens, doors, devices, and other areas within the secured environment to ensure they are fully operational (list can be tailored to local needs). Emergency keys should be checked at least quarterly to ensure they are in

working order. Identify defective security equipment for repair or replacement immediately. **(T-1)**

4.2.4. Fire Prevention and Protection/Emergency Evacuation Plans include but are not limited to the following: provisions for an adequate fire protection service; system of fire inspection and testing of equipment at intervals approved by the authority having jurisdiction (NTE at least quarterly) following the compensatory measure for procedures stated for waivers, variances, and exceptions on fire systems; annual inspections by local or state fire officials or other qualified person or at intervals approved by the authority having jurisdiction; availability of fire protection equipment at appropriate locations throughout the facility. **(T-1)**

4.2.4.1. Follow local base or code compliance if Noncombustible Storage/Disposal Containers are required. **(T-1)**

4.2.4.2. Fire Safety Inspections. Reference AFI 32-2001, *Fire Emergency Services Program.* Conduct necessary and required facility fire prevention inspections. **(T-1)**

4.2.4.3. Evacuation Drills. Confinement officer ensures emergency plans for evacuation of personnel, control of fire, and salvage of property are prepared and tested. Conduct evacuation drills at irregular times IAW with host requirements, but at least monthly, and record in the blotter. Confinees are not normally moved from the controlled area of the CF during fire (evacuation) drills. Locally devised plans are the best method. Whenever possible, use the fenced recreation yard as the primary evacuation point. **(T-1)**

4.2.4.4. Automatic Sprinkler Systems. Use local and transmitted water flow alarms for automatic sprinkler systems. Annunciate transmittal alarms at continuously attended duty desks (in addition to the fire dispatch). Consult local requirements. **(T-1)**

4.2.4.5. Automatic Fire Alarm Systems. Install automatic fire alarm systems for the protection of life and critical material, especially in combustible confinement facilities, if automatic sprinkler protection is not feasible. Follow appropriate local codes. **(T-1)**

4.2.4.6. Smoke Detectors. Hard-wired detectors are the best solution in corrections. If battery powered detectors are used, conduct operational checks as required by code or unit manufacturer. **(T-1)**

4.2.5. Security and Physical Barriers to control public entry into CF and prevent escape. Stand-alone facilities (not attached or collocated with LE Desk/BDOC) require single-fenced perimeter which is at least 8-foot-high, 9-guage steel wire, chain-link fence fabric, with 3-strand barbed wire mounted on an inward 45-degree angle. Secure fence fabric at the bottom. Ensure gates are wide enough to permit entry for appropriate emergency vehicles. **(T-0)**

4.2.5.1. Augmented Security. When possible, use Closed Circuit Television (CCTV) to augment internal and external security. Recording is necessary to identify, investigate, and protect staff and confinees after the fact. Follow CCTV monitoring under PREA requirements, e.g., to eliminate blind spots where staff or confinees may be isolated. **(T-0)** There are additional requirements under PREA. Follow the requirements of PREA Resource Center's Checklists available on AFSFC website under Corrections. **NOTE 1:** CCTV does not replace staff, it augments.

NOTE 2: Digital recording is preferred over video tape recording.

NOTE 3: See paragraph 2.4.1.3. for additional AF guidance.

4.2.5.1.1. Ensure CCTV does not invade confinee privacy (i.e., do not place in cells, toilet, or shower areas) unless suicidal or violent behavior dictates otherwise. Keep CCTV monitors from public view. Ensure opposite gender staff cannot view monitors. Follow guidelines for cross gender viewing under PREA. **(T-0)** See paragraph 2.4.1.3. for additional AF guidance.

NOTE 1: There are additional requirements under PREA. Follow the requirements of PREA Resource Checklists available on AFSFC website under Corrections.

4.2.5.1.2. Do not have opposite gender staff physically monitor confinee latrine and shower areas. **(T-0)**

4.2.5.1.3. Facilities may use IDS systems, where applicable. **(T-2)**

4.2.6. Locks and Keys. Use appropriate hardware (jail/prison) to secure cells. Do not secure cells with padlocks. Keep all keys in a secure location and establish issue/return/inventory procedures. **(T-0)**

4.2.7. Duplicate facility entry keys must be immediately available for emergencies. Ensure procedures are covered in emergency plans. Locate duplicates near the facility vice in LED/BDOCs across the base. Consider use of Knox Boxes ™ Ensure these keys are included in quarterly function checks. **(T-0)**

NOTE: These locked boxes work best when secured outside the facility but still under visual observation by a post/sentry/camera, etc. Select location so it is quickly accessible by Fire Dept and/or SF Flight Chief.

4.2.7.1. Electronic locks must have a manual backup. Monitor control panels on a 24-hour basis. Ensure electronic panels contain an emergency "group release" for cell or room doors. **(T-0)**

4.2.8. Interior and exterior lighting. New construction after 1 Jan 2003 requires day rooms and cells with access to natural light. Consult AFSFC/SFC for current American Correctional Association (ACA) guidance. **(T-0)**

4.2.8.1. Cells, rooms, and personal hygiene areas must provide adequate lighting. **(T-0)**

4.2.8.2. Provide adequate exterior lighting for security and safety. **(T-0)**

4.2.8.3. If interior lights are not jail/prison type, install wire mesh covering or safety glass for lighting fixtures in confinee access areas. If old light receptacles need to be replaced, use jail/prison type. **(T-0)**

4.2.8.4. Provide battery powered emergency lights to illuminate facility interior during power outages. **(T-0)**

4.2.8.5. Indoor Temperatures. Indoor temperatures are best prescribed locally and maintained at appropriate summer and winter comfort zones similar to non-CFs on base. CF air circulation is at least 10 cubic feet of outside or re-circulated, filtered air per minute per occupant for confinee cells, control stations, and common areas built prior to Aug 2002. Facility additions, renovations, or new construction after Aug 2002, must provide at least 15 cubic feet of outside or re-circulated filtered air per minute. In no

cases should the air quantity be less than five cubic feet per minute per person. Regardless of facility construction date, triennial HVAC surveys are necessary. Coordinate with Bio-environmental flight or Civil Engineers for assistance. **(T-1)**

4.2.8.6. Noise Levels. External noise levels are to be similar to levels in Airmen dormitories areas. **(T-2)**

4.2.8.7. Plumbing Standards. Conventional porcelain wash basins and toilets, without water tanks, are appropriate in standard cells or areas. Provide metal, round-edged toilets and washbasins in segregation cells equipped with self-closing tamper-proof valves, index buttons, soap dish, drinking bubbler, and overflow. **(T-1)**

4.2.8.7.1. Individual cells have one toilet and one wash basin. **(T-1)**

4.2.8.7.2. Dormitory type facilities have a minimum ratio of: two toilets and one wash basin for every eight males, and two toilets and one wash basin for every four females, available on a 24-hour basis. Urinals may be substituted for up to one half the toilets in male facilities. **(T-1)**

4.2.8.7.3. Built-in shower stalls: A ratio of one shower stall for every eight confinees. Showers must have concealed and tamper-proof supply fittings, surface mounted fixed jail/prison type showerhead, and tamper-proof hot and cold water valves. To avoid injury from hot water, thermostatically control shower water temperatures between 100 and 105 degrees Fahrenheit. **(T-1)**

4.2.8.8. Sanitation. Maintain a high standard of sanitation. Inform confinees of responsibilities to carry out daily routines necessary in keeping facility clean and neat. Failure by a confinee to maintain a clearly understood standard may be addressed by the Discipline and Adjustments Board (D&A Bd). **(T-1)**

4.3. Prohibited Security Measures. Confinement officers ensure enforcement of the following prohibitions during both the design and operation of the confinement/corrections facility. **(T-0)**

4.3.1. Do not use electrically charged fences or wires. **(T-0)**

4.3.2. Do not house non-confinees in the facility. (This is not a billeting room or a First Sergeant courtesy dorm room.) **(T-0)**

4.3.3. Do not divide visiting areas by any type of barrier. **(T-1)**

4.3.4. Do not use "black-out" cells (i.e., do not prevent proper level of natural/electrical light). **(T-0)**

4.3.5. Do not guard confinees with canine teams. Patrol dogs may be used to assist in escape searches and disturbances. Detector dogs may be used to conduct facility contraband checks. **(T-0)**

4.3.6. Do not use chemicals (other than riot control agents). **(T-0)**

4.3.7. Do not use firearms to guard pretrial detainees and post-trial inmates, except as required outside of the facility while under escort. **(T-0)**

4.3.8. Do not use restraining devices (e.g., leg irons) during employment to create “chain gangs”. **(T-0)**

4.3.9. Do not secure (restrain) confinees to fixed objects or vehicle interior/exteriors. However, when behavior appropriate, securing to a prison model mobile "restraint" chair is approved for only as long as necessary to move the confinee or awaiting treatment by mental health or medical personnel. **(T-0)**

4.3.10. Do not abandon confinees. Maintain 24/7 coverage. **(T-0)**

4.3.11. Due to security reasons, confinees are exempt from Physical Training testing during their confinement. Upon release (and if returned to the active force) confinees are given the appropriate amount of time IAW their Service's current testing guidance to be ready. The prohibition in this situation is because run testing is done on a track. Confinees cannot be released to run on a track either to maintain conditioning or to take the test. **(T-1)**

4.3.11.1. The prohibition on track use does not prohibit the use of cardio equipment in the CF to maintain basic (non-testable) fitness. **(T-1)**

4.3.11.2. For safety reasons free weights are prohibited in the CF due to ability to be used as a weapon. A weight "contained" system (e.g., universal gym) may be used. **(T-1)**

4.4. Furnishings. Ensure one sleeping surface for each person. The surface consists of a mattress at least 12 inches off the floor; a writing surface and proximate area to sit (required only if confinee is inside more than 10-hours per day); storage space for personal items; and place to suspend clothes. Provide sufficient furnishings, consistent with confinee custody levels, in day rooms so every occupant has a seat at one time. **(T-0)**

4.5. Equipment. Staff ensures the following are available/provided **(T-1)**:

4.5.1. Office equipment to support the administrative function. **(T-3)**

4.5.2. Janitorial supplies for use in the facility. Supplies (e.g., cleansers, cleaning powders and liquids or any items clearly marked with Environmental Protection Agency (EPA) and/or Material Safety Data Sheets (MSDS) labels), are to be secured and used under close supervision. Whenever possible, try using alternative non-caustic cleaning agents such as vinegar. **(T-1)**

4.5.3. Serviceable tools for approved confinee work projects. (Develop an accountability system.) **(T-1)**

4.5.4. A two-way intercom system (required for collocated cells, i.e., adjacent to LED/BDOC). **(T-0)**

4.5.5. Sufficient recreational and day room equipment such as TVs and/or radios, library. **(T-1)**

4.5.6. Religious supplies and literature as provided or approved by the installation chaplain. **(T-1)**

Chapter 5

FACILITY MANAGEMENT

5.1. Facility Management. The management of AFCS confinees is a delicate and complex task which requires fair, firm, and consistent leadership skills of Confinement NCOs and staffs. In most instances, AF CFs operated with one primary and one alternate NCO. Depending upon facility size, MAJCOMs may supplement manpower, vice primary use of on-duty flights to conduct visitation, deliver meals, provide escorts for base appointments, etc. Confinement NCOs duties are more than a "jailer." For those installations without facilities, the Confinement NCO is the installation liaison and is responsible for the legal and proper disposition of confinees at other facilities. The Confinement NCO ensures all required forms and database entries (i.e., SFMIS, NCIC, DIBRs, etc.) are completed by the appropriate authorities in order to build and maintain the required records. Sentencing may add additional requirements to process, e.g., VWAP, Sex Offender Registration/Notification, and DNA collection. The Confinement NCO establishes and maintains communication with confinees, as well as provides for their safety and the safety of others. The Confinement NCO provides availability to correctional/rehabilitation programs. The Confinement NCO computes sentences and the Confinement Officer audits the sentence computations. The Confinement NCO ensures all confinees have the same access to available programming as appropriate for their confinement status, custody classification, etc. **(T-0)**

5.1.1. Confinee Status. An individual awaiting the filing of charges, disposition of charges, or trial by court-martial is a *pretrial* detainee. Subsequent to the sentence being announced in open court, but not yet approved by the CA, the confinee's status is *adjudged* and becomes a *post-trial* inmate. A post-trial inmate becomes *sentenced* when the CA approves the final order. **(T-0)**

5.1.1.1. Pretrial. The DD Form 2707, directs pretrial confinement. As part of the process also complete AF Form 444, *Advisement of Rights Upon Pretrial Confinement.* Ensure the detainee has the opportunity to review/acknowledge the advisement on the AF Form 444. If the detainee refuses to acknowledge/sign, then annotate the refusal in the provided block. The briefing official (usually the unit representative affecting the confinement) oversees completion of AF Form 444 with the detainee, which is then witnessed by a confinement/corrections staff member. (Whether the detainee acknowledged or refused to acknowledge their rights on the form, provide a copy of the completed form to the detainee or when appropriate to their defense counsel.) For additional information on pretrial confinement, see Rules for Courts-Martial (RCM) 304 and 305. When releasing a pretrial detainee, the confinement officer consults with the SJA to ensure coordination prior to accepting/enforcing a DD Form 2718 release order from an authorized official (i.e., confining official). After consultation with the SJA and if the documents are in order, release the detainee to a representative from their parent unit. **(T-0)**

NOTE: DoDD 1325.04, paragraph 4.7., pretrial detainees of any Service may be placed into a military CF nearest to the court-martial proceedings on a non-reimbursable basis. However, a prior negotiated support agreement between the Services (or installations involved) is encouraged to codify agreed upon reimbursements (staffing, transportation to appointments, etc.) for detainee incarceration.

5.1.1.2. Post-trial. For post-trial inmates, complete DD Form 2707, for each inmate. An authorized commissioned, warrant, or noncommissioned officer may sign the DD Form 2707, authorizing confinement, see Articles 9(b) and 11(a) of the UCMJ and MCM, RCM 1101. **(T-0)**

5.1.2. In rare circumstances installation commanders, particularly from OCONUS installations may temporarily detain US civilians or allied military members in AFCS facilities pending their release to competent authorities. The detention must meet local, host-tenant, or Status of Forces Agreements. Do not cohabitate, co-mingle, or otherwise integrate civilians or allied military members with US military members. The detainment of any person not subject to the UCMJ requires SJA coordination (e.g., emergency or natural disaster assistance, US Government employees overseas, etc.). **(T-0)**

5.1.3. Post-trial inmates of other Services (Army, Navy, Marines, or Coast Guard) may be incarcerated in AFCS facilities, IAW DoD directives and other appropriate inter-service support agreements. **(T-0)**

5.1.4. Confinees of other Services incarcerated in AFCS facilities are subject to the procedures contained in this instruction, except as directed by AFSFC/SFC. It has been reciprocally agreed among the Services and placed in DoDI 1325.07 that the host institutional facility rules apply. **(T-0)**

5.2. Confinement Locations. All AF detainees/inmates are confined within the AF or DoD corrections system according to policies and procedures set forth in DoDI 1325.07, DoDD 1325.04, and this instruction. See paragraph 2.1. for time lengths for each configuration. Throughout the AF, there are several housing configurations/confinement capabilities still in use:

5.2.1. Confinees are housed in a designated on-base CF (1 or more beds).

5.2.2. Confinees are temporarily housed in a holding cell.

5.2.3. Confinees are temporarily housed in a detention cell.

5.2.4. Civilian Facilities. When there is no confinement on-base or circumstances exist requiring some/all confinees be housed off-base, the best practice is to do so via contract. Conduct confinement processing actions prior to the need for off base incarceration. Ensure confinees receive the civilian facility's rulebook along with information on military contact procedures to communicate with First Sergeant, Chaplain, IG, legal, etc. Monitor confinees' welfare and safety while in the civilian facility. The confinement POC provides liaison for the installation to the civilian facility. Even if organic capability exists on base, pre-negotiating a contract with the local jurisdiction will make it ready for use should an emergent situation arise (overcrowding, gender population mix) **(T-1)**

NOTE: AFSFC highly recommends separating co-conspirators whether pre- or post-trial).

5.2.4.1. When housing off-base, ensure to the maximum extent possible that the military confinee is separated from illegal aliens/foreign nationals (reference Art. 12, UCMJ) and not comingled with civilians (or other military) with the opposite pre- or post-trial status (reference Art 13, UCMJ). (**T-0)**

5.2.5. Temporary on base housing option. When space is not readily available, while awaiting a transfer to a more permanent housing solution, consider on-base confinement using a guarded dorm/billeting room. This should be a pre-planned option. Ensure the room

is sanitized, by removing all excess furniture, lamps/phones (cords), paintings, etc. Post guards (IAW custody classification) as appropriate to prevent escape (covering doors and windows). Use special post instructions, portable radio and/or cell phone according to local guidance. This option is likely to be manpower intensive reinforcing the temporary nature of its use. Do not use this temporary method for identified suicide risk confinees. **(T-1)**

5.2.6. Pretrial Detainees: Under most situations, pre-trial detainees are housed on or nearby the installation. AFSFC/SFC approves deviations from local place of confinement and directs detainee transfers as appropriate. **(T-0)**

5.2.7. Post-trial (Male) Inmates with a sentence over 10 years, including sentences of death: Male inmates (officer, enlisted, or cadet) under these sentences are housed at the US Disciplinary Barracks (USDB), Ft Leavenworth KS, or as determined by the Director, AF Corrections (per Army Instructions, sentences must be at least 10 years and one day upon arrival at the USDB). Requests for housing inmates in other Army corrections facilities require AFSFC/SFC to coordinate and obtain approval from Army Corrections Command 48-hours prior to transfer. **(T-0)**

5.2.8. Post-trial (Male) Inmates with a sentence greater than one year but less than 10 years: Male inmates (officer, enlisted, or cadet) with sentences of more than one year but less than 10 years normally serve their sentences at a Level II facility or as determined by AFSFC/SFC. **(T-0)**

5.2.8.1. It is often possible to move male inmates with less than a one year sentence to a Level II Facility, if bed space is available and the inmate arrives with at least 90 days remaining until Minimum Release Date (MRD). Check with AFSFC/SFC for assistance. **(T-0)**

5.2.8.2. For planning purposes, normally, male inmates with appropriate Level II sentence lengths can be arranged to be moved within 30 days of receipt of the courts-martial order (CMO).

5.2.9. Post-trial (Female): Female inmates (officer, enlisted, or cadet) under sentence of death or with a sentence of more than 90 days remaining until MRD usually serve their sentences at the Naval Consolidated Brig Miramar CA, or as determined by AFSFC/SFC. **(T-0)**

5.2.9.1. For planning purposes, normally, female inmates with appropriate Level II sentence lengths can be arranged to be moved within 30 days of receipt of the CMO.

5.2.10. In rare circumstances, confinees in previously high-profile positions (e.g., senior leadership) in pretrial or post-trial status may present a unique housing problem. The DFC should coordinate with AFSFC/SFC for guidance/assistance and possible acceleration of post-trial transfer. **(T-1)**

5.3. Confinee Status. In the AFCS, a confinee's status is immediately determined as either pretrial or post-trial. Pretrial detainees are automatically classified as maximum custody classification. **(T-0)**

NOTE: The need to incarcerate a pretrial detainee means presence of a flight risk or a risk to harm self/others and therefore is graded as maximum custody.

5.4. Initial Confinee Custody Classifications. When inprocessing a post-trial inmate use DD Form 2710 and DD Form 2711. For initial custody classifications, the confinement officer and NCO use DoDI 1325.07, Appendix 1 to Enclosure 2, *Offense Severity Scale*, to produce the severity points to determine the initial custody classification as either medium or maximum (the DD Form 2711, Mar 2013 version in block 7, incorrectly reads "medium-in" when it should read "medium"). Initial consideration is primarily focused on seriousness of the offense, history of violence, history of escape, outstanding detainers or warrants, substance abuse, as well as physical and mental health evaluation(s). Be aware that lengthy sentences or recently adjudicated sentences of any length often result in a sense of desperation (suicide/escape). For post-trial inmates, the DFC may decide to increase or decrease an initial custody classification by documenting their rationale in block 8b of the DD Form 2711, using consideration of stability factors (e.g., age, residence, employment history, family ties) and any history of past civilian or military criminal record. **(T-0)**

NOTE: Refer to Chapter 8 for custody *reclassifications* (adjustments).

5.4.1. Maximum Custody. Possess serious significant risk of escape or harm to self/others. Demonstrates behavior disruptive (noncompliant) to the operation of the facility. Avoid removing from the facility except in emergencies or unusual circumstances. Assign quarters to ensure maximum control and supervision. Unless a D&A Bd modified their privileges, a maximum custody confinee has the same dayroom and recreation yard privileges as those classified as minimum and medium; however, do not co-mingle maximum custody confinees with other confinees, regardless of custody classification. **(T-1)**

NOTE: Conduct these privileges at opposite times, e.g., maximum custody confinee could be at rec call while other lower custody confinees are in day room and vice versa. It is obviously manpower intensive to observe and secure multiple custody levels simultaneously, use parent unit augmentation as necessary.

5.4.2. Medium Custody. Possess moderate risk of escape or harm toward self/others. Has shown adjustment to confinement and controlled institutional living. If authorized by the DFC, may be assigned work details outside the facility under continuous escort and supervision.

5.4.3. Minimum Custody. Possess minimal risk of escape or harm to self/others. Has shown successful adjustment to confinement and controlled institutional living. Considered to be sufficiently dependable. If authorized by the DFC, may be assigned work details outside the facility under minimal supervision.

5.4.4. Installation Custody or Trustee. The AFCS does not use this custody classification. The DoD designed this custody classification for inmates who have demonstrated years of exceptional conduct and behavior throughout their incarceration (usually in Level III). **(T-1)**

5.5. Quarters Assignment. Assigning quarters is based upon division by gender, status, custody classification, and housing category. Separate by gender, then by pre- or post-trial status, and then by custody classification (maximum from minimum/medium), then by housing category. The housing categories used by AFCS are general population, administrative segregation (including medical issues/recuperation), and disciplinary segregation. **(T-0)**

NOTE 1: Same gender post-trial inmates in general population with custody classifications of minimum and medium may be mixed in quarters assignments.

NOTE 2: There are additional requirements under PREA. Follow the requirements of PREA Resource Checklists available on AFSFC website under Corrections.

5.5.1. Facility sections designated for housing female confinees are required to provide for separation by sight and sound of berthing and personal hygiene areas from male confinees and vice versa. **(T-0)**

NOTE 1: Mixed gender post-trial inmates who have custody classifications of minimum and medium may share meals/dayroom/recreation yard privileges, provided there is sufficient direct staff supervision.
NOTE 2: There are additional requirements under PREA. Follow the requirements of PREA Resource Checklists available on AFSFC website under Corrections.
NOTE 3: The AF regards sound separation in berthing and hygiene areas as necessary to prevent any cross gender communication which is at or below a normal conversation level. Sounds louder than this are likely able to be intercepted by the staff and thus reported.

5.5.2. Officer and enlisted separation. Although the DoD no longer requires post-trial separation of former officers from former enlisted, Level I facility staffs may still face unique challenges. DFCs should consider the following issues when determining if separate quarters are advantageous for the mission: previously in the staff's chain-of-command, previous personal familiarity with the staff, and other interpersonal associations. Regardless of post-trial inmate's previous rank, they do not hold positions of authority nor supervise any confinees. Properly engaging and deciding these factors preserves the safety and security of the facility, as well as limits any negative effects concerning the morale/welfare and good order/discipline of the installation. Remember, pretrial detainees (whether officer or enlisted) are considered maximum custody and thus not mingled with others.

5.5.3. To the maximum extent possible house pretrial detainees in cells or berthing areas separated by sight and sound from post-trial inmates. **(T-1)**

5.5.4. Disciplinary Segregation Category. Disciplinary segregation is a formal disciplinary punishment measure causing separation from the general population. Placement may be immediately after a serious behavior or rules violation which the Confinement Officer determines is in the best interest of safety and facility operations while awaiting a formal D&A Bd hearing and/or placement as a result of a recommended disciplinary action from the D&A Bd. **(T-0)**

5.5.5. Administrative Segregation Category. Upon arrival, place new confinees in administrative segregation at a minimum for the first 24-hours. This allows time for staff observation and confinee acclamation. After the initial 24-hours, confinement officer conducts a review of the new arrival(s) to determine removal of administrative segregation or continuation for additional 48-hours (up to72-hours). On the first subsequent duty day after 72-hours expired, the DFC, or designee in their absence, verbally (face to face) formally advises the confinee of any decision and reasons to continue initial administrative segregation beyond the initial in-processing period. (Document the reasons and decision in the CTF). Other than initial arrival, additional administrative segregation reasons may include: protective custody (voluntary or involuntary), prevention of injury by others, pending an investigation, behavioral observation, or for medical reasons. Frequently review these cases in an effort to keep the use of these restrictions to a minimum. Confinees involuntarily placed in administrative segregation are afforded the same programs, work

outlets, privileges as the general population and this involuntarily period should not ordinarily exceed a period of 30 days without the confinee's consent (contact AFSFC/SFC for transfer options and resolution assistance.) All confinees in administrative segregation are afforded the same cell furnishings as those not segregated. The confinement officer or designee determines when temporary removal of furnishings is necessary to prevent injury or property damage. Administratively segregation confinees are afforded the same dayroom and recreational privileges as those in general population, e.g., it may be necessary to design a schedule to separately use the same resources. **(T-0)**

NOTE: See DoDI 1325.07, Enclosure 2, Paragraph 10 for additional medical requirements and segregation timeline requirements.

5.5.5.1. Maximum custody confinees individually perform proportional in-facility housekeeping of common areas (dayroom, latrine, laundry, etc.). Follow appropriate security measures. **(T-1)**

5.5.6. Within the facility, medium and minimum custody confinees may share meals, recreation, and housekeeping of common areas (dayroom, latrine, laundry, etc.) at the same time. Ensure appropriate levels of supervision are per the highest custody classification. **(T-1)**

5.5.7. Death Sentence Inmates (DSI). All DSIs are always maximum custody and are placed in administrative segregation until transferred to Level III. Contact AFSFC/SFC for procedures and coordination with the Army concerning death sentence transfers as commercial airlines will not transport. (Historically, MilAir has been used to transport.) Segregate DSIs from the remainder of the population at all times. Do not allow them to be commingled with any non-DSI inmates in housing, recreation, and mealtime while awaiting transfer to Level III. The SECAF, IAW DoDD 1325.04., paragraph 5.3.7., for DSIs under their charge, is responsible to provide oversight, management, and resources for executions. This involves a Service wide response effort including, support from Air Force level JA, SG, PA, A1, and A4. Specific guidelines will be coordinated within the AF, and separately with the Army, as determined for each case after the President signs the Death Warrant. **(T-0)**

5.5.8. Long-term military corrections facilities are the only authorized place to confine DSIs. During times of war, the SECAF may designate other facilities for such confinements. **(T-0)**

5.6. Sentence Computation and Abatement. The accurate computation of sentences ensures proper administration. It is also an essential element in protecting inmate legal rights. The confinement NCO computes sentences by determining good conduct time (GCT), earned time (ET), and special acts abatement (SAA). For sentences adjudged on 26 Jul 2004 or before, contact the USDB or AFSFC/SFC where copies of the AFJI 31-215, Armed Forces Joint Instruction, *Military Sentences to Confinement***,** dated 1964 are maintained for those under its jurisdiction. For sentences adjudged on 27 Jul 2004 or after, IAW DoDI 1325.07, use DoD 1325.7-M, *DoD Sentence Computation*, Chapter 2, to calculate sentences. In either case, use the DD Form 2710-1, *Inmate Sentence Information*, or a computer-generated equivalent to show math work on sentence calculations. **(T-0)**

NOTE: The paragraphs contained in 5.6.1. – 5.6.8.1.4. below provide a quick reference to the format. For more in depth information, refer to the DoDI and DoDM which take precedence.

5.6.1. The confinement start date (CSD). The adjudged court-martial date marks the CSD. If an inmate served pretrial confinement for the offense(s) for which the sentence was imposed, the CSD is to be administratively adjusted to reflect the time spent in pretrial confinement and any additional pretrial confinement credit ordered by the military judge, or granted later by the CA or an appellate court. Compute and determine the maximum release date (MxRD) and project a minimum release date (MRD) using all anticipated GCT. For inmates with sentences of one year or more, determine the disposition board due date and parole and clemency eligibility date. **(T-0)**

5.6.2. Eligibility for GCT. It is awarded to inmates serving a sentence imposed by a court-martial for a definite term of confinement. **(T-0)**

NOTE: Time served at a civilian facility under a SA or contract is still calculated under military GCT rules. Do not use civilian facility rules for this calculation.

5.6.2.1. Pretrial detainees earn GCT for confinement served, but it is held in abeyance and awarded if an adjudged sentence to confinement is ordered. Calculate GCT Credit for all pretrial time served. **(T-0)**

5.6.2.2. GCT is not awarded to inmates with a life, life without parole, or death sentence. The GCT is earned but, held in abeyance and awarded if the sentence is reduced to a determinate length. **(T-0)**

5.6.2.3. Rate of earning. GCT is awarded at a rate of **5 days** for each month of confinement, and for that portion of any sentence to confinement not expressed in full years and months (1 day for each 6-day portion of a month, see Table 5.1.), **regardless of sentence** or multiple sentence length. **(T-0)**

5.6.2.3.1. Calculating GCT. Use the sentence length and apply the following formula: number of years x 12 + number of months = total months, then take the total months x GCT rate + partial month credit = eligible GCT for sentence length. **(T-0)**

5.6.2.3.1.1. For sentences expressed in days, use the calendar method to precisely convert the sentence length to years, months, and days. **(T-0)**

5.6.2.3.1.2. For sentences expressed in days that are less than 31 days, use the partial earnings chart, Table 5.1., to determine the total GCT. **(T-0)**

Table 5.1. Partial Month Rate of Earning Table.

Number of Days	GCT	Number of Days	GCT
1	0	16	2
2	0	17	2
3	0	18	3
4	0	19	3
5	0	20	3
6	1	21	3
7	1	22	3
8	1	23	3
9	1	24	4
10	1	25	4
11	1	26	4
12	2	27	4
13	2	28	4
14	2	29	4
15	2	30/31	5

5.6.2.3.1.3. Sentences expressed in days at 31 days or greater, apply the following example: a sentence of confinement for 40 days is adjudged on 6 Dec 2004. Calculation is to subtract the adjudged date from the unadjusted maximum release date (UMxRD). Utilize DoD 1325.7-M for sentence expiration tables to calculate the UMxRD. **(T-0)**

	YYYY MM DD	Expiration Table
Adjudged on	2004 12 06	38327
Sentence	+ 40	+ 40
UMxRD	2005 01 15	38367

The forty-day sentence computes to 1 month and 9 days.

	YYYY MM DD
UMxRD	2005 01 15
Adjudged on	- 2004 12 06
	1 9

5.6.2.3.1.4. During subtraction, if it becomes necessary to borrow from a column (depicted below), care should be taken to borrow the correct amount. When borrowing from years to add to months, simply subtract one year from the year column and add 12 months to the month column. **(T-0)**

Example: subtract 31 Oct 2004 from 31 Jan 2005.

YYYY MM DD	YYYY MM DD	YYYY MM DD
2005 01 31	2005 01 31	2004 13 31
- 2004 10 31	-1 +12	-2004 10 31
	2004 13 31	0000 03 00

5.6.2.3.1.5. When borrowing from the month column to add to the days column, the specific number of days for the previous month will be used. Example: subtract 2 Oct 2004 from 1 Dec 2004. Because there are 30 days in Nov, 30 days were added to the day column and one month subtracted from the month column. **(T-0)**

YYYY MM DD	YYYY MM DD	YYYY MM DD
2004 12 01	2004 12 01	2004 11 31
-2004 10 02	-1 +30	-2004 10 02
	2004 11 31	0000 01 29

Example: subtract 30 Jan 2005 from 25 Mar 2005. Because there are 29 days in a February leap year, 29 days were added to the day column.

YYYY MM DD	YYYY MM DD	YYYY MM DD
2005 03 25	2005 03 25	2005 02 54
-2005 01 30	-1 +29	-2005 01 30
	2005 02 54	0000 01 24

When borrowing both from months and years, borrow from months first, then years.
Example: subtract 15 Dec 2004 from 2 Apr 2005.

YYYY MM DD	YYYY MM DD	YYYY MM DD	YYYY MM DD
2005 04 02	2005 04 02	2005 03 33	2004 15 33
-2004 12 15	-1 +31	-1 +12 00	-2004 12 15
	2005 03 33	2004 15 33	0000 03 18

5.6.2.3.1.6. To determine the number of days required to place in the day column, you must subtract one month from the month column and then carry the number days (i.e., 28, 29, 30, 31) equal to the calendar month in which you subtracted. For example, since there are 31 days in March, 31 days were added to the day column and one month was subtracted. Then 12 months were added to the month column and one year subtracted from the year column. **(T-0)**

5.6.2.3.1.7. When borrowing a month, it may be necessary to adjust the year column. In this example, December is in a previous year, the year column was adjusted to reflect that year. There are 31 days in December, so 31 days were added to the day column. **(T-0)**

Example:

YYYY MM DD	YYYY MM DD	YYYY MM DD	YYYY MM DD
2005 01 05	2005 01 05	2005 00 36	2004 12 36
2004 11 20	-1 +31	-1 +12	-2004 11 20
	2005 00 36	2004 12 36	0000 01 16

5.6.2.3.1.8. Administration. DFCs should ensure personnel responsible for computation of sentence expiration dates are well prepared for the task. The primary purpose being to ensure inmates are not held in confinement beyond their proper release date nor released before that date. **(T-0)**

5.6.2.3.1.8.1. Calculate an anticipated release date at the beginning of the sentence based upon the GCT that could be earned for the entire period of the sentence or sentences. GCT reduces an inmate's release date on a day-for-day basis. **(T-0)**

5.6.2.3.1.8.2. If a sentence to confinement is later reduced either by the CA, Appellate Court, or due to a grant of clemency, then the release date is recomputed based upon the new sentence. Inmates whose original sentences were computed under AFJI 31-215 (superseded) and whose retrial or rehearing sentence was adjudged on 27 Jul 2004 or after, retain all GCT earned up to the date the sentence or conviction was set aside. After the retrial or rehearing sentence is adjudged, GCT is earned in accordance with DoDI 1325.07 and DOD 1325.7-M. Reference DoD 1325.7-M, paragraphs c2.8.1. and c2.8.2., for further computation instructions using applicable adjudged dates. **(T-0)**

5.6.2.3.1.8.3. A parolee or supervised release violator returned to confinement earns GCT at the rate applicable to the sentence in effect at the time of the violation of parole or supervised release. **(T-0)**

5.6.3. Earned time (ET). ET is only awarded when overall work or rehabilitation evaluations are average or higher on military affiliated work or military conducted rehabilitation or treatment. A maximum of 5 days ET per month may be awarded within the *work program's component* of ET and a maximum of 3 days ET per month may be awarded within the *rehabilitation or treatment program's component* of ET for a total of 8 days. Inmates whom *do not* enroll, maintain progress, or complete available offense-related rehabilitation or maintenance programs *cannot* be awarded ET. Inmates on a waiting list for an offense-related rehabilitation or maintenance program are awarded for that program once participation begins. **(T-0)**

NOTE: Under appropriate supervision, working at a job outlet or working base details qualifies as a work program.

5.6.3.1. Inmates confined in military CFs shall be subject to the ET rules of the confining facility regardless of their military service affiliation. **(T-0)**

5.6.3.2. Eligibility. Inmates serving a sentence imposed by courts-martial for a definite term of confinement are eligible to earn ET. **(T-0)**

5.6.3.2.1. Pretrial detainees are ineligible for ET. **(T-0)**

5.6.3.2.2. Inmates with a life or death sentence can earn ET, but such abatement is held in abeyance and only awarded if the sentence is reduced to a determinate length. **(T-0)**

5.6.3.2.3. Rate of earning. Eligible inmates **may** be awarded up to 8 days per month ET for participation and graded effort in authorized components. With 5 days GCT, and possible 8 days for work, rehabilitation/education programs make for a maximum possible of 13 days earned per month. Example: for this illustration, compute Inmate Smith's sentence on 31 Jan 2005 to allow ET abatement to be included. Scenario: Inmate Smith was adjudged on 6 Dec 2004 at Kunsan AB ROK with a 180-day sentence. Smith's sentence was computed on 30 Apr 2005. Smith's UMxRD is 4 Jun 2005, making Smith's MxRD 3 Jun 2005. Smith's GCT for 180-day sentence is 30 days at a rate of 5 days per month for 6 months or 4 May 2005. Smith was transferred (crossed the international dateline) from Kunsan AB, ROK to CONUS, causing a day to be subtracted, so the Adjusted Maximum Release Date (AMxRD) is 3 May 2005. Smith has participated in work programs and fulfilled requirements to earn 5 days during the fourth month (inmates cannot earn ET during last 30 days of their sentence to allow for final computations) of sentence, but did not participate in rehabilitation or education programs. **(T-0)**

NOTE: Ensure one day is credited in all calculations (Consult DoD 1325.7-M, paragraph c2.1.4). Crossing the international dateline (IDL) may require a modification to an inmate's sentence when transferring depending on route traveled (consult DoD 1325.7-M, paragraph c2.3.).

	YYYY MM DD	Expiration Table
Adjudged on	2004 12 06	38327
Sentence	+ 180	+ 180
UMxRD	2005 06 04	38507
Less 1 day	-1	-1
MxRD	2005 06 03	38506
GCT credit	-30	-30
GCT	2005 05 04	38476
IDL credit	-1	-1
AMxRD	2005 05 03	38475
ET credit	-5	-5
MRD	2005 05 28	38470

5.6.3.2.4. AFSFC/SFC delegates DFC's the authority to determine the activities eligible for ET at the facility. Publish the activities list and make available to all inmates. **(T-0)**

5.6.3.2.5. Inmates may participate in activities during a given month that make them eligible for more than 8 days ET, but only a **maximum of 8 days ET may be awarded per month. (T-0)**

5.6.3.2.6. Incremental and proportional rates are authorized when an inmate engages in an approved activity for a portion of a month. Awards are in full days, no fractions. **(T-0)**

5.6.3.2.7. ET is not to be awarded within 30 days of the scheduled confinement release date to allow out- processing and travel arrangements for a specific date. Adjust MRD (factoring in granted or forfeited ET) monthly. File a copy of DD Form 2710-1, in the CTF. **(T-0)**

5.6.3.2.8. ET administration. ET is recorded separately from GCT. Such records are entered into the Security Forces Management Information System (SFMIS) or an automated equivalent. **(T-0)**

5.6.3.2.9. When calculating an inmate's anticipated release date, do not count ET that "potentially could" be earned during the sentence. **(T-0)**

5.6.3.2.10. Recommendations for award of ET is made by the confinement NCO or confinement officer for the DFC to approve, in full or in part, with justifications for disapproved times. **(T-0)**

5.6.3.2.11. ET is awarded, within authorized limits, through evaluation of the separate ET program components. Evaluation of each component is documented on AF Form 4454, *Earned Time and Special Acts Abatement Worksheet*, or an automated equivalent at monthly intervals. This time reduces a release date on a day-for-day basis. Counsel inmates on their performance during the monthly review period and inform them of ET awarded by the DFC. **(T-1)**

5.6.3.3. All post-trial inmates in a CF, unless precluded from doing so because of a security, disciplinary, medical, or other reason determined appropriate by the DFC, should be engaged in useful employment under appropriate supervision. **(T-0)**

5.6.3.3.1. Inmates are employed in maintenance, support, or vocational training activities that provide work of a useful, constructive nature, consistent with their custody classification, physical/mental condition, behavior, confining offense, sentence, status, previous training, individual confinement requirements, and installation/facility needs. **(T-0)**

5.6.3.3.2. Inmates, not engaged in prescribed rehabilitation, training, or counseling perform the balance of a full day's work schedule in useful, constructive work. Attending prescribed rehabilitation, training, or counseling classes does not limit the authority of DFCs to direct extra work during emergencies, prevent the assignment of necessary details that normally encompass weekends, or prevent volunteering for extra work. **(T-0)**

NOTE: See paragraph 11.1 for additional information on work week schedules.

5.6.3.3.3. Reception, orientation, and pre-release processing qualify as work. **(T-0)**

5.6.3.3.4. Offense-related or other rehabilitation programs. ET is awarded by conscientiously participating (i.e., progressing) in programs. To the maximum extent possible, ET programs address problems associated with an inmate's criminal activity or behavior. Reference paragraph 11.3, training, treatment, transition program (TTTP). **(T-0)**

5.6.3.3.5. Education. ET is awarded for civilian education, including, but not limited to, vocational education sequences, general equivalency diplomas, or post-secondary degrees or credits if the conferring institution has been accredited/recognized by the US Department of Education. **(T-0)**

5.6.3.3.6. Participation in non-traditional sources of educational credit (e.g., CLEP, DANTES, ACT, and military education) may qualify for award of ET when authorized by the DFC. **(T-0)**

5.6.3.3.7. Time spent obtaining a certificate, license, diploma, degree, or post-secondary credits is generally in addition to the normal workweek for which ET for work can be earned, unless such coursework is related to vocational training and education. **(T-0)**

5.6.3.3.8. ET may be awarded for coursework performed by correspondence. **(T-0)**

5.6.3.3.9. Once an education objective is achieved, additional ET is not awarded for that objective. **(T-0)**

5.6.3.3.10. To be eligible for higher education ET, the objectives must be identified in writing and pre-authorized by the DFC. **(T-0)**

5.6.3.3.11. Self-Improvement and Personal Growth. ET is awarded for self-improvement and personal growth programs that have been identified in writing and pre-authorized by the DFC. **(T-0)**

5.6.3.3.12. Support Activities. ET is awarded for participation in support activities, to include community service programs, special projects, and work assignments supportive of institutional goals or missions, volunteer work, and for extraordinary achievements that do not rise to the level of awards for special acts abatement. **(T-0)**

5.6.4. Special Acts Abatement (SAA). SAA is a deduction from an inmate's release date earned for a specific act of heroism, humanitarianism, or extraordinary institutional/community support deemed appropriate by the DFC. **(T-0)**

5.6.4.1. SAA Eligibility. Inmates serving a sentence imposed by a court-martial for a definite term of confinement are eligible for SAA. **(T-0)**

5.6.4.1.1. For inmates with approved findings of guilty for an offense that occurred on/after 1 Oct 2004, the award of SAA is conditioned on the inmate submitting an acceptable release plan and fully cooperating in all other respects with MSR policy of DoDI 1325.07. **(T-0)**

5.6.4.1.2. Pretrial detainees are not eligible for SAA. **(T-0)**

5.6.4.1.3. Inmates with life, life without parole, or death sentences may earn SAA, but such abatement is held in abeyance and awarded if the sentence is reduced to a determinate sentence length. **(T-0)**

5.6.4.2. Rate of Earning. DFCs authorize a **maximum of 2 days of SAA per month** for a period not to exceed 12 months for a single special act. At no time can an inmate receive more than 2 days of SAA per month; additional special acts may extend the period of abatement, not the rate of earning. **(T-0)**

5.6.4.3. Administration. SAA reduces release date on a day-for-day basis as earned. **(T-0)**

5.6.5. Monthly abatement limits. Limit the total amount of all types of abatement of GCT, ET, and SAA awarded for **any one month not to exceed 15 days**. **(T-0)**

5.6.6. Acknowledgment of Conditional Award of Abatements. During in-processing, inmates who have an approved finding of guilty, for an offense that occurred after 1 Oct 2004, acknowledge in writing that the award of GCT, ET, or SAA is conditioned on submitting an acceptable release plan and fully cooperating in all other respects with the MSR policy of DoDI 1325.07. The acknowledgement should also state that if the DFC determines that this condition has not been met, deductions from the release date for conditionally awarded GCT, ET, or SAA will be voided. **(T-0)**

5.6.7. Forfeiture and restoration of abatements. As a consequence of violations of institutional rules or the uniform code of military justice award credits may be forfeited. The DFC (or any future military CF commander) may restore the credit awards as a management tool to encourage compliance. **(T-0)**

5.6.7.1. Confinement facilities use a D&A Bd for forfeitures. **(T-0)**

5.6.7.2. Only abatement that has actually been earned before or on the date of a violation is subject to forfeiture. GCT subtracted from the release date, but not yet earned, is not subject to forfeiture. **(T-0)**

5.6.7.3. Order of forfeiture, generally GCT will be forfeited prior to forfeiture of ET, and ET will be forfeited prior to forfeiture of SAA. **(T-0)**

5.6.7.4. Sentences that have expired with allowance for GCT, ET, and SAA may not be revived for the purpose of forfeiting GCT, ET, and SAA earned thereon. **(T-0)**

NOTE: This “expired” situation is more common for those serving consecutive courts-martial sentences to confinement.

5.6.7.5. Earned GCT for pretrial detainees is subject to forfeiture in the same manner as post-trial inmates; however, hold forfeitures in abeyance until a sentence to confinement begins. **(T-0)**

5.6.8. Delivery of Promulgating Order. The confinement officer or designated representative will read the approved sentence to an inmate upon receipt of the inmate’s court-martial order (CA’s approved final order) promulgating the sentence and any order of remission, suspension, or vacation. The inmate will acknowledge that the order was read by signing a statement containing the date of acknowledgement and the name and grade of the person that read the order. Place the signed order in the CTF. If an inmate refuses to sign, the confinement officer or a designated representative will annotate accordingly. Any administrative corrections to the final orders received by the facility after the inmate is placed on excess leave will be mailed, return receipt requested, to the member's leave address. **(T-0)**

5.7. Confinement Facility (CF) Assessments by Military Treatment Facility (MTF) and Medical Liaison Officer Appointments. The local MTF and CF develop a Memorandum of Agreement (MOA) between the two units to define roles and responsibilities to assure quality medical care, oversight, and effective communication flow. The MOA at a minimum, addresses effective processes related to: medical and mental health appointments, limitations of confinees,

physical profiles of confinees, medication handling and disposal procedures, emergency medical response procedures, and 24-hr points of contact. The local MTF Commander appoints in writing, a qualified provider and alternate to serve additional duty as Medical Liaison Officers (MLO) with the CF. The MLO coordinates medical care for confinees and promotes mutual dialogue between the CF and MTF to ensure healthcare quality, access, and safety for confinees. Each confinee will have a plan of medical care documented for the duration of their confinement. **(T-1)**

NOTE: The confinement NCO can provide rosters of confinees (as applicable) to the designated Primary Care Management (PCM) team to assist in proactive confinee care processes and continued communication between units.

5.7.1. Security and Administering of Medication and Medication Devices (e.g., syringes, needles, etc.). Under higher medical headquarters' guidance and local MTF pharmacy assistance, the confinement officer develops staff procedures that address: ordering, receipt, storage, security, inventory, accountability, return, administration, and distribution of medication and medication devices. For hospital accreditation and inspection purposes, Air Force Medical Operations Agency (AFMOA) requires a MTF pharmacy technician in a 7-skill level or above train confinement staff, as appropriate, in the proper security/storage, handling, disposal, and administration of medications and medication devices for use by confinees. Document this training in the staff member's Air Force Training Records utilizing the AF Form 623a and the AF Form 797. All medication and medication devices will only be administered or distributed in accordance with the healthcare provider's medical order. **(T-1)**

5.7.2. As part of the pre-Court-Martial physical assessment, the MTF designated care provider determines whether or not the confinee can take/use prescribed medication by an observed self-administered process. The screening healthcare provider ensures only medications required during confinement are prescribed for confinee by conducting a rigorous medication reconciliation process prior to confinement. **(T-1)**

NOTE: When notified of a scheduled/pending court martial it is beneficial to all parties (CF, MTF and the accused) to conduct a health assessment of the accused prior to the trial date. If a finding of guilty is returned by the court, this preparation will assist the medical officer when conducting the post-trial's fit for confinement physical.

5.7.3. The MTF ensures there is an assessment of capability to safely provide medical care support for the confinee within the confinement facility. If on site medical supervision is required for medication administration, or other ongoing medical care, consider moving to a Level II facility or civilian CF that has organic medical support. **(T-1)**

5.7.4. Confinement NCOs, or other trained confinement staff, provide inventory control of prescribed medications and medication devices, as well as observe and document confinee medication compliance with the label instructions.

5.7.5. Maintain prescribed confinee medications in a secure double locked location (e.g., store in a locked container inside a dedicated medical locked cabinet). Medications or medication devices no longer required will be returned to the MTF for disposal. **(T-1)**

5.7.6. When confinees transfer to another facility, the escorts will transport medications and medication devices to the receiving facility to be receipted for by appropriate confinement staff. **(T-0)**

5.7.7. The MTF pharmacy should be consulted for appropriate packaging of medications to ensure streamlined inventory control and limited quantities are dispensed. For tablets and capsules, use unit dose packaging (blister packs) whenever possible. **(T-3)**

5.7.8. Controlled medications (Schedules II-V) will be maintained by the confinement staff on an AF Form 579, *Controlled Substance Register*. The AF Form 579 maintained at the CF will be accounted for during the monthly disinterested inventory process as outlined in AFI 41-209, *Medical Logistics Support*. The pharmacy staff trains confinement staff on proper maintenance and documentation of the AF Form 579. Trained confinement staff will observe and document confinee Controlled Substance (Schedule II-V) compliance based upon the healthcare provider's instructions. **(T-0)**

NOTE: Due to the complex inventory requirement, care providers are encouraged to consider non-Schedule medications whenever medically possible.

5.7.9. Medication Log. Maintain a separate log on each confinee, even if no medications were issued. The log includes confinee's name, date originally confined, date/time of issue, the issuing official's printed name. Additionally, the issuing staff member annotates medication name, number of pills/dose issued, and ending count. **(T-1)**

5.7.10. When the confinee transfers or is released, place completed medication logs in the CTF, or no later than time of transfer or release. **(T-1)**

5.7.11. Seek healthcare provider instructions when a confinee is released for disposition of any remaining medications or medication devices (return to MTF or provide to the released person). **(T-1)**

5.7.12. Over-the-counter (OTCs) medications (e.g., Tylenol™, aspirin, etc.) may only be administered or distributed in accordance with a health care provider's order. **(T-1)**

5.8. Hospitalized Confinees. The MTF medical officer on duty is responsible for all urgent/emergency confinee medical matters. The confinement officer is responsible for custody and control matters. **(T-0)**

5.8.1. The confinement officer provides the hospital commander a brief history of the confinee's conduct and custody classification. **(T-1)**

5.8.2. Confinees do not receive per diem or other TDY allowances if/when travel status is necessary for hospitalization. When projecting for TDY hospitalization, the parent installation confinement officer:

5.8.2.1. Informs the TDY installation DFC of the projected hospitalization. **(T-1)**

5.8.2.2. Provides the necessary transfer information. **(T-1)**

5.8.2.3. Establishes the confinee's custody classification with the TDY installation DFC. **(T-0)**

5.8.3. The inmate's parent unit provides escort and guard personnel when required, consistent with custody classification and security requirements. **(T-0)**

5.8.4. Confinees who are pregnant. Confinement officers and NCOs consult with MTF staff for the care and management of pregnant confinees. Pregnancy does not preclude confinement as long as appropriate prenatal care is provided and there is a medical treatment

facility near the confinement facility, which can provide for labor, delivery, and management of obstetrics. Medical officers determine the time when the prohibition for post pregnancy waist/leg and behind the back hand restraints is rescinded. **(T-0)**

5.8.4.1. Placing the newborn. Arrangement for placement for any child born while the mother is in custody should be made as soon as possible after the pregnancy is known, but no later than the seventh month of pregnancy. It is the responsibility of the expecting mother to decide on care arrangements for the child. Alternatives include placing the child with relatives, in a foster home, or for adoption. Confinement personnel assist the expectant mother in making arrangements to confer with legal and family support services. Infants must be moved to the placement location directly from the hospital. If the mother refuses or is unable to make arrangements, the DFC coordinates with SJA and civil authorities for temporary foster care, including the Personnel Office if the child is to retain military dependent benefits without the sponsor present. The person designated to provide temporary care must come to the hospital to receive the child. **(T-0)**

5.8.4.1.1. Following an uncomplicated delivery, the normal period of reduced activity is 6 weeks. The examining medical officer determines reduced activities and profile. **(T-0)**

5.8.4.1.2. All non-medical care expenses involved are the responsibility of the confinee. **(T-0)**

5.8.4.1.3. If pregnancy of a confinee presents special or unique situations, it should be noted that they may request deferment of the sentence to confinement in accordance with RCM 1101(c). **(T-0)**

5.8.4.2. Elective Abortion. A confinee considering elective abortion will be permitted to discuss the matter with medical staff and, if desired, with a chaplain or other counselor. Other than offering the services of a counselor, medical practitioner, mental health practitioner, or a chaplain, facility personnel will not attempt to influence a confinee's desires regarding abortion. **(T-0)**

5.8.4.2.1. Use of appropriated funds to perform abortions in DoD facilities is prohibited by 10 USC §1093. There are limited exceptions, consult with appropriate legal and medical personnel for further guidance. **(T-0)**

5.8.4.2.2. If a confinee desires to seek an abortion, she must submit a written request to the confinement officer. Unless the abortion meets a legal and medical exception, the abortion must be funded by the confinee and, unless exempted for a military treatment facility, be arranged through a civilian facility. Consult with legal and medical personnel for current medical and funding requirements. Maintain custody and control during pre-procedure visits to the location where the abortion is to be performed and any subsequent follow-up care. Following an abortion at a civilian medical facility, the confinee should be examined by a military or government employed contract physician to determine additional treatment and follow-up care. **(T-0)**

5.8.4.2.3. Following an abortion, a period of reduced activity is normal. For an uncomplicated abortion, the time length is normally about 72-hours. The examining medical officer will determine reduced activities and profile. **(T-0)**

5.8.4.2.4. Postoperative counseling is to be made available, if desired. **(T-0)**

5.8.4.3. Custody and control during pregnancy. Pregnancy care (prenatal, childbirth, miscarriage or abortion) is a sensitive medical and emotional undertaking. When deciding appropriate custody control needs at the hospital take the entire situation into account, e.g. times of medical incapacitation (which reduce harm or flight risks) and that the use of restraints during childbirth is rarely necessary and often involves high medical risk therefore, it should be considered only in extreme circumstances under medical advice with the causality well documented. Physical control prohibitions during pregnancy or pregnancy recovery are; the use of leg restraints, waist restraints and handcuffing behind the back. Compensate for the lack of physical restraints by locally determining increased supervision during movements. **(T-1)**

5.9. Public Affairs. Access by the public to AFCS facilities is upon the approval of the installation commander and should be limited to those in the community with legitimate correctional concerns (pastoral, civil leaders, etc.). Care should be taken to avoid criticism, defamation, embarrassment, and mental anguish to detainees/inmates confined within the facility resulting from visit and tour policies.

5.9.1. Videotaping and photographing confinees is not permitted except in support of medical documentation, for official identification/investigative purposes (i.e., criminal activities, such as disturbances, forced cell moves, etc.), or IAW AFI 35-101, *Public Affairs Policies and Procedures*. If the confinee consents to a photo/video, other than for official identification or investigative purposes, they must sign a consent statement. **(T-1)**

5.9.2. Photographing inside an AFCS facility is not permitted unless authorized by the confinement officer or as an exception to policy when the stated purpose justifies such action. When photography is authorized, it will not include: **(T-1)**

5.9.2.1. Scenes including confinees who are identifiable.

5.9.2.2. Scenes depicting confinee under custodial control.

5.9.2.3. Use of restraining devices.

5.9.2.4. Any of the physical plant that may show vulnerabilities (except as For Official Use Only).

5.9.3. All requests for media (either on or off base) interviews (face-to-face, on camera, or telephonic) with military detainees/inmates are not authorized unless a determination is made that such interview or communication serves a legitimate public interest or is in the best interest of the military. The request for interviews and communications are approved by the installation commander. The PA, DFC, and SJA provide their installation commander with sufficient background information in order to make an informed decision. Interviews may not compromise the security procedures established by the confinement facility. **(T-0)**

5.9.4. Written material prepared by detainees/inmates for publication must be submitted to the confinement officer or delegated representative for review prior to release. In addition, such material is subject to national security and policy review by PA under the provisions of AFI 35-101. **(T-1)**

5.10. Alien Notification. When military members who are non-US citizens are placed into confinement upon sentencing, forward the CA's final order (including confinement location) to the US Immigration and Customs Enforcement IAW DoDI 1325.07, Chapter 2. **(T-0)**

5.11. Release From Confinement. Conduct pre-release conference between the confinement staff, confinee, and parent unit. Scheduled releases from confinement are a two-step process. It begins with a pre-release conference and ends with an actual release.

5.11.1. The DFC coordinates release of inmates with installation commander and parent unit commander when inmates complete their sentences to confinement, or are approved by the AFC&PB for release on parole. The CA directs inmates to be placed on excess leave upon completion of confinement (reference AFI 51-201). The confinement officer or NCO pre-coordinates with base legal and personnel staffs to determine any outstanding issues. The confinement officer, in the presence of inmate's unit commander or designated representative, conducts a pre-release conference with the inmate at least 3 duty days before release. Items of discussion usually include transportation and personnel processing actions. **(T-1)**

NOTE 1: When the parent unit commander or designated representatives are geographically separated, the confinement staff provides them with a memorandum for record of the conference details.
NOTE 2: The confinement officer, after consultation with the SJA, releases pretrial detainees upon written order of an authorized official (i.e., confining official) to a representative from their parent unit.

5.11.2. Use DD Form 2718 to authorize release from post-trial confinement. If there is a valid legal detainer from a civilian jurisdiction, notify the jurisdiction of the release date/time. If there is no valid legal detainer, the inmates are offered, if appropriate, transportation off base to the servicing civilian airport, bus terminal, or train station. If a non-military affiliated person will pick them up by car, deliver the inmate to the base Visitor Reception Center, or locally determined suitable (near the gate) off base location. The inmates are released on their own recognizance. **(T-1)**

5.11.3. The parent unit is responsible for submitting the proper documentation, i.e., AF Form 2098, to FSO to place member on excess leave. Timely coordination between the confinement facility, unit commander, SJA, and the FSO is necessary to ensure prompt release from confinement and proper entitlement (if any) of military pay and allowances. Be aware that the court may have ordered pay for family members (often if they were the victims of the adjudged sponsor/member). **(T-1)**

NOTE: As appropriate, ensure the SJA initiates the application for transitional compensation and provides it to the FSS for processing.

5.11.4. Confinees approved for release on parole/MSR are reassigned to an AFSFC/SFC PAS Code. The permanent duty station is designated by AFSFC/SFC. If an inmate is approved for parole/MSR while confined in an AF Level I facility, coordinate the release to community supervision with AFSFC/SFC. **(T-1)**

5.11.5. A discharge or dismissal will not be executed until appellate review is completed and discharge or dismissal has been ordered executed (Final Order). Those awaiting appellate review of an unsuspended punitive discharge, which have already completed their

confinement, may be involuntarily placed on excess leave by direction of the CA IAW Article 76a, UCMJ and AFI 51-201. **(T-0)**

NOTE: When legal reviews are completed, AF Form 100, *Request and Authorization for Separation*, and DD Form 214, *Certificate of Release or Discharge from Active Duty*, are executed and copies furnished to the member.

5.11.6. When released *on* parole/MSR before the Final Order for discharge or dismissal. The Unit First Sergeant, or designee, ensures leave, pending completion of appellate review is processed. The inmate's unit also ensures inmates/dependents are issued armed forces identification card(s) *with an expiration date of 300 days from date of release*. Confinement NCOs ensure DD Form 2717, *Department of Defense Voluntary/Involuntary Appellate Leave Action*, or comparable document is prepared prior to confinement release date. Military benefits associated with appellate leave cease when the Service Discharge is executed. (This *does not* mean discharge from confinement. Contact AFSFC/SFC for additional information, if needed.) **(T-0)**

5.11.6.1. Excess Leave Actions *when released without parole/MSR* before the Final Order for discharge or dismissal. The parent unit First Sergeant, or designee, ensures update from Duty Status Code "17" (Military Confinement), to Duty Status Code "00" (Present for duty), IAW AFI 36-2134, *AF Duty Status Program*. The unit sends the Duty Status Code change, AF Form 2098, *Duty Status Change Request*, via the CMS. The FSS and unit complete all actions outlined in the Appellate Review Leave PSDG, before the Airman can be removed from the UMD and assigned the SAF Appellate Review PAS Code **(T-1)**

NOTE: Appellate Review Leave PSDG is located on the HQ AFPC "myPERS" website.

5.11.6.2. Excess Leave Actions *when released without an adjudged punitive discharge*. The parent unit First Sergeant, or designee, arranges for an escort to return the inmate to their assigned base. The parent unit First Sergeant/Commander ensures the inmate is placed from Duty Status Code "17" (Military Confinement), to Duty Status Code "00" (Present for duty), IAW AFI 36-2134. The unit sends the duty status code change, AF Form 2098, via the CMS. **(T-1)**

NOTE: Appellate Review Leave PSDG is located on the HQ AFPC "myPERS" website. See also paragraph 10.7. for more information.

5.11.7. The confinement officer can provide gratuities upon release from confinement at the expiration of sentence with a punitive discharge or release on parole/appellate leave IAW with the following: **(T-0)**

5.11.7.1. First ensure all VWAP and Sex Offender notifications/registration, if applicable, have been made prior to providing gratuities for release. **(T-0)**

5.11.7.2. Civilian (appropriate) clothing if needed, for travel (provided by parent unit). **(T-1)**

5.11.7.3. Transportation, in kind is provided, at government expense according to the JTR. **(T-0)**

5.11.7.4. Cash donation not to exceed $25, IAW DoDI 7000.14-R, see paragraph 1.3.13.4. **(T-0)**

5.12. Annual Confinement Report. Installations with on-base Level I CFs complete this report annually. (Holding Cells and Detention Cells are not Level I CFs for this purpose). The confinement officer responsible sends this report, via DD Form 2720, *Annual Confinement Report*, to AFSFC/SFC. The report covers the periods from January to December. Submit electronically to: **afsfc.sfcv@us.af.mil.** (DSN fax: 945-5411). Assign Report Control Symbol (RCS): DD-P&R (A) 2067 to the Annual Confinement Report. This report is designated emergency status code D. Immediately discontinue reporting data requirements during emergency conditions. AFSFC/SFC consolidates all facility reports into one report and submits to OUSD (P&R) no later than 5 February each year. **(T-0)**

5.13. Requests for Deviation from Security Criteria. Use AF Form 116, *Request for Deviation from Security Criteria, f*or instances relating to physical security deficiencies only. Installation commanders may approve deviations for all physical security deficiencies as outlined in AFI 31-101, *Air Force Installation Security Program.* **(T-1)**

5.13.1. Submit other deviation requests pertaining to safety, comfort measures, transfers, and escort requirements in memorandum format to AFSFC/SFC, 1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119, or send email to: **afsfc.sfct.inmate@us.af.mil.** Include solid justification/condition for the waiver request with an estimated completion date or length of time required. **(T-1)**

5.13.2. Confinement officers send informational copies of waivers, exceptions, and variances approved by the installation commander to AFSFC/SFC, 1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119, or send email to: **afsfc.sfct.inmate@us.af.mil.** **(T-1)**

5.14. American Red Cross Notifications. The American Red Cross may be used, IAW existing local agreements, as an agency to provide confinees with timely community and family information. **(T-3)**

Chapter 6

ALLOWANCES AND SERVICES

6.1. Health and Comfort Items. The confinement NCO ensures confinees have access to Health and Comfort (H&C) items. As a minimum, the following guidelines apply:

6.1.1. H&C items for post-trial inmates in non-pay status (pretrial detainees are normally in a pay status) are issued according to facility guidelines and may be procured in several ways. Items are purchased using parent unit O&M funds, or the confinement officer establishes an issue stock of items, purchased through installation O&M funds. (See Attachment 3 for listing of H&C items.) As a minimum, provide items for personal hygiene. The guidance found in AFI 36-2903, *Dress and Personal Appearance of Air Force Personnel*, applies to confinees as well.) Additional guidance is found in DoDI 1325.07. **(T-0)**

6.1.2. Transfer confinees with their H&C items by agreement with the gaining facility, which should include amounts deemed adequate for a 7-day period. **(T-1)**

6.1.3. Maintain an emergency stock of issue H&C items. Suggest asking local Medical or Services units if they have any expendables (soap, shampoo, razors, etc.) that could be given to confinement NCO to maintain for emergency issue. **(T-3)**

6.2. Correspondence and Visitation. DFC may limit correspondence and visiting privileges for a confinee based upon the protection of public safety, an institution's schedule, space, institutional order and security, or under advice of care providers as part of a medical or mental health treatment plan. **(T-0)**

NOTE: See DoDI 1325.07 for additional information.

6.2.1. Correspondence and visits with family members should normally be approved unless the security needs of the facility, the treatment program of the confinee, or the circumstances of the offense committed warrant limitations or disapproval, i.e. contact with victims or witnesses. **(T-0)**

6.2.1.1. For the protection, health, safety, and welfare of the victims and witnesses, correspondence and visits with victims or witnesses will ordinarily not be permitted. If the victim or witness is an immediate family member, the correspondence or visit may be approved in advance by the DFC upon consultation with SJA or AFSFC/SFC. Victims and witnesses include, but are not limited to, those persons listed on the DD Form 2704 or named in any specification which resulted in a finding of guilty and has not been discussed upon appellate review. A confinee may not request or cause a third party to contact a victim or witness without the advance approval of the DFC. **(T-0)**

6.2.1.2. Correspondence with a confinee in another correctional facility will not be permitted unless such individual is an immediate family member and the correspondence is approved in advance by the DFC and the military commander or warden of the other facility. **(T-0)**

6.2.1.3. Confinees are not permitted to conduct a business while incarcerated, but may initiate correspondence necessary to protect their legitimate personal property and funds

held at time of incarceration. This doesn't apply to those seeking employment upon sentence completion or for parole plan submission. **(T-0)**

6.2.1.4. Document disapprovals of correspondence and visitor requests as permanent part of CTF. **(T-0)**

6.2.2. Correspondence by mail refers to use of US Postal Service or Official Military Mail. Outgoing mail should have no markings in the return address, which indicate the sender's confinement status, past or present. Confinement NCOs determine the template for return addresses IAW local installation procedures. **(T-2)** Confinee use of electronic correspondence (e.g., e-mail, cell phone, etc.) is not authorized. **(T-0)**

6.2.2.1. Non-privileged mail (incoming and outgoing) may be opened to ensure that money, stamps, personal property, and valuables are brought under the control of the CF and that the confinee does not receive/distribute contraband. The confinement officer limits the scope of the inspection of correspondence to that reasonably necessary to control property, prevent receipt of contraband, and otherwise provide for the safety and security of the facility and the community. **(T-0)**

6.2.2.2. Privileged mail (incoming) may be opened only in the presence of the confinee. Military or civilian attorneys of record must mark "Privileged Mail" on the front of the envelope for it to be considered privileged mail. If privileged mail is opened, it is only to ensure it does not contain contraband and a cursory visual scan that it appears to be legal documents/communications. **(T-0)**

6.2.2.3. Do not place restrictions on the number of letters to and from authorized correspondents, except as necessary to maintain security and control, or to prevent unreasonable or excessive individual use of outgoing mail privileges. Restrictions or limitations on correspondence privileges must be approved by the DFC and stated in the Facility Rules Book. **(T-0)**

6.2.2.4. Forward confinee letters containing accusations, charges, or complaints through proper channels to the official who has the authority to correct the complaint or alleged wrong. Forward petitions or writs for release to the proper authority (consult with the SJA). **(T-0)**

6.2.2.5. Confinees may receive non-privileged packages and articles other than correspondence, under reasonable terms, conditions, and limitations approved by the DFC. This local policy must be clearly stated in the Facility Rules Book. Packages must be fully inspected and may not contain dangerous objects (DFC determines on a case by case basis), or food, liquid, medicines, electronics, stamps, monies, or other negotiables. Books and magazines titles must be approved (no pornographic or inflammatory material) by the DFC in advance and those approved publications must arrive directly from the publisher. **(T-0)**

6.2.2.6. Confinees are provided <u>reasonable</u> postage as an H&C item, as per DoDI 1325.07. Postage for those in a non-pay status may be purchased from appropriated funds. Those in a non-pay status may also be provided paper/envelopes for personal outgoing mail. Those in a pay status may purchase their own postage using personal funds. Ensure stamps do not become a negotiable currency among the confinees by

accounting for number of stamps purchased and used. Use DD Form 499, *Prisoner's Mail and Correspondence Record*, to account for postage and control authorized correspondence. **(T-0)**

6.2.2.7. Material is prohibited which violates US Postal Service regulations or contains pornography, obscenity, blackmail, contraband, or threats. (Obscenity is defined as writings or pictures/drawings, that taken as a whole under contemporary community standards, are offensive because they depict sexual conduct in a patently offensive way and taken as a whole lack serious literary, artistic, political, or scientific value.) Material advocating criminal activities, violence, racial, or ethnic unrest is also prohibited. Additionally, mail is prohibited which contain the following: material pertaining to gambling or lotteries, codes, or plans for activities in violation of CF rules or the law; solicitations for gifts or money; solicitations for pen pals; or any other materials that fail to conform with these guidelines or those of the US Postal Service. **(T-0)**

6.2.2.8. Only correspondence (incoming and outgoing) written in English is authorized, unless otherwise verified that the confinee is unable or that the *addressee* would be unable to understand English. In these instances, obtain a fluent interpreter to screen or as a minimum consider the criminal sophistication of the confinee and the relationship of the correspondent when deciding whether foreign language correspondence should be permitted. Consult with the SJA as necessary. **(T-3)**

6.2.3. Confinees are allowed reasonable opportunities to make telephone calls at no expense to the Government. DFC may limit number/length of telephone calls made by confinees and approve telephone use schedules. Calls may be monitored. Calls may be recorded upon consultation with SJA. **(T-0)**

NOTE: Correspondence by telephone means a hard wired commercial or government instrument.

6.2.3.1. Notice must be provided to confinees that calls are subject to monitoring and/or recording. **(T-0)**

NOTE: Best practice is to place notice both near or on the instrument and in the Facility Rules Book.

6.2.3.2. Best practice method for staff and confinee is for confinee to purchase a "1-800" calling card commercially available at the Base Exchanges. Or, the confinee may in-process with a calling card from a vendor of their choice or a card may be provided to the confinee from family or friend via the parent unit. The staff stores calling cards IAW local procedures to prevent it from becoming a negotiable currency among the confinees. **(T-2)**

6.2.3.3. CFs provide a telephone that is not monitored for calls made to attorneys of record or clergyman. Calls to non-government attorneys or non-government clergyman are to be at no expense to the government. **(T-0)**

6.2.3.4. Allow only incoming calls from attorneys of record, commander, or first sergeant. In addition, allow confinees to receive emergency telephone calls (after verification), through the confinement staff, if a death or serious illness occurs in the

confinee's immediate family. Offer and provide access for assistance to contact Chaplain or qualified/privileged Mental Health provider, if requested. **(T-0)**

6.2.4. Visitation. Document visits to maintain a record of visitors, times/dates, and confinee visited. Access by the public to AFCS facilities is limited to authorized tours and visits. Care should be taken to avoid criticism or embarrassment of the confinees. **(T-0)**

NOTE: Use locally devised visitor log (hardcopy or computerized). Determine files management actions and timelines necessary to maintain for possible future Law Enforcement use.

6.2.4.1. Confinement officer establishes the visiting schedule and ensures visits are supervised. **(T-1)**

6.2.4.2. Normally, visitor searches are limited to checks of their person with a metal detection device and physical checks of handbags and parcels, before entering the facility. The DFC or designated representative (E-7 or above) has discretion to discretely request physical frisk searches of visitors when deemed appropriate. In the SF and/or Confinement Blotters log the reason/result of the frisk search with the names of the visitor and the same gender searcher. **(T-1)**

6.2.4.3. Secure all visitors' hand carried items during a visit IAW local procedures. Ideally, the storage area should have lockers with individual keys that the visitor can keep during the period of visit. **(T-2)**

6.2.4.4. The confinement officer or NCO determines if a confinee is authorized a contact or non-contact visitation. Non-contact visitation may be authorized in those instances of substantiated risks. Contact visitation is limited to a short embrace at the beginning and at the termination of the visit. **(T-1)**

6.2.4.5. Official Visits. Parent unit commanders or their appointees in the grade of E-7/GS-9 or above may visit confinees at any time. There are no restrictions on official visits as long as they do not interrupt normal facility operations. If possible, provide separate visiting areas for privileged communication visits (attorneys, chaplains, etc.). Maximum and medium custody confinee visits take place in a secure area within the CF. Visits with minimum custody confinees may take place outside the facility (i.e., in the recreation yard or an adjacent picnic area) but only under supervision. **(T-1)**

6.2.4.6. Authorized Visits. Normally visitation is on weekend and Federal holiday afternoons. However, the confinement officer may grant exceptions to permit a visit during weekdays. For instance, when a visitor travels a long distance, or when such a visit appears advisable for other reasons. The maximum number of visitors per confinee is four persons per visit. **(T-1)**

NOTE: Best practice indicates that 1300-1500 is the most opportune time for visits as it has the least impact on facility schedules for meals, house cleaning, etc.

6.2.4.7. Inspect visiting rooms/areas for contraband before and after each visiting period. Conduct a frisk search of confinees <u>before</u> and <u>after</u> visits. These searches should take place out of sight of visitors. **(T-1)**

6.2.4.8. Post flyers visible to facility visitors on "how third parties can report" sexual abuse or sexual harassment on behalf of a confinee. List numbers/names of such organizations, e.g., DoD Safe Line, SAPRO or any other beneficial information. **(T-0)**

6.3. Support Services. Confinees receive services from base support agencies in much the same manner as active duty military. Custody classification or local requirements determine level or extent of service. **(T-0)**

6.3.1. Confinees receive the same medical, dental, and mental health care as active duty persons, to include emergency services. Care also includes substance abuse/drug and alcohol education. **(T-0)**

6.3.2. SJA provides legal assistance to confinees on personal civil legal matters IAW AFI 51-504, *Legal Assistance, Notary, and Preventive Law Programs*. Confinees seeking advice on criminal matters should consult the area defense counsel or their appellate defense counsel. **(T-0)**

6.3.3. Religious and spiritual activities should be designed to accommodate a variety of religions IAW DoDI 1300.17, *Accommodation of Religious Practices Within the Military Services*. Authorized religious activities in the CF include worship services, sacramental ministry, pastoral counseling, religious education, spiritual growth, prayer, and meditation. Confinees should be afforded opportunities to participate in religious activities, consistent with available resources and the need to maintain good order and discipline. However, confinees are not required to attend religious meetings or services. For the safety and security of confinees and staff, religious practices that include alcoholic or controlled substances are prohibited. **(T-0)**

6.3.3.1. Subject to their particular assigned custody and control requirements, provided resources are available, confinees may attend services at the installation chapel. Confinees may be permitted to wear a non-utility service uniform to attend. Parent unit personnel may be used to support this activity. **(T-2)**

6.3.3.2. While conducting in-processing or cell searches, treat religious items with care and respect. The installation staff chaplain appoints a chaplain staff representative as the facility POC. **(T-1)**

6.3.4. Confinees receive the same food service available to active duty personnel on a meal card. **(T-2)**

6.3.4.1. Confinees in segregation receive meals in their quarters. **(T-1)**

6.3.4.2. Annotate meal refusals in the Security Forces Desk Blotter, Confinement Blotter, and CTF. Any significant and prolonged deviation (normally 3 consecutive days, i.e., nine meals), from a normal diet must be referred to the medical officer for consultation. **(T-0)**

6.3.5. The confinement officer or NCO ensures availability of washers and dryers. Confinees in a non-pay status are provided laundry cleaning materials using O&M funds. **(T-0)**

6.3.6. The confinement officer/NCO arranges barber and beautician service, to maintain confinee hair standards per AFI 36-2903, with the Base Exchange or other contract service. Confinees in a pay status pay for this service. Use O&M funds to pay for services received by those in a non-pay status. **(T-0)**

6.3.7. Tobacco Use. CFs are tobacco-free. Make tobacco cessation treatment available to confinees who use tobacco. Reference AFI 40-102, *Tobacco Use in the Air Force*. **(T-1)**

6.3.8. Confinee Finances. The FSO maintains pay records unless otherwise directed by AFSFC/SFC. When confinees go on excess leave, AFSFC/SFC becomes their FSO. **(T-1)**

6.3.9. Confinee Marriages. If a marriage is sought, advise the confinee of the associated requirements while confined e.g., no family attendance, no reception, no conjugal visit, etc. For further guidance, see Attachment 10. **(T-1)**

6.4. Complaints. Complaints fall into one of three categories: Confinement Complaints, Chain-of-Command Complaints, and Inspector General (IG) Complaints. CFs should ensure complaint procedures are stated in the Facility Rules Book. **(T-0)**

6.4.1. Confinement complaints. Confinees who have general complaints against confinement operations, procedures, or against a staff member, use the complaint system of the facility housing them. Initiate the complaint process by submitting the DD 510 to the confinement NCO, or other designated representative. The confinement NCO will in turn provide the complaint to the appropriate person/office, track response for the DFC, and provide the response to the complainant. If the complaint is against the confinement officer, NCO, or DFC, the confinee may use any available communication, i.e., inform their ADC, their parent unit leadership during a command visit, or use the IG system. **(T-0)**

6.4.2. Chain-of-command complaints. Confinees who have a parent unit/host installation complaint submit a DD Form 510, through the confinement NCO, who in turn provides it to the parent unit First Sgt/Commander for action. **(T-0)**

6.4.3. Inspector General Complaints. Confinees of any Service housed in an AFCS facility may submit complaints using the AF complaint system. Procedures are based upon the confinement location. **(T-0)**

6.4.4. Confinees housed in other service CFs may file complaints about facility operations through that facility's/Service's complaint system. **(T-0)**

NOTE: Confinees at AFSFC/Corrections Detachments or Operating Locations may provide a copy of the complaint to AFSFC/SFC, 1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119, for AF situational awareness to the problem.

Chapter 7

VICTIM WITNESS, SEX OFFENDER, AND DNA REQUIREMENTS

7.1. Victim/Witness Assistance Program. The AF Victim and Witness Assistance Program (VWAP) is implemented by the Victim and Witness Protection Act of 1982, the Crime Victims' Rights Act (18 USC §3771), DoDD 1030.1, *Victim and Witness Assistance*, and DoDI 1030.2, *Victim and Witness Assistance Procedures*, and is prescribed by AFI 51-201 and this instruction. AFI 51-201, designates the AF Security Forces Center, AF Corrections Division, as the AF CR for the VWAP. **(T-0)**

7.1.1. Local Responsible Official (LRO). AFI 51-201 identifies the LRO as the installation commander who is responsible for identifying victims and witnesses of crimes and providing VWAP services. This function is then normally delegated to the SJA who selects a VWAP coordinator to manage the program and be responsible for training. The VWAP coordinator may also serve as a victim liaison. Liaisons are appointed by the LRO or delegate, to assist a victim during the military justice process. **(T-0)**

7.1.2. For all courts-martial resulting in confinement, even without a Victim or Witness identified or whether victims/witnesses elect not to receive notifications, the responsible government Trial Counsel or Designee (TC/D) completes DD Form 2704, *Victim/Witness Certification and Election Concerning Prisoner Status*, and provides a copy to the local confinement facility. The TC/D informs victims and witnesses, if any, of their right to notifications. The victim or witness makes their "election preference" by initialing the DD Form 2704, on whether they elect or do not elect to receive notifications. **(T-0)**

7.1.2.1. The TC/D provides a copy of the DD Form 2704 to the Manager, AF Central Repository at, AFSFC/SFCV, 1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119 or via encrypted email to: **afsfc.sfcv@us.af.mil.** **(T-0)**

7.1.2.2. It is the victims' and witnesses' responsibility to notify the AF CR of any changes in their address or telephone number once the TC/D completes the DD Form 2704. When a change request is received, the AF CR will in turn provide the change to the CF and originating SJA. **(T-0)**

NOTE: It is often easier for the victim/witness to contact the originating SJA (a person or office with whom they are familiar) to assist them in preparing requests to update contact information or to change their original notification election decision which will then be forwarded to the AF CR.

7.1.3. Establishing the Program. Every SF unit located on an installation that conducts courts-martial, with or without a confinement facility, establishes a Victim/Witness Assistance Program (VWAP). This provides continuity for VWAP notification processes, even when the military member is confined in a civilian facility for the military. All inmates (who receive a sentence to confinement) have a DD Form 2704 in order to determine victim or witness notification requirements. Facilities follow up with the SJA until the form is obtained. For those who elect to participate, the confinement officer ensures procedures are established to protect the rights of victims and witnesses. These procedures apply to other Service confinees who are confined in an AF facility. **(T-0)**

NOTE: For the purposes of this instruction, the facility VWAP monitor is also the Sex Offender Notification Program monitor.

7.1.3.1. The confinement officer appoints the VWAP monitor in writing (normally, the facility confinement NCO). The facility VWAP monitor must understand the importance of this program and be sensitive to the needs of the victims/witnesses (i.e., treat with compassion). **(T-0)**

7.1.3.2. Victim's Rights. The VWAP monitor must be aware of, and accord, the victim's Art 6b, UCMJ, rights. These rights include:

NOTE: Consult with the SJA if any questions.

7.1.3.2.1. To be "reasonably protected" from the accused. **(T-0)**

7.1.3.2.2. To notice of confinement hearings, court-martial proceedings, public proceedings of the clemency and parole board, and the release or escape of the accused. **(T-0)**

7.1.3.2.3. To be present at such hearings unless the judge or investigating officer determines by clear and convincing evidence that the victim's testimony would be materially altered by hearing other testimony. **(T-0)**

7.1.3.2.4. To be reasonably heard at confinement hearings, sentencing hearings and the clemency and parole board. **(T-0)**

7.1.3.2.5. To be reasonably able to confer with government counsel in these proceedings. **(T-0)**

7.1.3.2.6. To restitution. **(T-0)**

7.1.3.2.7. To proceedings free from unreasonable delay. **(T-0)**

7.1.3.2.8. To be treated with fairness and with respect for the victim's dignity and privacy. **(T-0)**

7.1.3.3. VWAP monitors victim/witness information with strict confidentiality. The identity (i.e., contact information) of a crime victim/witness will not be disclosed to the inmate or any unauthorized third party, as determined by the confinement officer and VWAP monitor. All requests for notification from victims/witnesses remain confidential. The VWAP monitor is the principal facility point of contact to report any complaint of inmate harassment or threat toward a victim/witness. The VWAP monitor reports all complaints to the confinement officer for further investigation and possible disciplinary action. In virtually all reported cases of contact, the commander of the inmate orders the inmate to cease communications with the victim or witness. The confinement officer establishes internal controls to keep information submitted by victims and witnesses confidential and prevents unauthorized access to associated files. These procedures apply to inmates of other Services confined in an AFCS facility. **(T-0)**

7.1.3.3.1. VWAP Training. Unit confinement staff receives periodic training, at least annually, on VWAP and confinement staff responsibilities. Contact the DFC and the VWAP Local Responsible Official (LRO) at the legal office for development and accomplishment of the training. **(T-0)**

7.1.4. Victim/Witness Protection. Any time a victim/witness is believed to be in danger, render all assistance possible (within jurisdictional limits) to get protection for them. Assistance may range from advising the victim/witness to contact local law enforcement, to the confinement officer or designee personally advising law enforcement agencies about danger in the victim's/witness' jurisdiction. Military authorities should handle protection for victims/witnesses within military jurisdiction. Notify AF Office of Special Investigations (AFOSI) in cases involving AF inmates. Advise inmates they are not to make contact with any victim/witness of their confining offense either directly or through a third party without the permission of the victim/witness. This prohibition includes contact via telephone calls, visits, written letters, or e-mail. Inmates desiring to communicate with a victim/witness may submit a request to the confinement officer. The VWAP monitor communicates with the victim/witness to determine whether contact is desired. This requirement applies to all cases regardless of whether the victim/witness has elected to participate in this program. **(T-0)**

7.1.5. Post-trial VWAP Notification Procedures. When a victim or witness has requested notification of changes in confinee status on the DD Form 2704, the VWAP monitor completes a DD Form 2705, *Victim/Witness Notification of Prisoner Status*, to notify the victim or witness, IAW the below status change notification, Not To Exceed (NTE) the timeframe in Table 7.1. Also complete the appropriate notification cover letter on unit letterhead (See Attachments 12, 13, and 14) and attach the DD Form 2705. Make notifications in the prescribed timeframe or as soon as possible upon receipt of outside agency notifications which have exceeded the NTE timeframe. Annotate all notifications on the Victim/Witness Notification Record (Attachment 14), or similar document and file by the accused's last name, with all other VWAP documents. Send all correspondence by certified mail, Return Receipt Requested (RRR). Attach all certified registered return receipts to the facility copy of the DD Form 2705 and place in the facility VWAP monitors adjunct VWAP file. **(T-0)**

Table 7.1. Notification Procedures.

Notification	**Notify**
Initial Notification	Once adjudged (NTE 14 days)
Notice of Clemency/Parole Hearing	Earliest as possible (NTE 45 days)
Transfer	Earliest as possible (NTE 45 days)
Release: end-of-sentence, clemency, parole/MSR	Earliest as possible (NTE 45 days)
Escape/Return to Custody	Earliest as possible (NTE 24 hours)
Emergency Parole	Earliest as possible (NTE 24 hours)
Death	Earliest as possible (NTE 72 hours)

7.1.5.1. Initial Contact. Send the initial Victim/Witness Notification Cover Letter (Attachment 11) to victims and witnesses within 10 working days of receiving the DD Form 2704 or other acceptable request for enrollment in the VWAP. Attach a completed DD Form 2705 to the initial enrollment letter. Additionally, provide the victims and witnesses of the initial Clemency and Parole, Parole Eligibility dates, if applicable. **(T-0)**

7.1.5.2. Notice of Clemency/Parole Hearing. Notify victims/witnesses IAW Table 7.1. (see Attachment 12) held by the appropriate Military Service C&PB. Advise victims/witnesses of their right to make a personal appearance at their expense at the

clemency/parole hearing and of their right to submit statements to the Service C&PB regarding the impact the crime has had on their lives. **(T-0)**

7.1.5.2.1. The date an inmate is eligible for an AFC&PB hearing is based upon guidance in DoDI 1325.07. The guarantee of a hearing *does not* guarantee a release decision. The notification of a pending hearing date allows the victim or witness with an opportunity, if so desired, to present material for consideration by the board. Victims are also entitled to provide input to the facility's disposition board (a local board conducted in order to provide the AFC&PB with sufficient detail on behavior, rehabilitation, etc., and provide a recommendation). **(T-0)**

7.1.5.2.2. Service Clemency and Parole Board addresses:

7.1.5.2.2.1. Air Force Clemency and Parole Board, SAF Personnel Council (SAF/MRBP), 1500 West Perimeter Road, Suite 3700, JB Andrews, MD 20762-7002.

7.1.5.2.2.2. Army Clemency and Parole Board, 251 18th St South, Suite 412, Arlington, VA 22202-3531.

7.1.5.2.2.3. Naval Clemency and Parole Board (includes USMC cases), 720 Kennon Street SE, Washington Naval Yard, Washington, DC 20374-5106.

7.1.5.3. Transfer. Notify victims/witnesses when an inmate transfers to another CF (Attachment 13), at least 45 days in advance (or as soon as date is known if less than 45 days). When requesting a transfer to another confinement facility, identify notification requirements and whether there are any known co-conspirators/accomplices previously confined. Also, when transferring inmates, regardless of military service, make a copy of the DD Form 2704 for the facility file and seal in a separate envelope and mark victim/witness file "DO NOT RELEASE TO INMATE" and "Exempt from Freedom of Information Act and Privacy Act Release." This file is hand carried by the escort, to the gaining facility. Send a copy of the notification to the appropriate Service CR. **(T-0)**

7.1.5.3.1. Major DoD facilities VWAP Program Coordinators' mailing addresses:

7.1.5.3.1.1. If transferred to the USDB, forward the victim and witness information separately to the Command Judge Advocate, Attn: USDB VWAP Contact Representative, 1301 Warehouse Rd, Ft Leavenworth, KS 66027-1363.

7.1.5.3.1.2. If transferred to NAVCON Brig Miramar, forward the victim and witness information separately to the Victim/Witness Program Manager, Attn: VWAP Coordinator, 46141 Miramar Way, San Diego, CA 92145-2135.

7.1.5.3.1.3. If transferred to NAVCON Brig Charleston, forward the victim and witness information separately to Victim/Witness Program Manager, Attn: VWAP Coordinator, 1050 Remount Rd Bldg 3107, Charleston, SC 29406-3515.

7.1.5.3.1.4. If transferred to NAVCON Brig Chesapeake, forward the victim and witness information separately to Victim/Witness Program Manager, Attn: VWAP Coordinator, 1548 Wilderness Rd, Chesapeake, VA 23322-7930.

7.1.5.3.1.5. If transferred to NAVCON Brig Pearl Harbor, forward the victim and witness information separately to Victim/Witness Program Manager, Attn: VWAP Coordinator, 2056 Wasp Blvd, Pearl Harbor, HI 96860-1548

7.1.5.3.2. The confinement VWAP monitor of the receiving facility notifies victims and witnesses of the inmate's new location and enrollment in the facility's victim and witness notification program within 14 days of inmate arrival. **(T-0)**

7.1.5.4. Release. Notify victims and witnesses when an inmate is scheduled for release via DD Form 2705 and Attachment 12. Provide the date, method of release, and destination (city and state). For parole cases, include the parole officer's name and telephone number. Make notifications by telephone when the inmate is unexpectedly released or when required by short-notice time frames. **(T-0)**

7.1.5.4.1. Withdrawn charges. When charges are withdrawn (post-trial) and there are victim/witness notifications where the withdrawn charges results in no confinement, or the remaining charge(s) do not have victims/witnesses associated, make a final notification of release. If the charges are pending for a rehearing, make appropriate notifications upon the result of the hearing. **(T-0)**

7.1.5.4.2. Pretrial Detainees. If a military magistrate determines a detainee should be released from pre-trial confinement, the VWAP monitor immediately notifies the victim(s). The VWAP monitor also confers with the SJA to determine if notification of any witnesses would be prudent as a courtesy. **(T-0)**

NOTE: Do not delay contacting victims or witnesses. Seek assistance from appropriate law enforcement agency investigators or from SJA's VWAP coordinator or Trial Counsels as they have usually established a working relationship with the victims and or witnesses.

7.1.5.5. Escape (and subsequent return to custody). Notify victims and witnesses by telephone as soon as possible (NTE 24-hours) after discovery of an escape by an adjudged inmate. Victims and witnesses will be re-notified by telephone upon the inmate's return to confinement. Provide this information to the AF CR, by the most expeditious means (e-mail or telephone). The telephone notification is followed up in writing via DD Form 2705 and Attachment 13. **(T-0)**

NOTE: See paragraph 8.8 for additional information on escapees.

7.1.5.6. Parole/Mandatory Supervised Release (MSR)/Emergency Parole (EP). For Parole/MSR release, confinement officers receive parole/MSR documents from the AFC&PB. Verify authenticity, if questioned, contact AFSFC/SFC. Complete notifications via DD Form 2705 and Attachment 13. For EP, Victims/witnesses are normally notified by telephone due to a lack of time prior to release which is followed up in writing via DD Form 2705 and Attachment 13. **(T-0)**

NOTE: For additional EP requirements, see paragraph 12.23.

7.1.5.7. Death. Notify the victim or witness within 10 days of the death of an inmate via DD Form 2705 and Attachment 13. **(T-0)**

7.1.6. Monthly Reports. Each installation housing confinees in their facility or housing confinees in a civilian facility off-base for the government on a Confinement Order, submits an AF Form 4289, *Monthly Confinement Report and Victim/Witness Activity Concerning Inmate Status*, to AFSFC/SFC by the fifth of the following month. **(T-0)**

NOTE: Reports are required whether or not anyone was confined for the report month. If no one was confined, a letter format in lieu of the form is acceptable. Each report is completed by the confinement NCO/POC and approved by the confinement officer's name and signature. Reports are sent digitally signed/encrypted via email to: afsfc.sfcv@us.af.mil or faxed to Commercial (210) 925-5411 or DSN 945-5411.

7.1.6.1. This activity report collects pertinent confinement data which AFSFC uses to complete DD Form 2720, *Annual Confinement Report*, and DD Form 2706, *Annual Report on Victim and Witness Assistance* for HQ AFLOA, Office of the Under Secretary of Defense (Personnel and Readiness), and the Department of Justice (DoJ). **(T-0)**

7.1.6.2. Complete AF Form 4289 by listing all confinees housed via a DD Form 2707 (on-base and/or off-base) during report period in Columns I-VIII (for pretrial detainees, annotate the pretrial start date in Column VIII). Inmates with VWAP notification requirements will be identified by completing Columns VIII-XII. Indicate the number of days the confinee was confined in Column VI by using the appropriate on-base and/or off-base block for the report month. If both locations are used, annotate the inclusive dates at each location in the remarks section after the inmate's name. If the pretrial detainee is adjudged, add the individual on additional row and complete two rows for the confinee based upon both pre and post-trial status. If the inmate has sex offender notification requirements, annotate accordingly. Entries pertaining to the number of victims are annotated in the (V) column, witnesses in the (W) column for the following: number informed of rights (i.e., the total number on the DD Form 2704 by V/ W category), number elected notification (i.e., total number indicated "yes" by victim/witness). Based upon sentence length and required notifications, during months notifications were made, also indicate the status change (reason code). The form self calculates the total number notified (DD Forms 2705 sent) based upon the number of status changes and the number of victims/witnesses. Annotate the numeric code to indicate how the notification was made. Use the number 1 for telephone or 2 for written) followed by the reason code(s) for the inmate status change(s). Report each inmate who does not have a DD Form 2704 on file each month. **(T-0)**

7.1.7. Victim or Witness (V/W) Change Request. If the facility VWAP monitor receives updated contact information (address/phone number/email) directly from a victim or witness who was enrolled in the notification program, forward the information to the AF CR. Within five working days of receiving the request, the AF CR processes the updated information and ensures the CF housing the inmate obtains the updated contact information. When the concerned inmate is assigned to another branch of service, the AF CR forwards to the appropriate Service CR. Refer victims/witnesses who have case questions concerning matters other than CF VWAP notifications to the appropriate legal office. **(T-0)**

NOTE: If the facility receives a request directly from an individual identifying themselves as a crime victim or witness who wasn't enrolled in the VWAP notification program by trial counsel (via DD Form 2704), refer the individual to the appropriate legal office (i.e., responsible for the

court-martial of the accused) to determine if the individual is to be added to the DD Form 2704. If that option isn't available (i.e., legal office no longer exists), the VWAP monitor should contact the AF CR for assistance.

7.1.7.1. There are two types of disenrollment of requests, V/W disenrollment request and facility disenrollment request.

7.1.7.1.1. Victim/ Witness Disenrollment Request. A victim or witness may request disenrollment from the VWAP notification program by writing the confinement facility where the inmate is housed or to the inmate's Service CR. Forward *all disenrollment requests* made directly to the confinement facility to the AF CR. Should inmates be assigned to another branch of service, the AF CR forwards to the appropriate Service CR. **(T-0)**

7.1.7.1.2. Facility Disenrollment Request. Prior to requesting V/W disenrollment, ensure at least three failed attempts to contact, at least once by Certified Mail if the address is CONUS, are documented, prior to the VWAP monitor requesting disenrollment. Further, if the VWAP monitor's mail or telephonic attempts to contact a V/W are unsuccessful, contact the SJA for additional assistance. If all attempts to locate are still unsuccessful, the VWAP monitor provides a MFR (no specific format) to the AF CR, including all actions taken to locate the victim or witness, and request disenrollment from the VWAP notification program. For inmates assigned to other branches of service, the AF CR forwards requests to the appropriate Service CR and provides the forwarding facility confirmation of receipt of the request. V/W's removed due to this request are placed in inactive status. **(T-0)**

7.1.7.2. Central Repository. The AF CR approves/disapproves all disenrollment requests for victim(s)/witness(es) of AF courts-martialed inmates within five working days of receiving the request. The CR processes the updated information and ensures the VWAP monitor at the CF housing the inmate obtains the updated contact information. The VWAP monitor updates the CFs file copy of the DD Form 2704 based on the CR memorandum by removing their names from active VWAP participation and placing the names in inactive status. **(T-0)**

7.1.8. VWAP Files Management.

7.1.8.1. Correctional Treatment Files (CTFs). Annotate inmate CTFs which include victims or witnesses with notification requirements for VWAP program identification on the folder jackets for easy identification. **(T-1)**

NOTE: For example: "VICTIM/WITNESS NOTIFICATION(S) REQUIRED" or "VW" in one-inch high labels and highlight the file ID label to immediately identify inmates with participants.

7.1.8.2. VWAP Notification Record. The VWAP Monitor maintains a separate adjunct file. File under the inmate's last name, by calendar year. Each file contains the following documents when notifications are required: DD Form 2704, DD Form 2705, cover letters, and victim/witness notification logs. Document all contacts with a victim or witness on the DD Form 2705. Annotate the date, time, method of contact (phone, mail, e-mail, or in person), telephone number/address used, staff name, and reasons/outcome. Do not allow the inmate access to VWAP information. **(T-0)**

7.1.8.3. PA and FOIA Requests. If a Privacy Act of 1974 or a Freedom of Information Act (FOIA) request is received then refer to the System of Records Notice (F 031 AF SF A) to determine any exemptions under 5 USC §552a (j)(2) and (DoD 5400.7-R_AFMAN 33-302). **(T-0)**

7.1.8.4. Disposition of VWAP Notification Records. VWAP monitors add VWAP files to their file maintenance and disposition plans. Establish facility VWAP files or binders and mark "DO NOT RELEASE TO INMATE" and "Exempt from Freedom of Information Act and Privacy Act Release". Maintain these records on all inmates assigned IAW AF Records Disposition Schedule (RDS) located in AF Records Information Management System (AFRIMS), Table 31-2, Correction Records. **(T-0)**

7.1.8.5. Staging of files. After release from sentence, seal VWAP files and all associated documents (e.g., VWAP notification logs, etc.) in a separate manila envelope. Identify files as "inactive" with US vs. name of the accused. Clearly label the envelopes, "Exempt from Freedom of Information Act and Privacy Act Release". **(T-0)**

7.1.9. Reporting Requirements. The AF CR tracks statistics reported by each installation (i.e., AF Form 4289) to consolidate and submit DD Form 2706, Annual Report on Victim and Witness Assistance (items 4 & 5), to AFLOA/JAJM who in-turn submits to the Under Secretary of Defense for Personnel and Readiness, Attention Legal Policy Office. The data is reported by 15 Feb for the preceding calendar year quantifying the assistance provided to victims and witnesses of crime. **(T-0)**

7.2. Crimes Against Children and Sexually Violent Offender Registration under Federal Law.

7.2.1. General Provision. If the member has been convicted of a sexually violent offense or certain offenses against a minor, the AF is required to provide notice to federal, state, and local officials prior to the offender's release from confinement, and the member may be required to register as sex offender under individual state laws. See the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (1994); Megan's Law (1996); the Final Guidelines for the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act; Pam Lyncher Sex Offender Tracking and Identification Act (1996); Jacob Wetterling Improvements Act (1997); Protection of Children from Sexual Predators Act (1998); and Adam Walsh Child Protection and Safety Act (2006). The Acts are available at the United States Department of Justice (DOJ) website **http://www.ojp.usdoj.gov/smart/legislation.htm**. **(T-0)**

7.2.2. Compliance with Federal/State Laws. The confinement officer ensures compliance with federal/state laws by notifying the appropriate law enforcement and sex offender (SO) registration officials using DD Form 2791, *Notice of Release/Acknowledgement of Convicted Sex Offender Registration Requirements*. Additionally, the confinement officer obtains the offender's written acknowledgement of these registration responsibilities. **(T-0)**

NOTE: See Attachment 15 for sample template.

7.2.3. Sex Offender Registration and Notification Act (SORNA). Pursuant to 42 USC §16901, et. al., the confinement staff notifies appropriate federal and state authorities of all cases involving the release (from the military or from confinement) of court-martialed

military members convicted of sexually violent offenses and/or sex offenses against victims who were minors (persons under the age of 16 years). **(T-0)**

7.2.4. Responsibilities. With SJA assistance, the confinement NCO screens for prior SO criteria offenses (civilian or military) via applicable files or sources, i.e., Computerized Criminal History (CCH). Inquire with AFLOA to screen the AMJMS database for prior military CMO with SO conviction(s). **(T-0)**

7.2.4.1. Should a previous SO conviction be found in the data base search, locate the appropriate civilian or military SO registration form(s) and provide notice of this subsequent SO conviction to the agencies involved in previous conviction(s) (i.e., DD Form 2791 or civ equivalent). OCONUS installations should coordinate with AFSFC when they lack NCIC/NLETS capability for further instructions on completing an NCIC/NLETS query. **(T-0)**

7.2.4.2. If a previous SO conviction is located on the accused, search the individual's SO history for any for previous VWAP data. Obtain the names and contact information of victims and/or witnesses via appropriate agency (i.e., the jurisdiction VWAP form) to contact the previous victims/witnesses of the re-confinement via DD Form 2705 (if applicable). If the member was convicted in the military, contact the CR for assistance. **(T-0)**

7.2.5. Before releasing a member convicted of an offense requiring SO processing (IAW DoDI 1325.07, Appendix 4 of Enclosure 2), at a general or special court-martial, the DFC provides written notice of the sex offender release (registration/notification) to the LE agencies listed in paragraph 7.2.7.4. Additionally, it should be noted SO registration requirements vary by state and may be triggered by offenses not listed in DoDI 1325.07. Therefore, a member convicted of an offense that does or does not trigger sex offender notification requirement may nonetheless be required or not required to register as a sex offender under that states law. When in doubt if a particular offense must be reported, consult the installation SJA. **(T-0)**

7.2.6. The confinement NCO notifies the following four agencies: the State Attorney General, Local Law Enforcement, the State Sex Offender Registration Official where the offender intends to reside, and the USMS National Sex Offender Targeting Center (NSOTC). To accomplish notification and follow up, the confinement NCO establishes a password-protected account by emailing the DoJ SORNA Exchange Portal at **AWA-Request@iir.com** using your confinement organizational email account address. Once the account is established it is used to conduct registration and gather information. See paragraphs 7.2.7.4.1. – 7.2.7.4.4. for additional information. Each facility ensures notifications are completed as required by this instruction, DoD guidance, and Federal Statutes. Attach a copy of Report of Result of Trial, to the DD Form 2791, prior to sending to the four agencies. **(T-0)**

7.2.6.1. Convictions without confinement. When a member is convicted of an offense that triggers the sex offender registration requirements and confinement was not part of the adjudged punishment (or sufficient pretrial or illegal pretrial confinement credit completely offsets the term of confinement imposed at trial), the SJA notifies the confinement officer in writing within 24-hours of the conviction. Upon notification of the conviction by SJA, the corrections officer (or if designated, the VWAP/SOR Monitor)

notifies the four agencies immediately (see paragraph 7.2.7.4. for additional agency information), not to exceed 24-hours as outlined below. **(T-0)**

7.2.7. Procedure. In cases where notification is required, the confinement staff at the offender's confined location (regardless of the offender's branch of Service) does the following:

7.2.7.1. Inform the offender prior to final release they are subject to a registration requirement as a sex offender in any state in which they reside, are employed, carry on a vocation, or are a student. **(T-0)**

7.2.7.2. Use DD Form 2791, to obtain offender's written acknowledgment of the foregoing notification. Also obtain from offender and include on the form their intended residing address upon release from confinement or upon completion of a court-martial resulting in a conviction of a triggering offense. A confinement staff member witnesses offender's signature. If offender refuses to sign, contact the SJA for assistance, but as a minimum complete a MFR outlining refusal and attach to DD Form 2791. **(T-0)**

7.2.7.2.1. Inmates convicted of sex offenses must be notified of available community treatment programs prior to release. Inmates are to be provided information on community treatment programs available in the community in which they intend to reside. This requirement applies whether or not the inmate participated in sex offender programs while incarcerated. Releasing inmates convicted of sex offenses poses a unique risk to the community at large. This is one reason why extensive sex offender treatment programs have been instituted at Level II and III correctional facilities. This notification is intended to supplement these programs and ensure that all inmates convicted of sex offenses are aware of local treatment opportunities before release, whether they were adjudged or sentenced for sex offense(s) against either a minor or an adult. **(T-0)**

NOTE: Inmates transferred to another correctional facility or released to a detainer do not need to be provided this information at the losing confinement/corrections location.

7.2.7.2.2. Prior to release, the confinement NCO ensures all qualifying inmates receive the Notification of Community Treatment Programs (see Attachment 16). Include the name, address, and telephone number of the treatment agency. Other information may include the length and cost of treatment, as well as the modality used. A minimum of one treatment source should be provided. A copy of the form is to be filed in the inmate's CTF. If released on parole, a copy is forwarded to the parole officer. **(T-0)**

NOTE: To determine available resources there are two points of contact; the confinement NCO can, 1) email the Association for the Treatment of Sexual Abusers at, http://www.atsa.com/request-referral or, 2) contact the office of AFSFC Det 2, AF Corrections, Chief, Clinical Services, at DSN 267-7155.

7.2.7.3. Registration. No later than 2 weeks prior to the offender's final release date from confinement (in order to ensure receipt at least 5 days prior to the offender's release date), complete and send separately addressed copies of DD Form 2791 and a copy of their Report of Result of Trial or CMO, via certified mail, return receipt requested (or when possible via encrypted email with read receipt). Suspense the return receipt request

(PS Form 3811) for 14 days CONUS or 30 days for OCONUS to ensure notification. Once the receipt is returned, attach it to the DD Form 2791 and place it in the facility adjunct file. Ensure all return receipts are returned. Document unreturned receipts, follow up and make reasonable attempts to locate the unreturned receipt. Contact AFSFC/SFC for further instructions if all attempts fail. The military notifies the below agencies of the offender's sexual offense via DD Form 2791, specifically identifying/explaining the convicted article(s) and attaching their Report of Result of Trial or CMO in order for the gaining jurisdiction to determine registration requirements due to the nature and circumstances surrounding the crime(s) committed. **(T-0)**

7.2.7.3.1. State law enforcement. Notify the State's law enforcement agency where offender plans to reside. This is the usually the State/Territory Attorney General, use the DoJ National Sex Offender Public Website: **www.nsopw.gov** to obtain the mailing address for the specific state law enforcement. **(T-0)**

7.2.7.3.2. Local Law Enforcement. Notify the local law enforcement agency where the offender plans to reside. Typically this is the offices of either the municipality chief of police or the county sheriff where the offender plans to reside. If assistance in identifying the appropriate agency is required in situations involving multiple jurisdictions with overlapping authority, use the DoJ National Sex Offender Public Website: **www.nsopw.gov** to obtain the mailing address for the specific local law enforcement. **(T-0)**

7.2.7.3.3. State Sex Offender Registration (SOR) Official. Comply with paragraph 7.2.6. to obtain passwords and account access. Then complete notification via DoJ SORNA Exchange Portal **https://portal.nsopr.gov** . This is the state or local agency responsible for maintenance of sex offender registration information for the state or territory in which the offender will reside upon release from confinement. If portal is down, alternate method is to mail the DD Form 2791 to: State Name, SOR address, using the DoJ National Sex Offender Public Website: **www.nsopw.gov** to obtain mailing address for the specific state. **(T-0)**

7.2.7.3.4. Federal law enforcement. Comply with paragraph 7.2.6. *to obtain passwords and account access*. Then complete notification via DoJ SORNA Exchange Portal **https://portal.nsopr.gov** . If portal is down, alternate method is to mail the DD Form 2791 to: US Marshal Service NSOTC, CM4, 11th Floor, 2604 Jefferson Davis Highway, Alexandria, VA 22301-1025. Contact AFSFC/SFC if a phone number is needed. **(T-0)**

7.2.7.3.5. Service Record. The VWAP/SOR monitor provides AFSFC/SFCV the four agency copies of DD Form 2791 and receipt confirmation (e.g., CM/RRR) of the local LE agency notification for convicted SO (any branch of Service) released to the community (with or without confinement). Send copies by either US Mail (1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119), or via e-mail (digitally signed/encrypted) to **afsfc.sfcv@us.af.mil** for their placement in the SO's branch of service permanent Service record. For AF members, the they are placed in the Automated Records Management System (ARMS) maintained by AFPC. Contact AFSFC/SFC for assistance with unusual situations or circumstances of convicted sex offenders. **(T-0)**

7.2.7.3.6. Correctional Treatment File. Once the VWAP/SOR receives each of the four LE Agency receipt confirmations, file one copy of each in the sex offender's CTF. If the SO was not confined, place a copy in the facility sex offender file and provide the local LE agency copy to the offender. **(T-0)**

7.2.7.3.7. Paroled Sex Offenders. In cases where inmate is to be released on parole, provide the supervising US Probation Officer (USPO) a copy of inmate's (SO's) written acknowledgment and copies of DD Forms 2791. (**T-0)**

7.2.7.3.8. When CAs suspend a sentence to confinement adjudged by court-martial but the sex offense guilty finding remains, then the member's release from confinement triggers the above-described notice requirements and the confinement officer complies with procedures detailed in paragraph 7.2.1., as applicable. In the event the CA's suspension is subsequently vacated and member is required to serve their sentence to confinement, the notification requirements are to be re-accomplished before inmate is again released from confinement. **(T-0)**

7.2.7.3.9. If a subsequent court on appeal removes the guilty finding(s) for triggering sex offense(s) then the original military law enforcement jurisdiction removes (expunges) all the agency notifications, DNA collections and other appropriate registration actions in regard to sex offense criminal history. **(T-0)**

NOTE: Seek additional guidance from the SJA and AFSFC/SFC for removal procedures.

7.2.8. Adam Walsh Act Protection and Safety Act of 2006. For staff information this act modified covered jurisdictions, established uniform and comprehensive sex offender registration and notification requirements, established new programs designed to combat crimes against children, expanded sex offender registries, ensures sex offenders are held accountable for their crimes, prevents child pornography, makes the internet safer for children through authorizing Project Safe Childhood, and established 42 USC §16945 Sex Offender Sentencing Monitoring, Apprehending, Registering, and Tracking (SMART) Office. SORNA administers national standards for sex offender registration and notification, which provides technical assistance for sex offender registration and notification measures for the protection of the public from sexual abuse or exploitation.

7.2.8.1. Include sex offender requirements in facility operating instructions and self-inspection checklists. Inspect each facility sex offender registration/notification program as a minimum, every 3 years. This can be accomplished during MAJCOM/IG or Staff Assistance Visits using AFSFC/SFC provided criteria. Inspections include, as a minimum, identification of all sex offenders convicted of a criteria sex offense during the past 12 months. Conduct a review of the sex offender notification files to verify each PS Form 3811, Domestic Return Receipt, was received (i.e., stapled to or filed with the DD Form 2705) or verify the DD Form 2705 was suspensed for 14 days CONUS or 30 days for OCONUS to ensure the notification (DD Form 2791, Notice of Release/ Acknowledgement of Convicted Sex Offender Registration Requirements) is received by each agency. **(T-0)**

7.2.8.2. To comply with Registered Sex Offender (RSO) requirements the confinement officer may delegate the above victim/witness and sex offender release notification responsibilities to a subordinate officer or noncommissioned officer.

7.2.8.3. Convictions by Host Country. Service members, military dependents, DoD Contractors, and DoD Civilians can be convicted of a sex offense outside normal channels by the host nation while assigned overseas. When compliance with these sex offender provisions is required by the aforementioned individuals, the SJA will notify the appropriate individuals in order for the DD Form 2791 (or equivalent document) upon release from the host nation. Provide the DD Form 2791 and supporting court decisional documents to federal, state, and local law enforcement as directed. **(T-0)**

7.3. Compliance with Deoxyribonucleic Acid (DNA) Collection under Federal Law.

7.3.1. General Provision. DNA collection is required when: a person subject to the UCMJ has been apprehended for an offense which makes DNA collection mandatory; fingerprints are taken in conjunction with an investigation for offenses listed in DoDI 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*, after completion of the 72-hours commander's memorandum approving continued pretrial confinement; and upon an accused's entry into confinement as a result of a general or special court-martial conviction. It also requires collection where an investigator concludes there is probable cause that the subject committed the offense (such as a confinee violating the UCMJ while confined), and when charges are preferred IAW DoDI 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*. **(T-0)**

7.3.1.1. Pre-trial Confinement. If a 72-hour commander's memorandum (RCM 305(h)2)(C)) has approved continued pretrial confinement (whether or not charges have been preferred) and a DNA sample has not already been collected from the accused and submitted to United States Army Criminal Investigation Laboratory (USACIL), the SJA notifies immediate commanders about their responsibility. **(T-0)**

7.3.1.2. Conviction. If an accused is convicted of any offense at a general or special court-martial and the Report of Result of Trial document indicates "DNA Processing Required" in the Sentence block, ensure collection. Annotate promulgating orders (Court-Martial Orders) in boldface type on the first page, "DNA Processing Required 10 USC §1565 and 42 USC §14135(a)". **(T-0)**

7.3.2. Confinement Procedure. Depending on the nature of the charges, DNA could have been collected during the investigation by the investigative agency (reference DNA collection in AFI 51-201). If the court-martial order requires DNA collection, determine first if the responsible investigative agency collected and submitted the DNA to USACIL. Consult with the SJA if questions. **(T-0)**

7.3.2.1. If DNA wasn't collected or isn't able to be verified, the confinement staff complies with collection requirements if SF Investigations was responsible for the case. If AFOSI was responsible, make contact asking AFOSI to accomplish collection, complete a MFR and place in the CTF. Follow up to ensure submission was made to USACIL. Consult with the SJA if questions. **(T-0)**

7.3.2.2. The CF staff maintains a stock of DNA kits on hand at all times. Contact USACIL at DSN 797-7258 or COMM (404) 469-7258, or email at **usarmy.gillem.dfsc.mbx.codis@mail.mil** using your confinement organizational email account to establish bench stock amounts in accordance with projected usage to prevent kits from reaching expiration dates. Contact AFSFC for information or guidance. **(T-0)**

Chapter 8

CONTROL AND SUPERVISION

8.1. Internal Control. It is imperative confinement staff(s) maintains control by impartial enforcement of reasonable rules and regulations necessary for safe and orderly operations. The confinement officer establishes local procedures for the control of all assigned confinees and the security of the quarters' area, facility entrance, work and recreation area, and other areas deemed appropriate. Table 8.1. provides basic controls for common activities. This list is not all inclusive and is meant as a guideline.

Table 8.1. Basic Controls For Common Activities.

ACTIVITY	MINIMUM	MEDIUM	MAXIMUM
Observation level from staff is	Occasional and appropriate to situation	Frequent and direct	Always escorted when outside cell; use handcuffs, Hoffman Cuffs™, or chains/leg irons.
Day movement inside facility is	Unrestricted	Observed periodically by staff	Always escorted when outside cell; use handcuffs, Hoffman Cuffs™, or chains/leg irons.
Meal periods	Intermittent observation	Supervised	Always escorted when outside cell; use handcuffs, Hoffman Cuffs™, or chains/leg irons, or meals in cell. Use only spoon
Access to jobs	Eligible for both inside and outside facility perimeter	Inside facility perimeter only, unless the DFC authorizes escorted work details outside the facility under direct and continuous supervision	Not recommended
Visits	Contact, periodic supervision, indoor and/or outdoor	Contact, supervised	Always escorted when outside cell; use handcuffs, Hoffman Cuffs™, or chains/leg irons. Non-contact and closely supervised (one on one)
Leave the Facility	Escorted. Or, supervised when assigned a work detail	Always escorted when outside facility; use handcuffs, Hoffman Cuffs™, or chains/leg irons; armed escort (optional)	Always escorted when outside cell; use handcuffs, Hoffman Cuffs™, or chains/ and leg irons. Minimum of two SF escorts with one armed

8.1.1. Confinee "counts" verify the population. As a minimum, conduct confinee counts at shift change, during sleeping hours (irregular checks), during work hours, or when confinees are away from the facility (by radio, telephone, or in person) to ensure accountability on a 24-hour basis. **(T-0)**

8.1.2. Normally, do not wake confinees to accomplish counts during sleeping hours, except during emergencies such as fire or immediate counts due to an escape. **(T-0)**

8.1.3. Post-trial Custody Reclassification (Adjustments). Custody classification up-grades can be done immediately for safety or cause. Use DD Form 2711-1, *Custody Reclassification*, to document the reasons and place completed form and other relevant information in the CTF. After a period of observation, generally 2 weeks to ensure behavior modification, the Confinement Officer may recommend a custody classification down-grade to the DFC. Base down-grade decisions on completion of the DD Form 2711-1 and place completed form and other relevant information in the CTF. For post-trial inmates in maximum custody, reconsider at a minimum of every 2 weeks if a maximum custody classification is still necessary by using the DD Form 2711-1 and place completed form and other relevant information in the CTF. **(T-0)**

NOTE: Refer to Chapter 5 for *initial* classifications

8.1.3.1. Table 8.2. illustrates behavior characteristics typical of post-trial reclassification considerations. Use this table to assist in documenting administrative factors from DD Form 2711-1, block 4. This list is not all inclusive and is meant as a guideline.

Table 8.2. Post-Trial Reclassification Considerations.

	Risk of Escape	**Violence**	**Mental/Emotional**
MAXIMUM	Conduct indicates intention/ high probability of escape exists, history of escape, or escape attempts. Specialized training (e.g., Escape & Evasion skills).	Recent or historical demonstration of violence or threats. Active member of gang/group advocating violence or recent assault on staff.	Highly unpredictable, history of serious mental instability, or extremely violent outbursts. Recent suicide gestures or attempts.
MEDIUM	Conduct indicates probability of escape exists.	Limited history of violent behavior involving weapons but not recent.	Stable personality, minor emotional disorders. Past history of suicide gestures or attempts but not recent.
MINIMUM	No history of escape or attempts.	No history of violent behavior or threats.	Stable personality and no record of suicide gesture or attempts.

8.2. Escort *Planning* for Installation/Local Area Movements. The confinement officer/staff ensures compliance with prescribed security requirements based upon custody classification. When transporting confinees, the vehicle driver is not counted as an escort. Escorts and drivers may be either military or DoD civilians. Ensure non-SF staff escorts are trained IAW paragraph 8.3. and document training. **(T-0)**

8.2.1. When confinees are removed from the facility for appointments, etc., use SF and confinement blotter entries to record time, date, location(s), and escort/driver names. When using non-SF staff for escorting, use DD Form 2708 to document proper chain of custody. Confinement staff briefs Non-SF escorts on Use of Force and Rules of Engagement. Document in the SF and confinement blotters. **(T-0)**

8.2.2. When escorting multiple confinees with mixed custody classifications, follow escort procedures for the *highest* classification. When using non-SF staff for escorting, use DD Form 2708 to document proper chain of custody. **(T-0)**

8.3. Escort *Requirements* for Installation/Local Area Escort Movements. SF and parent unit personnel must be careful not to assign escort duty to any person who may sympathize with the confinee (i.e., a friend/neighbor or previous co-worker, etc.). The Confinement Officer or NCO determines appropriate escort ranks for the mission; however, as a minimum, when parent unit personnel are used, the escort(s) must be at least an E-5 (or GS equivalent). **(T-1)**

NOTE: Rank restrictions do not apply to SF personnel conducting local area movements (escorts) or while supervising confinees. Document escort training for all non-SF staff and file in the Confinement NCOs office. Trainer/trainee sign/date and list training items; maintain memo(s), as needed. If an incident occurs, it must be shown that the escort was fully trained and aware of the mission actions/requirements.

8.3.1. Maximum Custody. Each will be escorted with two personnel, one of which must be an armed SF member. Use approved restraining devices, e.g., handcuffs, Hoffman Cuffs™, belly chain/belt, and leg irons as appropriate. **(T-1)**

8.3.2. Medium Custody. When escorted by parent unit personnel, the ratio is one escort per confinee. When escorted by SF, the ratio is one per two confinees. Use approved restraining devices, e.g., handcuffs, Hoffman Cuffs™, belly chain/belt, and leg irons as appropriate. **(T-1)**

8.3.3. Minimum Custody. When escorted by parent unit personnel, the ratio is one escort per four confinees. When escorted by SF, the ratio is one per eight confinees. Local procedures must be established for escorts of these inmates while away from the facility. Inmates in this custody classification may be signed out for work details. Escorts should consider carrying handcuffs in case use is necessary. **(T-1)**

8.3.4. Movement Requirements. Confinees are escorted at all times when away from the facility. Escorts maintain positive control over the confinee and their movements/actions. Confinement staff provides training to parent unit escorts on security requirements. This training must be thorough as the greatest escape opportunity exists while a confinee is away from the facility. **(T-1)** An assigned trainer should emphasize the following escort responsibilities as a minimum:

8.3.4.1. Responsibilities for the safety and welfare of the confinee and the public. **(T-1)**

8.3.4.2. The custody classifications (related requirements) and any special instructions such as controlling and administering prescribed medication. **(T-1)**

8.3.4.3. Detailed instructions for unplanned or emergency situations such as unexpected delays during transfer, escape, or attempted escape and medical emergencies. **(T-1)**

8.3.4.4. How and when to use restraint device(s). **(T-1)**

8.3.4.5. Reporting instructions (including required documents, i.e., chain-of-custody receipts) at the final destination (if any). **(T-1)**

8.3.4.6. Disposition of the confinee's property (in cases involving transfers). **(T-2)**

8.3.4.7. For installation/local escort missions the DFC determines when it may be situationally appropriate for escorts, whom are military, to wear civilian clothes vice the uniform of the day.

8.3.5. Escorts should never allow a confinee to leave their control before properly relinquishing control to competent authority such as the confinee's attorney or confinement staff. **(T-0)**

8.3.5.1. One means of maintaining constant control is with restraining devices.

8.3.5.2. Confinement officers determine devices required while confinee is away from the facility (locally).

8.3.6. Confinement staff trains escorts on proper use of restraining devices and escape prevention measures. Escorts should never allow confinees to lag behind or leave the immediate area of the escort. This situation gives an advantage to the confinee if escape is on their mind. Visual contact, coupled with the ability to achieve immediate physical contact, will deter most escape attempts. **(T-1)**

8.3.6.1. Escorts are trained to a minimum standard set by the confinement officer. **(T-1)** At a minimum, the following training will be covered:

8.3.6.1.1. Custody Classifications; **(T-1)**

8.3.6.1.2. Handcuffing and Searching Techniques; **(T-1)**

8.3.6.1.3. Restraint Devices; **(T-1)**

8.3.6.1.4. Blood Borne Pathogens; **(T-1)**

8.3.6.1.5. DD Form 2708; **(T-1)**

8.3.6.1.6. Detainee/Inmate Custody and Control; **(T-1)**

8.3.6.1.7. Use of Force Training; **(T-1)**

8.3.6.1.8. First Aid/CPR certified; **(T-1)**

8.3.6.1.9. Emergency procedures including; health/injury, escape (attempted or successful), stops (authorized and unauthorized), and proper safety for weather conditions. **(T-1)**

8.3.7. Unless it degrades security, unrestrained confinees **are not** denied the privilege of rendering a proper military hand salute when appropriate. **(T-3)**

8.4. Contraband Control. Local operating instructions specify what items confinees can have in their possession. Anything else, or any amounts in excess of what is prescribed, is considered contraband. The confinement staff prohibits items which threaten the safety or security of the facility, staff, and confinee population, or are prohibited by law or directives. List acceptable items in the Facility Rules Book. Control contraband through close supervision and unannounced searches. **(T-0)**

8.4.1. Confinees are prohibited from connecting to the internet and possessing mobile phones. Nor may they possess devices that can connect to the internet. All communication to others outside the facility is in person (official visits or monitored visitation), hard wire telephone (monitored/recorded if not privileged communication), or written (subject to staff review if not privileged communication). **(T-0)**

NOTE: Confinees may use standalone computers to compile parole packages, resumes for employment, etc.; however, since all material written is on a government computer there is no expectation of privacy.

8.5. Confinee Body Searches. Staff members do not conduct opposite gender frisk or strip searches on confinees except in exigent circumstances. Opposite gender searches must be properly documented (see paragraph 3.3.). Use military trained search techniques. **(T-0)**

NOTE: Recommend using puncture resistant latex protective gloves during searches of persons and clothing to protect against bodily fluid pathogens. Follow the basic rules below:

8.5.1. Conduct frisk searches for contraband or weapons anytime the confinee leaves or returns to the facility, before and after visitations, and as determined by the confinement officer or NCO. **(T-1)**

NOTE: It is a best practice to have a second observer for any frisk or strip search whether routine or exigent, if possible.

8.5.2. Conduct complete searches as part of confinement in-processing and as determined by the confinement officer or NCO. This search involves removing and checking all jewelry and clothing from the confinee, combing out hair, checking underarms, between fingers and toes, and foot soles. Check under any bandages or tape unless removal could inflict further injury. While same gender confinement staff may visually check body openings and orifices, they do not use any type of probe or other device to check these areas. With the exception of a visual only inspection of an open mouth, only medical practitioner may physically examine interior body openings. If the searcher has suspicions, direct the unclothed confinee to momentarily squat – this action usually causes anything hidden in the genital area or butt crack to be visible. The person placing the confinee into confinement (usually, an escort, first sergeant, or commander) should remain at the facility at least until the search is complete. This allows the confinement staff to return any contraband for disposition. Following the initial confinement search, have the confinee shower and then issue clean, previously searched clothing. (**T-0)**

8.5.3. Conduct random searches of cells/bays and areas of the facility. Remove confinees from view of the cell/bay area to be searched. Search all interior and exterior areas of the facility. Search interior areas for contraband at irregular intervals. The amount of contraband found during these searches largely determines the frequency of such searches. Large amounts of contraband should result in more frequent searches. Search all visiting areas before and after visitation. Search doorways, recreation areas, and outside areas at irregular intervals. Handle property carefully and document it. **(T-1)**

8.6. Emergency Plans. Confinement officers and NCOs ensure emergency plans for their facility are prepared and tested. Specific actions are dependent upon local conditions and nature of the emergency. As a minimum, plans include: emergency evacuations (fire/structural damage), response to disturbances and disorders, hostage situations, bomb threats, natural

disasters, medical emergency response, power failures, apprehension of escapees, and forced cell moves/extractions. Plans must focus on control and safety of confinees/staff and include primary/alternate assembly locations. Coordinate plans with appropriate installation agencies, as required, and tailor to local needs. **(T-1)** Additionally, the confinement officer or NCO is responsible to:

8.6.1. Post evacuation routes in the facility. Ensure supporting checklists, evacuation maps, special instructions, and other appropriate documentation are available at the facility, law enforcement desk, BDOC, or other posted locations as appropriate/determined by Installation Safety Office. **(T-1)**

8.6.2. Train personnel assigned to the facility or responsible for the confinee population in implementing the emergency plans. Test and document emergency plans as determined locally. **(T-1)**

8.6.3. Develop plans to establish, train, equip, and supervise a forced cell move team to respond to situations requiring individual interventions. Situations requiring team employment may include refusal to enter/exit a cell or other location or any other situation requiring use of physical force to subdue or move a confinee. Do not confuse forced cell move situations with multiple confinee unrest situations. Forced Cell Move lesson plans are available from the AFSFC website or AFSFC/Det 1 AF Liaison, US Disciplinary Barracks (USDB), 1301 N. Warehouse Rd, Ft Leavenworth KS 66027-2304. **(T-1)**

8.7. Weapons and Other Means of Force. Confinement staff members must use the minimum force necessary to control an individual or situation. In addition to AFI 31-117, *Arming and Use of Force by Air Force Personnel*, other requirements may apply to use of force; consult with unit training section. Whenever possible, videotape all actions involving use of force within the confinement environment. The recording could protect both the staff and the confinees should the need arise, secure/store as appropriate if recording is needed for evidence, otherwise copy over or destroy. **(T-1)**

NOTE: Do not allow routine use of law enforcement body cameras in the facility. If available, use during a disturbance or a forced cell move, etc., as this will aid in documenting staff actions.

8.7.1. Armed escort for supervision of medium or minimum custody is usually not necessary. However, if the escort's/supervisor's duty routinely requires a weapon (i.e., law enforcement desk sergeant or a law enforcement patrol), there is no need to dis-arm for short or routine escorts. **(T-2)**

8.7.2. Never routinely carry weapons or non-lethal devices e.g., firearm, club/baton, Ortho-Chlorobenzylidene Malonitrile (CS) gas, Oleoresin Capsicum (OC) pepper spray, or electro muscular incapacitation device such as a TASER X26 ™, etc., into the CF except in emergency situations, as directed by the DFC. **(T-0)**

8.7.3. Use decisive action to quell disturbances. Chemical irritants or high-pressure water may be used in extreme situations, but only under the order of the DFC or higher authority. For example, if CS gas is the preferred method, ensure there is an adequate number of trained personnel and a supply of CS gas and gas masks are available. **(T-1)** Minimum force methods include:

8.7.3.1. Unarmed Restraint Techniques. Unarmed restraint techniques are effective for self-defense, to prevent escape, to prevent injury, prevent damage to property, or to quell a disturbance. To control or move uncooperative confinees, get help from confinement or other SF staff to preclude the need to strike or inflict bodily injury. **(T-1)**

8.7.3.2. Non-lethal equipment/methods and additional personnel. A show of force (staff and equipment) demonstrates the means to which the authorities will resort to get/maintain control. Only demonstrate what you are willing to use. If the disturbance has not reached the state of overt violence (lives and facility security are not in danger), the DFC or designee should consider making an attempt to reason (not negotiate) with leaders of the disturbance prior to further application of force. **(T-1)** To quell the disturbance consider:

8.7.3.2.1. Informing leaders of the disturbance that forces, equipment, and facilities are available to reestablish control and continuing the disorder would be futile. This action is not the same as bargaining or making concessions. **(T-1)**

8.7.3.2.2. Issuing an order to personnel engaged in the disturbance to end their actions (this is more effective if the force is present when the order is issued). **(T-1)**

8.7.3.2.3. When instructions are not met with compliance, immediately apply incrementally stronger measures of force to contain the situation. Do not bluff. Showing you mean what you say usually prevents the need to continue escalation, thus keeping the force necessary to the minimum. **(T-1)**

8.7.3.2.4. Employing civil disturbance control formations. The DFC may direct using civil disturbance control teams and tactics. In order to quell a disturbance and restore peaceful operations, ensure SF personnel are proficient in these tactics and formations. **(T-1)**

8.7.3.2.5. The DFC may authorize the use of military working dogs (MWDs) as part of a show of force team to augment facility control measures during disorders. First, if methods for regaining/establishing control included use of CS gas or OC pepper spray consider the remnant after effects of the chemicals on an unprotected canine before the in-facility use of a MWD team. When using MWD(s) for control, ensure the canine remains on a short lease (unleased MWDs could be lured into a cell and locked by confinees during a disturbance). The DFC may also authorize MWDs for routine facility searches for contraband. (**T-1)**

8.7.4. Firearms. DFCs may approve using firearms only when all other means of restoring order have failed. ONLY THE GRAVEST AND MOST UNUSUAL SITUATION REQUIRES THE USE OF FIREPOWER. **(T-0)** For the safety of staff members and confinees, the following rules apply:

8.7.4.1. Armed escorts for maximum custody confinees should carry a weapon best suited to the existing conditions. In selecting type of weapon, consider confinee's attitude and conduct, training of the supervisors, population density of the area, proximity of explosives or flammable materials, numbers of supervisors available, the skills of the confinee (Survival, Evasion, Resistance, and Escape (SERE), Special Forces, Para-Rescue, Ranger, SEAL, etc.) and any other pertinent local factors. **(T-1)**

8.7.4.2. Hospitalized maximum custody confinee should be in a secure ward when available. When secure wards are not available, coordinate with local law enforcement for assistance. AF guards/escorts in hospitals carry handguns, unless expressly prohibited by local law, or as determined by the DFC, depending on confinee's condition after hospital admittance. Contact AFSFC/SFC for guidance. **(T-1)**

8.7.4.3. The use of a firearm must be in compliance with AFI 31-117. **(T-1)**

8.8. Escape of Pretrial Detainee or Post-trial Inmate. For the purposes of apprehension and return to military control, an escapee is: 1) any person who is absent from custody or confinement; or, 2) if paroled is in material non-compliance with the Conditions of Parole (CoP) and the AFC&PB has an ordered a warrant to be issued; or, 3) fails to return as directed. **(T-1)**

8.8.1. In cases of confinees who are members of other Services, notify AFSFC/SFCT for assistance in cross-Service notification and other cross-Service requirements. **(T-1)**

8.8.2. If a detainee or inmate escapes, the confinement staff immediately prepares DD Form 553, *Deserter/Absentee Wanted by the Armed Forces,* and distributes the form pursuant to the provisions of AFI 36-2911, *Desertion and Unauthorized Absence*. In addition, the DFC, installation commander, or designated representative directly and expeditiously communicates with the civilian police agencies nearest to the installation, an escapee's home of record, home of spouse, etc., and other logical sources requesting assistance in apprehending. **(T-1)** Additionally the confinement officer or NCO:

8.8.2.1. Notifies their chain up to and including MAJCOM/A4S and AFSFC/SFC. **(T-1)**

8.8.2.2. Ensures VWAP notifications are made. **(T-0)**

8.8.2.3. Completes AF Form 807 to inventory escapee's property and personal effects as soon as possible after escape. **(T-1)**

8.8.2.4. Ensures escapees who are not captured within 90 days are dropped from confinement accountability rolls; however, retain the CTF at the facility. Return any personal property to the parent unit for disposition. Turn funds over to the servicing FSO, which holds the funds until the confinee is returned to military control. Make the check payable to the servicing FSO or as directed. **(T-1)**

8.8.2.5. Prepares a lessons learned report and forwards to AFSFC within 30 days of escape. **(T-1)**

8.8.3. When an escapee is located in the custody of civil authorities, place a detainer (in coordination with SJA) with the civil authorities for return of the escapee to military control. The nearest AF installation SF unit is responsible for returning the escapee to military control. For travel expenditures used to return absentees, deserters, and escapees, reference AFI 65-601Vl, *Budget Guidance and Procedures,* paragraph 12.7. Complete DD Form 616, *Report of Return of Absentee***,** and distribute per instructions in AFI 36-2911. **(T-1)**

8.8.4. Once escapee is returned to military control, conduct a medical examination for communicable or contagious diseases. Test for HIV, TB, Hep-B, pregnancy (as applicable), and drugs within 24-hours of the return. **(T-0)**

8.8.5. If a confinee escapes during a transfer, the transferring (losing) installation is responsible for the procedures indicated above, as well as telephonic notifications and reporting procedures, unless otherwise directed by AFSFC/SFC. **(T-1)**

8.8.6. Have SFI or AFOSI conduct investigation of escapes and major disturbances, as appropriate. **(T-1)**

8.9. Suicide Prevention. Confinement officers consult with medical authorities to determine when a suicide watch is necessary to prevent injury. The confinement officer develops procedures to ensure the safety of identified suicidal confines, as well as ensure all confined spaces in the facility prevent easy access/ability to commit suicide (e.g., no place to attach a noose, no plastic bags large enough to cover the head for suffocation, no storage of harmful cleaning fluids in cell area, accurate control of medications, etc.). Seek a medical review of the mental and physical well-being of identified suicidal confinees at a minimum of every 24-hours. A medical authority should determine when suicide watch is removed. The DFC, or designated SNCO or above on non-duty days, conducts a daily documented visit to confinees on suicide watch. **(T-1)**

8.9.1. Suicide watch cells may not contain anything a confinee may use to self-inflict injury. Items to be considered for removal may include belts, safety razors, removable or breakable hard plastics or metal objects (including bed parts), or glass. **(T-1)**

8.9.1.1. Ensure suicide watch cells have hard deck ceilings and walls/fixtures that prevent hanging. **(T-1)**

8.9.1.2. Confinement officer ensures the CF has a cut-down tool readily available should an attempted hanging be discovered. To obtain a suitable tool, research available law enforcement and prison equipment catalogs to select an appropriate tool for that particular CF. The confinement officer ensures procedures for its use are developed and staff members are familiar with its use. The best method involves at least two staff members – one to cut and one to catch. Every situation is different. First priority is lifesaving after the alarm is sounded. If only one staff member is readily available - do not delay the cut while waiting for a second. **(T-1)**

8.9.2. Confinement staff/escorts conduct frequent (not to exceed 15 minutes) randomly spaced cell checks for those on suicide watch. The confinement officer determines if active constant CCTV monitoring of suicide watch is sufficient instead of 15-minute physical checks. Regardless of the manner used, staff/escort records checks on a DD Form 509**. (T-0)**

NOTE 1: Use of CCTV does not eliminate the benefits of random physical checks.
NOTE 2: Maintain CCTV recordings (with proper markings) only if needed for evidence. Store/secure as appropriate.

8.9.3. Confinement officer ensures only same gender staff monitors CCTV and conducts physical checks of suicidal confinees. **(T-0)**

8.9.4. Confinement officer in consultation with SJA and medical authorities may consider moving long term suicidal confinees to mental health care facilities (i.e., 24-medical staff and locked wards). **(T-1)**

8.10. First Responder. Life and safety are primary responsibilities. Prioritize lifesaving first. Once life threatening circumstances are addressed conduct appropriate policing actions for prevention of escalation (e.g., separate the sides of a fight/disturbance or sexual abuse, etc.), preservation of evidence, and priority. **(T-0)**

Chapter 9

PROCEDURES AND MEASURES FOR DISCIPLINARY AND ADJUSTMENT BOARDS AND ADMINISTRATIVE ACTIONS

9.1. Discipline and Adjustment Boards (D&A Bds). D&A Bds are established to recommend to the DFC whether disciplinary action should be taken against a confinee for misconduct, rules violations, or behavioral adjustment problems. The DD Form 2714, *Prisoner Disciplinary Report/Action*, is used to report confinee infractions of rules and regulations. **(T-0)**

9.1.1. The D&A Bd is appointed by the DFC and is composed of three disinterested military members and chaired by an E-7 or above. Board members may not be from the SF unit or from the confinee's parent unit. **(T-1)** A confinee is given notice of a D&A Bd and given reasonable opportunity to prepare a written and/or oral statement for the board based on the indicated offense(s). Notice includes reminding the confine of the minimum and maximum possible disciplinary actions if determined to be at fault for the indicated offense category (see paragraph 9.1.5.). The board reviews the evidence and confinee's statement. If the board finds fault it makes disciplinary recommendations to the DFC with the goal being to use the least amount of disciplinary action necessary to positively modify the confinee's behavior. The board's recommendation is not binding on the DFC, per DoDI 1325.07, paragraph 10.g.(1). However, if the DFC disagrees with the board's recommendation, written notice is provided to the confinee with reasons for the decision. As part of the decision process, the DFC considers if the confinee's documented mental health fitness (mental disabilities or mental illness) contributed to the behavior in question. Only the DFC, or acting DFC, can impose/remove disciplinary actions. (**T-0)**

9.1.2. The D&A Bd is authorized to recommend and the DFC is authorized to impose one or more disciplinary measures on a confinee under their jurisdiction for misconduct or infraction of regulations, including:

9.1.2.1. Reprimand or warning. **(T-0)**

9.1.2.2. Loss of one or more privileges, or restrictions on movement or activities. **(T-0)**

9.1.2.3. Extra duty. **(T-0)**

9.1.2.4. Decrease of custody classification. (Change to a more restrictive classification) **(T-0)**

9.1.2.5. Forfeiture or suspension of earned GCT, earned time (ET) abatement, or special acts abatement (SAA). **(T-0)**

9.1.2.6. Disciplinary segregation with a recommended time limit. **(T-0)**

9.1.2.7. Restitution for damages or loss of property belonging to the facility or persons. **(T-0)**

9.1.3. A suspension period of any disciplinary measure may not exceed 6 months. **(T-0)**

9.1.4. The DFC may restore any action imposed as a disciplinary measure, including suspended or forfeited earned GCT, ET, or SAA from any prior commander or activity. **(T-0**

9.1.5. Following are possible violations and recommended actions. Ensure the rulebook clearly establishes acceptable and unacceptable behavior. **(T-0)**

CATEGORY I.

OFFENSES:

1. Aiding Another (of Cat I offenses)
2. Attempt (of Cat I offenses)
3. Being Unsanitary or Untidy
4. Communications Tampering
5. Loitering
6. Running

DISCIPLINARY ACTIONS:

1. Reprimand
2. Forfeiture of 30-days recreation privileges
3. 14 days extra duty (not to exceed 2-hours per day)
4. Forfeiture of up to 14-days "earned" GCT or ET
5. Vacation of any previously suspended actions
6. Disciplinary Segregation (15-days maximum)

MANAGEMENT ACTIONS:

1. Suspension of any above actions Not to Exceed (NTE) 180-days
2. Detail and/or housing unit change
3. Other recommendations considering extenuating circumstances and the violation

CATEGORY II.

OFFENSES:

Aiding Another (of Cat II offenses)
Attempt (of Cat II offenses)
Cell Alteration
False Statement
Malingering
Medicine Misuse
Personal Ration Misuse
Rules Violation
Staff Harassment
Suffering Loss of Property
Unauthorized Ordering

DISCIPLINARY ACTIONS:

1. Reprimand
2. Forfeiture of 45-days earned recreation privileges
3. 14-days extra duty (NTE 2-hours per day)
4. Forfeiture of up to 30-days “earned” GCT or ET
5. Disciplinary Segregation (30-days maximum)

MANAGEMENT ACTIONS:

1. Suspension of any above actions NTE 180-days
2. Detail and/or housing unit change
3. Other recommendation considering extenuating circumstances and the violation

CATEGORY III.

OFFENSES:

1. Academic Misconduct
2. Aiding Another (of Cat III offense)
3. Assault (Threatening)
4. Attempt (of Cat III offense)
5. Breach of Peace
6. Conduct Which Threatens
7. Unauthorized Contact Between Male and Female Confinees
8. Disobedience
9. Disorderly Conduct
10. Gambling
11. Indecent Exposure
12. Larceny
13. Misuse, Rations
14. Mutilation
15. Non-Support of Dependents
16. Prohibited Property
17. Provoking Words or Gestures
18. Trafficking
19. Unauthorized Contact with Former Confinees, Family or Friends of Former Confinees, Staff Members or Former Staff Members and their Families, or any Unauthorized Person
20. Unauthorized Use of Mail or Telephone
21. Unauthorized Writing

DISCIPLINARY ACTIONS:

1. Reprimand
2. Forfeiture of 60-days recreation privileges
3. Disciplinary Segregation (45-days maximum)
4. 14-days Extra Duty (NTE 2-hours per day)
5. Forfeiture of up to 90-days “earned” GCT or ET

MANAGEMENT ACTIONS:

1. Suspension of any above actions NTE 180-days
2. Detail and/or housing unit change
3. Other recommendations considering extenuating circumstances and the violation

CATEGORY IV.

OFFENSES:

1. Aiding Another (of Cat IV offenses)
2. Any Violation of the UCMJ
3. Assault
4. Assault Consummated by Battery
5. Attempt (of Cat IV offenses)
6. Bribery
7. Communicating a Threat
8. Counterfeiting
9. Damaging or Destroying Property
10. Disrespect
11. Extortion
12. Funds Manipulation (unauthorized transferring or receiving of funds)
13. Interfering with Count
14. Larceny
15. Lock Tampering
16. Out of Place
17. Possession of Stolen Property
18. Profiteering/Racketeering
19. Sexual Misconduct

DISCIPLINARY ACTIONS:

1. Reprimand
2. Forfeiture of 60-days recreation privileges
3. 14-days extra duty (NTE 2-hours per day)
4. Disciplinary Segregation (60 days maximum)
5. Forfeiture of up to all “earned” GCT and/or ET

MANAGEMENT ACTIONS:

1. Suspension of any above actions NTE 180-days
2. Detail and/or housing unit change
3. Other recommendations considering extenuating circumstances and the violation

CATEGORY V.

OFFENSES:

Aiding Another (of Cat V offenses)
Any Violation of the UCMJ
Arson
Assault (on a Staff Member)
Assault Consummated by Battery (on a Staff Member)
Attempt (of Cat V offenses)
Disrespect (to a Commissioned Officer)
Escape
Intoxicants
Possession, Introduction, or Use of a Weapon
Resisting Forced Cell Moves

DISCIPLINARY ACTIONS:

1. Reprimand
2. Forfeiture of 60-days recreation privileges
3. 14 days extra duty (NTE 2-hours per day)
4. Disciplinary Segregation (indefinite, normally NTE 90-days in any one period)
5. Forfeiture of up to all "earned" GCT and/or ET

MANAGEMENT ACTIONS:

1. Suspension of any above actions NTE 180-days
2. Detail and/or housing unit change
3. Other recommendations considering extenuating circumstances and the violation

9.2. Administrative or Disciplinary Segregation Actions. Segregation is used to; enforce discipline standards, prevent injury, provide for observation, or maintain health. Administrative segregation is used for newly arrived confinees to allow staff observation and the confinee to acclimate to their new situation (see paragraph 5.5.5. for time lines.) Administrative segregation includes situations involving temporary medical situations (flu, limbs with casts, etc.) and provides a secure setting for isolation. Administrative segregation also includes protective custody or may include when awaiting results from D&A Bd. Disciplinary segregation is for rules violation(s) and used to affect behavior modifications. Staff keeps all segregated confinees under close supervision, conducting frequent checks throughout the 24-hour day. The DFC, or

designated SNCO or above on non-duty days, conducts daily documented visits to confinees in disciplinary segregation. Do not mix administrative and disciplinary segregation confinees. Keep protective custody confinees away from all other confinees. Segregation of confinees based solely on sexual orientation is prohibited, unless as a result of a legal decree/settlement or court order. **(T-0)**

NOTE: See DoDI 1325.07, Enclosure 2, Paragraph 10, for additional medical requirements and segregation timeline requirements.

9.2.1. For administrative segregation (not including medical reasons) or protective custody segregation, if DFC decides to continue segregation past 72-hours, the D&A Bd will review on the seventh day after segregation begins and every 7 days thereafter to determine to continue to recommend segregation. After 2 months, if continuation is still warranted, the D&A Bd reviews every 30 days. **(T-0)**

NOTE: See DoDI 1325.07, Enclosure 2, Paragraph 10, for additional medical requirements and segregation timeline requirements.

9.2.1.1. For medical segregation, keep the confinee in this form of segregation if the ability to protect themselves in a disturbance or the ability to evacuate in an emergency is limited (e.g., medical ordered bed rest for the flu or use of crutches). Not only are confinees with prescribed medical aids, such as crutches, physically hindered but crutches introduce a weapon into the general population that could be used by this or any other confinee as a weapon, thus the need to segregate.**(T-0)**

9.2.1.2. If a confinee infraction or behavior is so severe it is believed to be detrimental to the good order of the facility, the confinee may be placed in administrative segregation awaiting the D&A Bd to consider their case. However, placement into administrative segregation is not a prerequisite to be considered for disciplinary segregation.

9.2.1.3. For administrative segregations occurring after the initial incarceration, the DFC convenes the D&A Bd as soon as practical, do not allow extended delays.

NOTE: See DoDI 1325.07, Enclosure 2, Paragraph 10, for additional medical requirements and segregation timeline requirements.

9.2.2. When a confinee is transferred to segregation for either administrative or disciplinary reasons, health care personnel are to be informed immediately and provide assessment and review as indicated by the protocols established by the facility's health authority (MTF). Thereafter, medical personnel are to visit the confinee in segregation at least once every day to observe the confinee's health and the sanitary conditions of the segregation. Medical personnel document their visits and are to immediately inform the DFC of any unhealthful, unsafe, or unsanitary conditions. DFC ensures immediate and appropriate action is taken to correct any noted problem or unhealthful condition. **(T-0)**

NOTE: See DoDI 1325.07, Enclosure 2, Paragraph 10, for additional medical requirements and segregation timeline requirements.

9.2.3. Continuous confinement after 30 days in any form of segregation or protective custody requires the review and approval of the DFC. Continuous segregation after 30 days also requires a qualified/privileged Mental Health provider to personally interview and prepare a written report on any confinee remaining in segregation over 30 days. If

segregation continues, a mental health assessment by a qualified/privileged Mental Health provider is made at least every 3 months from the segregation placement date – or more frequently, if prescribed by the MTF commander. Confinement staff records medical evaluation visits on DD Form 509, as well as the SF and confinement blotters with care provider's name/rank and visit duration. **(T-0)**

NOTE: See DoDI 1325.07, Enclosure 2, Paragraph 10, for addition medical requirements and segregation timeline requirements.

9.2.4. Temporary Removal of Cell Furnishings. The control of property and temporary removal of furniture requires approval from the DFC. Confinees in segregation are to be provided adequate clothing and sleeping accommodations with sufficient bedding, and when requested by the confine, religious books and other self-improvement books and guides, as appropriate. These items can also be removed at the discretion of the DFC when the temporary removal of these items is necessary to prevent damage to property or injury to the confinee or others. If the confinee shows sufficient destructive behavior or tendencies, contact the MTF to consider medical sedation and/or placement in a more secure facility or locked medical ward. Contact AFSFC/SFC if further instructions are needed. **(T-0)**

Chapter 10

DETAINEE/INMATE TRANSFERS

10.1. Pre-Transfer Requirements. Transfer approvals for all confinees within the AFCS are made by AFSFC/SFCT, except those transfers within the guidelines of previously AFSFC/SFC coordinated and approved SA or contracts. Determine if confinee is to remain local or if a transfer request is needed. See AFM 31-127 for additional information. **(T-1)**

NOTE: Historically, the vast majority of pretrial detainees do not move from the local area; however, if it becomes necessary, ensure decision has support of the SJA and contact AFSFC/SFC for assistance.

10.1.1. Parent units are responsible for the inmate's orders and transportation arrangements. The confinement staff and parent unit select preferred request date(s) for transfer. The confinement NCO provides the date requested to AFSFC/SFCT which has up to 5 duty days to respond. Ensure sufficient lead time is built into the requested date. **(T-1)**

NOTE: Historically, a 10 duty day lead time works best to allow for travel ticketing, etc.

10.1.2. Prior to transfer, the confinement staff conducts a pre-transfer conference with the inmate (see paragraph 10.2.) **(T-0)**

10.1.3. The inmate’s original CTF accompanies the inmate and is hand-carried by the escort. **(T-1)**

10.1.4. Ensure the parent unit provides documents relating to security clearance suspension or withdrawal for inclusion in the CTF. **(T-1)**

10.1.5. Ensure the parent unit provides a copy of the promulgating order (court-martial order) as soon as it is published (forward to AFSFC/SFCT) to assist in determining reassignment action. **(T-1)**

10.1.5.1. Inmates without an adjudged discharge administratively remain assigned to the parent unit. (See current AFPC PGMs on Appellate Leave Responsibilities.) **(T-1)**

10.1.6. Prior to transfer, make all necessary victim/witness notifications and ensure all DD Forms 2704 and 2705 are sealed in a separate envelope and placed with the CTF. **(T-0)**

10.1.7. Determine if, at the time of transfer, medical recertification of fitness for confinement is required. A break of confinement, for periods over 24-hours, requires a new physical examination. Examinations may be requested for shorter periods of break when circumstances indicate cause. Confinees transferred between facilities normally do not require a new medical certification unless deemed appropriate by either the receiving facility (check with receiving facility before departing). **(T-0)**

10.1.7.1. The medical officer annotates the recertification in the health record or computer generated form, for inmates with confinement interruptions. Escorts ensure this document is readily accessible upon arrival. **(T-0)**

10.1.7.2. Confinees determined by a qualified/privileged Mental Health provider to be mentally unstable are to be segregated from other confinees. The MTF determines whether a medical attendant should accompany the escort. If the confinee requires special

medical attention, consider transferring through medical channels. Provide escorts IAW custody requirements. **(T-0)**

10.1.8. Ensure VWAP and sex offender notifications have been accomplished (i.e., ensure DD Form 2791 was placed in the member's UPRG/CTF/facility files). **(T-0)**

10.2. Pre-Transfer Conference. The inmate, the inmate's commander or appointed representative, and confinement officer attend the conference to explain the purpose of the transfer and resolve the disposition of property and funds. **(T-1)** The confinement officer or unit representative, as appropriate:

10.2.1. Confinement office schedules the conference just prior to transfer. Ensure adequate time is provided for the inmate to accomplish any personal actions prior to transfer. For safety reasons, neither the inmate nor anyone without a need to know *is to be informed* of the exact date and time for transfer. **(T-1)**

10.2.2. Parent unit advises the inmate of dependent travel and shipping entitlements.

10.2.2.1. Single and divorced members without dependents, need to refer to the most current JTR to determine entitlements. **(T-0)**

10.2.2.2. CONUS inmates with authorized dependents use JTR para U5370-H;1-2. **(T-0)**

10.2.2.3. OCONUS inmates with or without dependents coming from an overseas location (their previous assignment) may ship household goods to the home of record or designated place according to JTR para U5900-D, 2h, 1-9. **(T-0)**

10.2.2.4. Personal property or household goods do not accompany inmate to the gaining facility. **(T-0)**

10.2.3. Confiscate inmate and dependent Armed Forces identification cards. Place the inmate's Armed Forces identification card in the CTF prior to transfer. The inmate's parent unit issues dependents new cards according to AFI 36-3026 (I), *Identification Cards for Members of the Uniformed Services, Their Eligible Family Members and Other Eligible Personnel*. **(T-1)**

10.2.4. The time just before transfer may be a period of emotional turmoil for the inmate; consideration should be given to increased checks or changing inmate's custody classification, if warranted. **(T-1)**

10.3. Confinement Officer's Transfer Responsibilities. The confinement officer ensures unit escorts are trained and ensures at least one escort is of the same gender as the inmate. **(T-0)** Brief escorts on:

10.3.1. Mode of transportation and security requirements based on inmate's custody classification. **(T-1)**

10.3.2. Procedures and arrangements for delays or stopovers and delivery; procedures for inmate illness, escape, or injury; and procedures for uncontrollable or unstable inmates. **(T-1)**

10.3.3. Inmate clothing and equipment requirements and receipt of inmate's property. **(T-0)**

10.3.4. Expected escort performance, conduct, and compliance with AF appearance standards. **(T-1)**

10.3.5. Receipt requirements for medically transferred inmates. **(T-0)**

10.3.6. Need for several blank DD Forms 2708 and their use. **(T-1)**

10.3.7. Escort responsibilities as outlined in paragraph 8.3. **(T-1)**

10.4. Transfer of Confinees. Installations unable to confine pretrial detainees should contact AFSFC/SFCT. The CAs designate confinement for court-martialed (convicted) offenders according to AFI 51-201. Inmates serving confinement sentences under AF control and have the minimum length necessary to obtain offense related rehabilitation, usually transfer to a Level II or III facility so they can capitalize on treatment programs. In order to keep track of all AF inmate transfers, AFSFC/SFC directs these transfers. Many situations can be solved early if AFSFC/SFCT is involved especially in the trial preparation stages, in case the result of trial is a conviction. If the confinement officer has questions, contact AFSFC/SFCT directly. **(T-1)**

10.4.1. Post-trial inmates may be transferred at the direction of AFSFC/SFC to the appropriate level facility following their court-martial. Normally, inmates are housed in a Level I facility while pending CA action unless circumstances warrant immediate transfer or delay in transfer. Post-trial inmates in Level I CFs, normally should have 90-days or more confinement remaining on their sentence for a transfer to be cost effective. Justify deviations from these minimum time requirements in the transfer request so AFSFC/SFC may successfully seek approval from appropriate Level II Service HQs. **(T-1)**

10.4.2. To initiate a transfer of an AF inmate, the confinement officer or NCO sends a transfer request message via Microsoft Outlook Email (encrypted/digital signature) to AFSFC/SFC: **afsfc.sfct@us.af.mil.** To ensure coordination of this transfer, send a copy to the inmate's unit, SJA, CA, and MAJCOM/A4S. Use the message format in Attachment 17 to request transfers. Justify requests for immediate or delay in transfer in paragraph 14. Compute clemency, parole, and minimum and maximum release dates according to DoD 1325.7-M, DoD *Sentence Computation.* In addition to the message, fax/e-mail copy of the following: DD Form 2707, DD Form 2707-1 or computer generated form (or, AF Form 1359, until rescinded), DD FM 2704, *Victim/Witness Certification and Election Concerning Inmate Status*, and if applicable, the Pretrial Agreement to AFSFC/SFCT. (**T-1)**

10.4.3. Housing inmates in Army correctional facilities requires a SA. AFSFC/SFC approves all other transfers to Army facilities after coordination with HQ Department of the Army, Provost Marshal General (PMG), Army Corrections Command. **(T-0)**

10.4.4. When notified of a pending court-martial, where bed space in the Level I CF or local support facilities is not available, pre-coordinate a request for immediate transfer. Provisions for an immediate transfer after the court-martial is considered individually. **(T-1)**

10.4.5. AFSFC/SFC responds within 5 duty days of receiving transfer requests. Approval messages are sent to the confinement facility, parent unit, FSS, SJA, CA, Comptroller Sq, and AFPC. **(T-1)**

10.5. Out-Processing and Assigning Transfer Escorts. The parent unit is responsible to out-process the inmate from the installation. When the transfer of an inmate has been requested and is approved for continued confinement at a Level II facility or higher, the inmate's parent unit commander provides escort personnel consistent with custody classification and security requirements unless it is locally determined that SF escort is the better option. The inmate's

parent unit under provisions in AFI 65-601V1, *Budget Guidance and Procedures*, paragraph 10.2.1., provides funding of escorts. **(T-1)** Escorts are assigned under the following criteria:

10.5.1. All inmates are escorted, regardless of previous rank/status. SF will conduct the escort and the parent unit provides the funding when SF escorts are required due to safety, maximum custody, or the commercial airline requires law enforcement escort. Otherwise, parent unit provides the escorts. **(T-1)**

10.5.2. Transfer escorts from the parent unit must be at least an E-5/DoD civilian equivalent. Security Forces escorts in the grade of E-4/DoD civilian equivalent or higher may be a transfer escort. **(T-1)**

10.5.3. Never assign escorts who may sympathize with or are biased against the inmate. **(T-1)**

10.5.4. An escort must be the same gender as the inmate; however, if assigning more than one escort at least one must be the same gender. **(T-0)**

10.5.5. When transferring by vehicle, parent unit provides driver and escorts (if not locally determined, the driver and escorts should be SF). **(T-1)**

10.5.6. Preventive measures should be taken to protect escorts against blood borne pathogens (e.g., carrying latex gloves and disposal bags). **(T-1)**

10.6. Confinement Staff Actions. Upon receipt of transfer approval message, the assigned escort makes telephonic contact with the AF liaison or gaining facility staff to obtain information on local travel conditions and to coordinate a pick up detail or escort accommodations. Verify all required documents are in the CTF and the inmate has all clothing and H&C items required for the facility. Ensure inmates arrive with documentation, which clearly indicates their legal status and sentence as imposed by a military court (or as modified by subsequent CA action). Include copies of DD Form 2707, deferment orders, accurate documentation of pretrial confinement, and documentation relative to any emotional or behavioral problems. **(T-0)**

NOTE: Include a record of trial (if required by AFMAN 51-203, *Records of Trial*, and when available).

10.6.1. When classifying inmates for transfer to a Level III facility, as required by DoDI 1325.07, forward the Report of Investigation (no exceptions) IAW with AFOSI 71-121, *Processing and Reporting Investigative Matters*, to: Commandant, United States Disciplinary Barracks, Director of Inmate Administration, 1301 N. Warehouse Road, Ft Leavenworth KS 66027-2304. **(T-0)**

10.6.2. Once travel arrangements have been made, the confinement officer/NCO requesting transfer sends an itinerary message to AFSFC/SFC and the gaining CF NLT 72-hours prior to the inmate's departure. Confinement staff ensures escort selection is based upon custody classification. Include the inmate's name, parent unit, estimated departure date and time, mode of travel (airline and flight number, government vehicle, etc.) and grade and name of escorts. **(T-1)**

10.6.3. The inmate's parent unit ensures MilPDS records are updated prior to the transfer. Escorts do not hand-carry the Unit Personnel Records Group (UPRG) to the designated confinement facility. **(T-1)**

10.6.3.1. The inmate's FSS forwards the UPRG and a current records review report on individual duty within 15-days after transfer, to AFSFC/SFCP, 1517 Billy Mitchell Blvd, JBSA Lackland TX 78236-0119. After the inmate arrives at the gaining facility, AFSFC/SFCP updates e-ARMS data. **(T-1)**

10.6.3.2. Prior to the transfer, the inmate's MTF will provide the escorts with a complete copy of the Service Treatment Record (STR). The MTF mails the original STR to: 59th Medical Wing, Wilford Hall Ambulatory Surgical Center, ATTENTION: Outpatient Medical Records Dept, 2200 Bergquist Drive Suite 1, JB San Antonio-Lackland TX 78236-9908. **(T-1)**

NOTE: For additional information pertaining to medical records for those placed in Confinee or Appellate Review Leave status; see AFI 41-210, *Tricare Operations and Patient Administration Functions*, Paragraph 5.7.3.

10.6.4. Inmates are transferred with permanent change of station (PCS) orders. When transfers are completed prior to CA action, ensure orders reflect PCS without permanent change of assignment (PCA). **(T-1)**

10.7. Determining AFSFC/SFC Gain of Inmates. AFSFC/SFC cannot gain AF inmates (to relinquish the unit and base of the inmate) until the Court Martial Convening Authority (CMCA) completes the action. Additionally, the inmate must have received a punitive discharge and normally have 120 days remaining before parole or expiration of sentence. Inmates not receiving a punitive discharge upon completion of confinement are returned to the parent unit. However, given the time available, should the parent unit (wing) administratively discharge the inmate prior to release from confinement, the inmate does not need to return to the unit upon release from confinement if proceeding on parole or expiration of sentence. For specific guidance on orders, refer to the appropriate AFPC PSDG. **(T-1)**

10.7.1. Level I facilities notify AFSFC/SFC at least 10 duty days prior to the requested action date to facilitate processing of all pertinent documents. Prior to AFSFC/SFC gaining an inmate, all required clothing and administrative items must be complete. **(T-1)**

10.8. Transfers From OCONUS. When transferring an adjudged inmate from overseas, accomplish the following actions prior to arrival at a CONUS location:

10.8.1. When the sentence to confinement has *not expired* and either, 1) *a punitive discharge* is pending, or 2) *no discharge* is pending, then the overseas commander should seek to ensure the inmate is transferred with at least 90 days or more remaining on their sentence. Historically, transferring with less than 90 days remaining creates unique administrative and fiscal challenges in locating an available short term CONUS bed space; however, given sufficient time, AFSFC/SFC may be able to secure a CONUS bed space. In both of these situations, after the inmate arrives at the CONUS facility and if not otherwise prohibited in personnel instructions, AFSFC/SFCP begins the process to force gain the individual's records from the parent unit. **(T-1)**

NOTE: Specific personnel actions are contained in AFPC's most current PSDG.

10.8.2. When the inmate completes confinement overseas and is awaiting completion of appellate review and subsequent execution of an approved punitive discharge, the overseas

commander places the member on required excess leave IAW AFI 51-201 and returns the former inmate to Home of Record or other location as appropriate/authorized. **(T-1)**

10.9. Confinee Movement Aboard Commercial Aircraft. The Transportation Security Administration (TSA) provides guidance for transporting military confinees IAW Code for Federal Regulations. Refer to AFMAN 31-127, *Security Forces Armed/Unarmed Transfer Team Procedures*. Additional requirements are necessary when flying armed, e.g., movement of high-risk (maximum) confinee. AFMAN 31-127 details the TSA's requirements for Law Enforcement Officers (LEOs) Flying Armed. **(T-0)**

10.10. Confinee Movement Aboard Military Aircraft. Refer to AFMAN 31-127 for transfers conducted using military aircraft.

10.11. Confinee Movement Aboard Ground Transportation. Use appropriate number of escorts for the custody classification. The driver does not count as an escort. **(T-0)** In addition, escorts:

10.11.1. Use government or government rented vehicles. **(T-0)**

10.11.2. When using restraints, do not restrain confinee to the vehicle except for proper use of seat belts. **(T-0)**

10.11.3. Limit stops to those needed for rest, fuel, and emergencies. Escorts do not let confinees influence the selection of a stop location as it could be a ruse for an escape attempt. **(T-0)**

10.12. Transfer Escort Responsibilities. Escorts monitor the appearance and conduct of confinees. Restrain the hands (handcuffs or Hoffman Cuffs ™, as appropriate). Avoid crowds and actions that cause public attention. Escorts/confinees wear appropriate attire for the situation (uniform or civilian clothes) as directed by the DFC. Escorts/confinees do not consume alcohol during the transfer. **(T-0)**

10.13. Appearance of Confinees as Defendants and Witnesses at Civil or Military Proceedings.

10.13.1. Defendant/Witness in *Civil* proceedings. Regarding the appearance of confinees as a defendant or witness in legal proceedings in which the US Federal Government does not have a vested interest, the temporary custody release of a confinee from the facility requires prior approval. Facilities should cooperate to the extent practicable with civil authorities in the appearance of confinees as defendants or witnesses. If the confinee remains local, approval is obtained from the DFC after coordination with SJA. Confinees should not be released from the control of the Department of the Air Force without coordination with SJA and a retainer issued to and accepted by the civil authorities. Costs of transportation, housing, meals, and H&C items are the responsibility of the requesting civil authorities and identified in a memorandum. If the confinee does not remain locally; consult with SJA and contact AFSFC/SFC. **(T-1)**

10.13.1.1. A formal request (written memorandum) for temporary release/custody by the requesting agency of the above provisions is required. The local SJA reviews and forwards recommendations to AFSFC/SFC to approve/arrange for temporary custody, especially involving non-local movement. If the confinee has been gained by AFSFC/SFC, the legal review is done by AFDW/JA. **(T-1)**

10.13.2. Defendant/Witness in *Military* proceedings. If a confinee's presence is required as a defendant or witness in a court-martial, or other military legal proceeding, and the confinee has not transferred, the SJA coordinates the appearance with the local confinement officer. If the confinee has transferred to another facility (no longer local), SJA coordination is by memorandum with AFSFC/SFC. The memorandum should include, but is not limited to: fund cites to cover the cost of transportation, temporary confinement location and funds for housing (if required), specific dates required (consider additional pretrial preparation time if needed), meals for confinees and accompanying escorts, and H&C items (as required). Refer to AFI 51-201, Table 6.1. for funding guidelines. **(T-1)**

Chapter 11

REHABILITATION SERVICES

11.1. Required Level I Programs. Participation in daily activities which promote regular work assignments, offense related rehabilitation, physical fitness, and formal education/training (including self-improvement) increases usefulness, prevents idleness, and aids in alleviating custody problems while preparing for release and successful community reentry. Participation in programs should be based upon facility resources and needs, as well as confinee's needs in terms of status, custody, capability, and motivation for successful adjustment and preparation for release. The time spent in work assignments, rehabilitation, and education/training should approximate the work day in the community. **(T-0)**

NOTE: Due to security and transportation requirements, it is usually difficult to accommodate a full 8-hour work day. Setting a 32-hour work week as a goal is realistic given the extra admin time needed for processing, including transportation to/from mid-day meal and individual searches upon return to the facility. The purpose is to keep inmates active in work, education, and rehabilitation efforts.

11.1.1. Work Programs/Job Outlets. Confinement officers set up local inmate work programs that are consistent with custody level and civilian employment potential to the fullest extent practicable. Inmates should perform duties or services that contribute to the AF mission, as well as the inmate's rehabilitation. Use DD Form 2712, *Prisoner Evaluation,* to record the work assignments and performance. **(T-0)**

11.1.1.1. The confinement staff assigns tasks which confinees may perform. When assigning work to inmates:

11.1.1.2. Do not assign work to pretrial detainees. They should perform house-cleaning tasks along with post-trial inmates in their cell, bay, or dormitory. They may volunteer, in writing, for work assignments which may or may not be commensurate with their rank/grade. **(T-0)**

11.1.1.3. Inmates should work in a job outlet (during normal duty hours) commensurate with their custody classification. When possible, assignments should focus on using their military skill or obtaining and learning a skill the inmate may use upon release. This does not preclude periodically assigning inmates to details such as base litter patrol. When the DFC approves, inmates in minimum custody classification may work within their Air Force Specialty Code (AFSC). Inmates with special skills (e.g., mechanic, electrician, carpenter, etc.) should receive work assignments to put their skills to productive use under appropriate supervision. Brief escorts and work outlet supervisors on escort procedures and restrictions to inmate employment. Document the initial briefing and receive written acknowledgment from work outlet supervisors and escorts. **(T-0)**

11.1.1.4. Consider confinees in an on-duty status, except for periods of mandatory sleep, meals, visitation, periods as determined by a medical officer, and during periods of voluntary religious observations as determined by confinement officer in coordination with installation chaplain. **(T-1)**

11.1.2. *Prohibit* the following types of confinee employment:

11.1.2.1. Operating a vehicle, including forklifts, tugs, front end loaders, etc. **(T-0)**

11.1.2.2. Handling classified material, medical or behavioral health records, personal or official mail, personal property, funds, or sensitive files. This includes For Official use Only (FOUO) and Personally Identifiable Information (PII) documents. **(T-0)**

11.1.2.3. Working with hazardous materials, such as drugs, intoxicants, firearms, or munitions. **(T-0)**

11.1.2.4. Providing personal services or working in an authoritative capacity over others. **(T-0)**

11.1.2.5. Labor which is inherently more hazardous than that required of active duty personnel, violates civilian labor contracts, or under the supervision of a non-DoD foreign national. **(T-0)**

11.1.2.6. Labor which permits close association with opposite gender, unless closely supervised. **(T-0)**

11.1.2.7. Labor which may bring financial gain to inmates or the confinement staff, may bring criticism to the US military, or violates DoD standards of conduct. **(T-0)**

11.1.2.8. Performing work details outside the facility on Sundays and federal holidays unless the inmate(s) volunteer in writing. Non-Christians who practice their religion and non-religious individuals will share in the Sunday and federal holiday exception, or will be reasonably accommodated when practical. **(T-0)**

11.1.2.9. Work details within close proximity of schools, day/childcare, or like facilities, as reasonably determined by the DFC considering confining offenses and installation's physical layout. **(T-1)**

11.2. Correctional Treatment Programs. Rehabilitation, education, and training programs are equal in importance to work assignments. **(T-0)**

11.2.1. As available, ensure access to:

11.2.1.1. Mental Health counseling. **(T-0)**

11.2.1.2. Drug and alcohol counseling (if diagnosed or offense related). **(T-0)**

11.2.1.3. Self-growth groups, e.g., AA and NA. If groups are unavailable on base, the confinement officer should attempt to arrange visits by facilitators, if needed. **(T-0)**

11.2.1.4. Pre-release counseling, including preparation of parole plans, if parole eligible. **(T-0)**

11.2.1.5. Academic Instruction. Those with serious reading and/or writing deficiencies are offered the opportunity to pursue AF sponsored remedial training, if available locally. Adult basic education is designed to contribute to the inmates' social adjustment. **(T-0)**

11.2.1.6. Religious programs. Confinees are permitted to worship and participate in religious activities according to their faiths, subject to their particular custody requirements. If attending worship outside the facility is impractical due to escort

requirements, work with the base chaplain's office to bring ministry to the facility. Confinees are *not required* to attend religious meetings or services. **(T-0)**

11.3. Training, Treatment, and Transition Program (TTTP). Confinement staff ensures AFSFC/SFC TTTP materials, identified in the TTTP Resource Guide, are made available to those who voluntarily elect to participate, even if housed off base. The TTTP Resource Guide is available on the corrections website at **https://afsfmil.lackland.af.mil/sfc-correctionsdivision.html** TTTP is designed to provide information and resources for the Level I confinement staff to better assist in rehabilitation and successful transition back to the community. The confinement staff does not act as mental health counselors. **(T-1)**

11.3.1. Use DD Form 2712 to document weekly progress and to determine eligibility for Earned Time (ET). Refer to DoDI 1325.07., Enclosure 2, Appendix 3, for rates and requirements. Confinement officers determine amount of ET awarded. **(T-0)**

NOTE: When completing the DD Form 2712 for TTTP evaluation, the purpose is "other". In Section 1, Attitude & Traits, complete "Initiative" and "Interest in Facility Treatment Program" on a weekly basis. All other areas pertain to the inmate's general conduct while confined. Section 2, Work Performance, is not to be used for TTTP evaluation, but can be completed for participation in work assignments and combined with TTTP and general conduct evaluations.

11.4. Education. Encourage further civilian and military education by allowing base level participation in self-study courses and correspondence courses, as practicable. Successful completion of these courses counts for ET. Refer to DoDI 1325.07., Enclosure 2, Appendix 3, for rates and requirements. **(T-0)**

11.5. Physical Exercise and Recreation. Historically, the majority of facility disorders are planned or instigated during extended periods of un-programmed time. It is with this in mind the facility provides, as an integral part of the correctional treatment program, recreational and welfare activities which are intended to constructively occupy time and fill the gaps between scheduled details, training, and administrative activities. This *does not* prohibit schedules from including free time; a full schedule should include free time. Recreation also helps relieve stress brought on by living in confinement. **(T-0)**

11.5.1. Physical Exercise. Confinement officers ensure at least one hour of physical training, three times a week. For safety, security, and to prevent access to contraband, the staff closely supervises team sports and individual activities. Facilities that do not have their own recreation yards need to coordinate with the services commander for use of installation fitness centers. Ensure adequate escorts are available according to custody classifications. Only treadmills may be used for "running activities". **(T-0)**

NOTE: Confinement NCOs should consider including an organized calisthenics and cardio routine as part of a scheduled daily activities. Physical activity is an important stress relief in confinement and has shown to reduce disturbances and thus improves safety.

11.5.2. Recreation. Activities are effective in preventing periods of idleness and boredom among the population. Include scheduled periods to allow for reading, table games, television, and radio. Segregated confinees are allotted the same amount of recreation time as general population confinees. **(T-0)**

NOTE: Schedule staggered recreation times to maintain order and discipline within the facility.

11.5.3. Dayroom and Television Area. Furnishings should be comparable to those in squadron dayrooms. Television and/or radios should be available. Provide tables and chairs for table games. The staff monitors television or radio program selection to limit violence/language/nudity. **(T-0)**

11.5.4. Recreational Reading Area. Screen/approve reading material prior to facility introduction in order to prevent violence or nudity themed material. **(T-0)**

NOTE: Those in pay status are allowed to purchase approved reading material (i.e., hometown newspaper, local newspaper, or magazines) with their personal funds. Reading material by mail must arrive from the publisher/supplier (not mailed from an individual) or be purchased directly from a vendor, such as the Base Exchange.

Chapter 12

CLEMENCY AND PAROLE

12.1. Process. As per DoDI 1325.07 and DoDD 1325.04, the clemency and parole process is used to consider eligible inmates for clemency (sentence reduction) or community supervision (parole or mandatory supervised release (MSR)). It is not a forum for inmates to appeal sentences or convictions.

12.2. The Disposition Board. As necessary, each facility establishes a disposition board to make recommendations for confinee clemency, parole, and mandatory supervised release (MSR). Parole, clemency, and MSR requests are forwarded along with the disposition board's recommendation through the DFC to the appropriate Service clemency and parole board. This three member board is historically best composed of those above the chain of the confinement staff, but still close enough to be familiar with the operations of the mission (e.g., consider Confinement Officer, SF Manager, SF Superintendents, etc.). To create consensus and fairness, the DFC may use the Disposition Board to review and recommend changes to custody classifications, work and quarters assignments and treatment program or training assignments. **(T-0)**

NOTE: A Disposition Board is not the same as a D&A Bd (see paragraph 9.1.1. for D&A Bds). For additional information on disposition board procedures concerning clemency, parole and restoration matters see paragraphs 12.2 – 12.7.

12.2.1. Unless the board is waived in writing by the inmate, this board provides *recommendations* to the AFC&PB for:

12.2.2. Clemency in the form of suspension or remission of any part/amount of the unexecuted part of any sentence, including all uncollected forfeitures other than a sentence approved by the President. **(T-0)**

12.2.3. Parole, Restoration, or Return-to-Duty when requested by eligible inmates. **(T-0)**

12.2.4. MSR. **(T-0)**

12.3. Disposition Board Authority. For Level I Facilities, the confinement officer ensures a disposition board convenes for clemency and parole eligible inmates. For Level II and III Facilities, the facility boards and board procedures are administered through the facility's Parole and Release Section. **(T-0)**

12.4. Scheduling Disposition Boards. Convene disposition boards after CA action however, time restraints may require convening of the board before CA action. Schedule disposition boards to ensure timely AFC&PB receipt of the recommendations. **(T-1)**

12.4.1. The AFC&PB may grant or disapprove facility or inmate requests for special consideration, e.g., earlier or out-of-cycle consideration. Cases given out-of-cycle consideration do not affect an inmate's annual consideration date.

12.5. Disposition Board Case File Preparation at AF Level I Confinement Facilities. The confinement officer or NCO assist eligible inmates in preparing their package (e.g., providing

paper, addresses, access to ADC, if requested, etc.) unless eligibility is specifically waived or postponed by the inmate in writing. The following items are forwarded to the AFC&PB:

12.5.1. Disposition board recommendations. Submit in typewritten form, including rationale for both majority and minority recommendations. **(T-1)**

12.5.2. Inmate Disposition Board Brief. Contains pertinent information about the inmate's court-martial, background and confinement data. **(T-1)** For example: name, age, nature of the offenses, sentence, date sentenced, pretrial confinement (if any), parent unit name, summary of behavior and rehabilitation effort, discipline and any other factors deemed appropriate.

12.5.3. Inmate's parole, clemency and restoration request/statement. **(T-1)**

12.5.4. Inmate's personal letter (optional). **(T-1)**

12.5.5. Inmate's Tender of Residence Statement. **(T-1)**

12.5.6. Inmate's Tender of Employment (Written offer of employment, employment assistance from a legitimate agency, or school admission letter.) **(T-1)**

12.5.7. Confinement officer or case manager's evaluation of the inmate's performance in confinement, e.g., domicile and work assignment reports. **(T-1)**

12.5.8. Clinical Services Evaluations. (Inmate's psychological evaluation.) **(T-1)**

12.5.9. Clinical Services Social History Reports. (Inmate's background report.) **(T-1)**

12.5.10. DD Form 2715-2, *Inmate Summary Data*, used to record inmate's current offense(s), personal history, prior offense(s) and evaluations and planning information. **(T-1)**

12.5.11. Court-Martial Order (CMO). **(T-1)**

12.5.12. **DD Form 2707-1 *Report of Result of Trial,* or computer generated equivalent. (T-1)**

12.5.13. Character reference letters and miscellaneous documents submitted by or on behalf of the inmate. **(T-1)**

12.5.14. A statement from the confinement facility's victim/witness coordinator that all individuals enrolled in the Victim/Witness Program were informed of the disposition board hearing date by written notification and whether or not victim impact statements were submitted. If victim impact statements were submitted, ensure attachment and inclusion in the disposition board case file. **(T-0)**

12.6. Disposition Board Considerations. A disposition board considers the inmate's offense(s), attitude, aptitude, adaptability to confinement, record of performance during confinement, rehabilitation efforts, rehabilitation potential and potential for further military service or adjustment to the civilian life. *Disposition Board* proceedings are not open to the public, victims, or witnesses. **(T-0)** When formulating a recommendation for approval/disapproval of parole, MSR, clemency, or restoration to duty, consider the following as applicable:

12.6.1. Confinement record. **(T-0)**

12.6.2. Acceptable release plan (residence and employment, or school intentions). **(T-0)**

12.6.3. Active rehabilitative efforts. **(T-0)**

12.6.4. Restitution to victims. **(T-0)**

12.6.5. Acceptance, responsibility and remorse for offenses. **(T-0)**

12.6.6. Impact of offense on victims. **(T-0)**

12.6.7. Danger to themselves or society. **(T-0)**

12.6.8. Extenuating circumstances which warrant action. **(T-0)**

12.6.9. Personal hardships. **(T-0)**

12.6.10. Prior military and civilian criminal record. **(T-0)**

12.6.11. Potential to be an asset to the military (i.e. RTDP). **(T-0)**

12.6.12. Military history (ability to meet standards). **(T-0)**

12.6.13. Other matters as appropriate. **(T-0)**

12.7. Disposition Board Procedures at AF Level I Confinement Facilities. Confinement staff and other officials may not release recommendations to inmates. The following is the sequence of events for a disposition board at AF facilities. **(T-1)**

NOTE: See paragraph 9.1.2. for board composition.

12.7.1. The disposition is held no earlier than 60 days and no later than 30 days before the inmate's parole eligibility date. **(T-1)**

12.7.2. The board members review the inmate's case file (available for review at the facility) at least 24-hours prior to the board meeting. The board members review the package and formulate their questions for the inmate prior to the board. **(T-1)**

12.7.3. The chairperson convenes the board. The inmate reports to the chairperson and either requests or declines any of the following: parole, clemency, and/or restoration to duty. The inmate is allowed to present documentation. Questions from the board are to be relevant to the inmate's request. After questioning is completed, the chairperson allows the inmate an opportunity to make a closing statement for the board's consideration. **(T-1)**

NOTE: Additional information on best practices can be obtained by contacting AFSFC/SFC.

12.7.4. The board votes and makes the results available for the DFC to provide comments (the vote is not provided to the inmate). The DFC cannot alter the vote and only provides comments for the AFC&PB's consideration. The results and documents provided by the inmate, including an inmate's written waiver if the proceeding is declined, are processed and electronically forwarded to the AFC&PB email org box address; **usaf.pentagon.saf-mr.mbx.saf-mrbp-cpb@mail.mil** for review and action. Additionally, forward a courtesy copy of the complete board package via mail or email to the inmate's CA via the SJA. **(T-1)**

12.8. Facility Disposition Boards at DoD Level II and III Corrections Facilities. Through DoDIs and Inter-Service Support Agreements the Level II or III facilities convene disposition boards for eligible AF inmates and forward results directly to the AFC&PB for final disposition. The AFC&PB sends a copy of the results to both the facility commander and AFSFC/SFC.

12.9. Air Force Clemency and Parole Board. The AFC&PB makes decisions on clemency, reenlistment eligibility, transfer to the Federal Bureau of Prisons (FBOP), parole, MSR, restoration and Return-to-Duty on behalf of the Secretary of the Air Force.

12.9.1. The Director, Air Force Review Boards Agency appoints members to the board on behalf of the Secretary of the Air Force. The AFC&PB meets at the direction of the Chair of the AFC&PB. As a minimum, the board consists of the Director of the Secretary of the Air Force Personnel Council (SAFPC), a representative from AFLOA/JAJR, a Judge Advocate representative assigned to Air Force Review Boards Agency, a representative from AFSFC/SFC and the Chair. The Executive Secretary of the AFC&PB is the Chair. The Deputy Director of the SAFPC serves on the board in the absence of the Director of SAFPC; and the Deputy Executive Secretary of the AFC&PB serves on the board in the absence of the Chair of the AFC&PB.

12.9.2. The AFC&PB Chair or Deputy Executive Secretary authenticates the official entries into Department of the Air Force records and provides written notice of approved actions as necessary.

12.9.3. The AFC&PB Chair or Deputy Executive Secretary maintains liaison with the Judge Advocate General of the Air Force, Director of Security Forces, the Departments of the Army and Navy C&PBs, the FBOP, the US Parole Commission and the Administrative Office of the US District Courts.

12.9.4. The AFC&PB executes the Secretary of the Air Force's clemency authority established under Title 10 USC § 953. The board may suspend or remit all or any part of an unexecuted sentence under Article 74(a) of the UCMJ, including changing a dishonorable discharge to a bad conduct discharge. There is no right of appeal from a clemency decision of the Board. Upon favorable consideration of a RTD application by the AFC&PB, the discharge is upgraded to honorable to allow reenlistment, or to general under honorable conditions, without reenlistment eligibility. (See Attachment 18)

12.9.5. The AFC&PB considers eligible inmates, to include those in federal and state facilities, to:

12.9.5.1. Adjust significant disparities in approved sentences, to affect uniformity for similar offenses and similar offenders, as far as possible and otherwise modify approved sentences consistent with good order and discipline and in the best interest of the Air Force, society and the inmate.

12.9.5.2. Release eligible inmates in military corrections facilities to parole or MSR.

12.9.5.3. Determine reenlistment eligibility (Title 10 USC §§ 951, 953 and 954).

12.9.5.4. Recommend to the Secretary substitution of an administrative discharge for a punitive discharge or dismissal under Article 74(b), UCMJ.

12.9.5.5. Approve transfer of inmates to the Federal Bureau of Prisons (FBOP).

12.9.6. AFC&PB proceedings are not open to the public. Although individuals being considered by the AFC&PB are not authorized to make a personal appearance before the Board, the Board considers any written, audio, or video material sent by or on behalf of the inmate. Others, such as family members, friends, professional associates or attorneys, may at no expense to the Government, appear on behalf of an individual being considered for clemency or parole. Additionally, victims, the victim's family and representatives may also appear at no expense to the Government, to present information concerning the impact of the confining offenses on the victim or the victim's family. The AFC&PB retains absolute

authority to determine who may be permitted to appear, to limit the time of any presentation before the AFC&PB, and to ensure the orderly nature of the proceedings. Additionally, the Board considers any written, audio, or video material sent by or on behalf of victims, witnesses and other interested individuals.

12.9.7. The Chair or any other authorized representative of the AFC&PB may initiate discussions and correspondence with inmates, victims and individuals in law enforcement, the correctional institutions, or probation and parole fields to assist the Board in carrying out its responsibilities.

12.9.8. The AFC&PB develops and recommends uniform policies with respect to clemency, parole, and MSR. These policies become effective when implemented by the Chair or designee.

12.10. Clemency and Parole/Mandatory Supervised Release (MSR) Considerations. Along with recommendations from the disposition board, AFSFC/SFC, confinement/corrections facility commanders and the appropriate CA, the AFC&PB considers the following for clemency, parole and Mandatory Supervised Release (MSR):

12.10.1. Nature, circumstance and impact of offense(s) on the victim(s). **(T-0)**

12.10.2. Inmate's military, civilian and confinement records, including custody level attained and participation in rehabilitation programs. **(T-0)**

12.10.3. Inmate's personal characteristics (age, education, civilian, personal support system and psychological profile). **(T-0)**

12.10.4. Protection and welfare of society. **(T-0)**

12.10.5. The need for good order and discipline and deterrent effect of a decision. **(T-0)**

12.10.6. Inmate's combat and/or overseas records. **(T-0)**

12.10.7. Inmate's insight into wrongfulness of offense(s) and demonstrated sense of responsibility. **(T-0)**

12.10.8. The feasibility of a proposed supervised release plan. **(T-0)**

12.10.9. Inmate's efforts to make restitution to the victim. **(T-0)**

12.11. Eligibility for Clemency (Sentence Reduction, Restoration, Reenlistment and/or Return-to-Duty). After CA action, upon request, the AFC&PB may consider clemency actions for inmates and former inmates still under parole or supervision. **(T-0)**

12.11.1. The AFC&PB considers clemency, restoration and reenlistment actions according to standards and procedures in DoDI 1325.07. (See Attachment 18)

12.11.2. The AFC&PB considers out-of-cycle clemency requests, for cause.

12.11.3. Those inmates sentenced to death do not have their cases reviewed by the AFC&PB.

12.12. Announcement of Clemency Results. Confinement officers promptly notify inmates of the AFC&PB's decision. The confinement officer notifies the Board immediately if an inmate's conduct has significantly changed, or if there is other relevant information the Board should consider. **(T-0)**

12.13. Eligibility for Parole. Unless waived in writing, the AFC&PB considers inmates for release on parole when they first become eligible and annually thereafter. The Board or a confinement/corrections facility commander may advance an inmate's parole eligibility date or order an out-of-cycle disposition board. Inmates may make special requests for advancement of parole eligibility or an out-of-cycle disposition board to the confinement/corrections facility commander. **(T-0)**

12.13.1. Unless directed otherwise by the AFC&PB, inmates are eligible for parole when the inmate has an approved unsuspended sentence, 1) to a punitive discharge or dismissal, an approved administrative discharge, or is either retired or approved for retirement and 2) the unsuspended sentence or aggregate sentence to confinement is 12 months or more and the inmate has served one-third of the term of confinement, but in no case less than 6 months; or after having served 10 years of a sentence to confinement for 30 years or more, or after having served 20 years of a sentence to confinement for life, but not a sentence of confinement for life without eligibility for parole.

12.13.2. The AFC&PB normally does not consider inmates whose parole was revoked for parole violations and returned to confinement until the inmate serves 12-months confinement after return to confinement.

12.13.3. An inmate with an approved sentence to death or confinement for life without eligibility for parole is not eligible for parole.

12.13.4. The AFC&PB considers inmates, if otherwise eligible for parole in accordance with paragraph 12.13.1., with an approved sentence including confinement for 12 months or more and a fine with a provision for further confinement if the fine is not paid, for parole based on the approved sentence to confinement and without regard to that confinement made contingent upon failure to pay the fine.

12.13.5. The AFC&PB considers inmates with an approved sentence including a fine with no confinement, but with a provision for confinement if the fine is not paid, for parole upon the inmate's imprisonment for not paying the fine, if otherwise eligible, in accordance with paragraph 12.13.1.

12.13.6. When computing eligibility for parole date, do not factor GCT and ET.

12.13.7. The AFC&PB can waive any of the above eligibility requirements, except those relating to inmates with an approved sentence to confinement for life without eligibility for parole or with an approved sentence to death.

12.14. Objectives of Parole. The objectives of parole are:

12.14.1. Assisting the inmate through supervision and guidance in making the transition from a controlled environment to life in the community.

12.14.2. Making available a focal point through which community services may contribute to the inmate's positive social adjustment.

12.14.3. Protecting the community and the inmate from stresses associated with unsupervised release.

12.15. Parole/Mandatory Supervised Release (MSR) Preparation Assistance. Confinement officers appoint an individual to provide the following assistance to inmates. The appointee must have no direct connection with the individual inmate's prosecution. **(T-0)**

12.15.1. The appointee advises inmate of requirements and eligibility criteria for parole and MSR. The appointee assists them in developing an acceptable supervision plan (either a parole plan or an inmate's plan for MSR) and if applicable a restitution plan. Lastly, upon completion of the plan, the appointee verifies the inmate's plans. **(T-0)**

12.15.2. The appointee interviews inmate and formulates a recommendation to the disposition board on DD Form 2715-1. The recommendation is based on the merits of the inmate's parole plan and suitability for parole. The appointee recommends any specific conditions for parole; e.g., involvement in Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) sessions, community-based behavioral health or substance abuse rehabilitation programs and urinalysis testing. **(T-0)**

12.15.3. Once parole is approved, the appointee contacts the Parole Branch at the MCF to determine the US Probation Office nearest the inmate's residence while on parole. **(T-0)**

12.15.3.1. The appointee contacts designated US Probation Office to relinquish responsibility of the inmate. **(T-0)**

12.15.3.2. The appointee forwards a copy of inmate's supervision plan and parole/MSR certificate with attachments to the designated US Probation Office to coordinate an inmate's supervision plan. **(T-0)**

12.16. Conditions for Release on Parole/MSR. The AFC&PB paroles inmates when it is consistent with the ends of justice and as soon as inmates demonstrate they can assume the responsibilities of productive, law-abiding citizens. Parole is not a means to manage inmate populations. Prior to release on parole, inmates must have an approved supervision plan and agree in writing to abide by the plan and the conditions of supervision.

12.16.1. The inmate's plan includes where and with whom the inmate will live. Additionally, it includes the full address, county or parish, telephone number and relationship of and written acknowledgment by the person with whom the parolee will live. The plan must include the names and relationships of all residents in the household and birth dates of all residents under the age of 18.

12.16.2. Ensure the plan includes employment information except in the case of a medically disabled inmate. The inmate can meet this requirement by presenting written proof of either guaranteed employment, an offer of effective assistance to obtain employment, or acceptance to a bona fide educational or vocational program. Employment in a family member's household or an offer of employment assistance by a family member is normally not acceptable.

12.16.3. If the inmate's crime involved pecuniary (financial) loss by a victim consider including appropriate restitution guidance in the supervision plan.

12.16.4. The AFC&PB establishes and subsequently modifies any conditions for release it considers reasonable and appropriate. The Board may also grant parole up to the expiration of full sentence.

12.17. Announcement of Parole Results. The AFC&PB immediately forwards its decision to the commander of the facility housing the inmate. The commander ensures the inmate acknowledges the appropriate section (i.e., parole approval or parole denial) and signs the DD Form 2716, *Parole Acknowledgement Letter*. When the Board denies parole, its decision includes the reason for denial. When the Board approves parole, the decision package includes the DD Form 2716-1, *Department of Defense Certificate of Supervised Release*. Before notifying the inmate of the results, the confinement officer notifies the Board immediately if the inmate's conduct significantly changed or there is other relevant information that the Board should consider.

12.18. Appeal of Parole Denial. Inmates denied parole may appeal through the facility commander or designee within 30 days of receiving written notification of denial. The inmate should submit new or additional information not previously considered. The facility commander or designee verifies the accuracy of inmate's statement and provides input as to whether the factors justify changing the AFC&PB's decision. The facility commander or designee electronically forwards the inmate's appeal and the board case file to: **usaf.pentagon.saf-mr.mbx.saf-mrbp-cpb@mail.mil** for final decision by the Director, Air Force Review Boards Agency. Inmates receive no further appeals.

12.19. Parole Processing. The confinement officer or facility commander releases inmates on parole, in coordination with appropriate US Probation Office, as specified on DD Form 2716-1**.** Inmate misconduct after parole approval may delay or preclude release. Promptly notify the AFC&PB of the reason for delay and make a recommendation for further delays or rescission of parole, if necessary. **(T-0)**

12.19.1. Upon approval of parole, the Chair or designee prepares DD Form 2716-1, and forwards it with the notification of parole approval, to the confinement officer having custody of the inmate. **(T-0)**

12.19.2. Confinement officers responsible for Level I facilities notify AFSFC/SFC on pending parole releases to ensure proper coordination is completed including Victim/Witness notifications. **(T-0)**

12.19.2.1. The inmate signs all copies of the parole certificate acknowledging receipt and understanding of the contents. The certificate, which serves as a release order, also contains any special conditions or limits to parole. **(T-0)**

12.19.2.2. The confinement/corrections facility distributes the original DD Form 2716-1 to the USDB Parole Office, the first copy to the inmate, the second copy to the designated US Probation Officer, the third copy to the AFC&PB and the fourth is placed in the CTF. **(T-0)**

12.19.3. If discharge is complete, the confinement officer gives AF Form 100 and DD Form 214 to the inmate before release on parole. **(T-0)**

12.19.4. Inmates released on parole, if qualified, receive the same gratuities as inmates released from confinement. **(T-0)**

12.19.5. A medical practitioner gives parolees a physical examination according to AFI 48-123, *Medical Examination and Medical Standards*. This physical examination suffices for

the discharge physical for those inmates undergoing appellate review and not previously discharged. **(T-0)**

12.19.6. Individuals released on parole are directly responsible to the assigned US Probation Officer and to the AFC&PB. **(T-0)**

12.19.7. The parolee may not travel outside the parole limits without prior approval. The parole limits include the geographical areas in which an inmate resides. Unless otherwise directed by the AFC&PB, the parolee's movement is to be prescribed by the probation officer, who may extend or further restrict the parole limits as required for the adjustment and supervision of the parolee. However, the parolee must obtain prior approval of the AFC&PB, through the probation officer, for an absence from the parole limits for more than 20 days or for any travel outside of the United States. The probation officer should advise the AFC&PB of any such requests.

12.19.8. Upon receipt of AFP&PB's parole approval, the confinement staff contacts inmate's servicing FSS (if not gained by AFSFC/SFC) and provides a copy of the letter approving parole. AFSFC/SFC provides specific actions for completing PCS orders and for releasing the inmate. The prepared DD Form 2716-1 serves as the release order. **(T-0)**

NOTE: *Do Not* complete DD Form 2718, *Prisoner Release Order***.**

12.19.8.1. Ensure all VWAP and Sex Offender notifications/registration, if applicable, have been made prior to release. **(T-0)**

12.19.8.2. Consult AFSFC/SFCP to determine parolee eligibility to be reassigned to AFSFC/SFC. **(T-0)**

12.19.8.3. The AFC&PB considers parolees for clemency. The clemency review package must include the assigned US Probation Officer's report on the parolee's adjustment. **(T-0)**

12.20. Parole Termination. Expiration of the term of confinement ends parole.

12.20.1. If a parolee's punitive discharge has been executed or the parolee is eligible and approved to retire at the end of the parolee's service of confinement, then at the completion of the full term of confinement, the parolee is released from supervision.

12.20.2. If a parolee's sentence to confinement expires before appellate review is complete and before execution of a discharge or retirement, the parolee is placed on excess leave by the servicing FSS. **(T-0)**

12.21. Parole Suspension. When the AFC&PB receives information that the parolee may have violated one or more conditions of parole, the Board Chair, or designee, immediately determines whether to suspend parole. If also considered necessary to assure the presence of the parolee, pending a determination of the parolee's status, or when the parolee presents a flight risk or substantial threat to public safety, the Chair or designee may direct the parolee be taken into custody. The Chair or designee advises the AFC&PB of the action taken as soon as possible. Transportation costs incident to return to military custody under these conditions are borne by the government. **(T-0)**

12.22. Parole Revocation (Parole Violation Warrants). The AFC&PB, revokes parole according to standards and procedures in DoDI 1325.07.

12.22.1. The AFC&PB consider findings and recommendations of the officer or panel conducting the parole violation hearing. The AFC&PB makes a decision to revoke parole based on the preponderance of the evidence that the parolee violated a condition of parole and that the violation warrants parole revocation. In determining whether the violation warrants the revocation of parole, the Board should consider the factors set forth in paragraph 12.10. as well as the impact the revocation creates on the parolee and the parolee's family. **(T-0)**

12.22.2. After conducting a supervision violation hearing (SVH), the officer or panel immediately forwards a summary of the proceedings to the AFC&PB. If the AFC&PB revokes parole and does not immediately re-parole the parolee and the parolee is confined in a civilian institution, the AFC&PB initiates action to lodge a detainer with civilian authorities. If the parolee is at large in the district of the violation, pending decision on revocation, the AFC&PB initiates action to return the parolee to military control. **(T-0)**

12.22.3. When the AFC&PB suspends or revokes parole, the AFC&PB may order a warrant for the parolee's return to military custody. The AFC&PB furnishes a copy of its decision to order a warrant to AFSFC/SFC so a warrant may be prepared for the AFSFC/CC's signature. AFSFC/SFC completes DD Form 553-1, *Parole/Mandatory Supervised Release (MSR) Violator Wanted by the Armed Forces*. The warrant is entered into NCIC. In cases of parole revocation, AFC&PB furnishes an information copy to AFLOA/JAJM. When a parole violator is located in the custody of civil authorities, AFSFC/SFC places a detainer with civil authorities for return of the inmate to military control. The nearest Air Force Installation Security Forces unit, as determined by AFSFC/SFC, is responsible for returning AF parole violators to military control. AFSFC/SFC arranges subsequent movement(s) for the completion of any remaining period of confinement. For the purposes of return to military custody AF parole violators, including violators on Mandatory Supervised Release, are considered deserters. **(T-1)**

NOTE: See paragraph 8.8.3. for additional information on return of absentees, deserters, and escapees.

12.22.3.1. AFSFC/SFC also completes FBI Form I-12 (as necessary) on a parolee whose apprehension is desired. Check the "wanted for" box and give the reason for the notice. Completing the form does not mean the FBI moves to initiate an arrest. It merely notifies AFSFC/SFC of arrests coming to the attention of the FBI Identification Division.

12.22.3.2. Upon return to military custody, the AFSFC/SFC cancels the NCIC warrant by completing DD Form 616 and ensuring cancellation of active warrant. If FBI Form I-12 was completed, the "Wanted" notice is cancelled by completing the applicable portion and submitting it to HQ AFOSI for submission to the FBI.

12.22.3.3. AFSFC/SFC secures the fund site for returning parole violators to military custody. The facility returned is normally the facility which released on parole/MSR. AFSFC/SFC directs/coordinates with appropriate military/civilian agencies to affect the return.

12.22.3.4. At AFSFC/SFC's direction, the nearest Air Force installation security forces provides escorts for return of the parole/MSR violator to military control. For this purpose, parole/MSR violators are considered in escape status. **(T-1)**

12.23. Emergency Parole (EP). DFCs may authorize, in consultation with their SJA, EP for inmates who require a home visit for *extreme emergency* circumstances. The death(s) of an inmate's family member(s), or the birth of a child(ren), for example, are not normally considered extreme circumstances. An *extreme emergency* circumstance is normally one in which the inmate's physical presence is deemed necessary to save the life of another, e.g., an organ donation/bone marrow donation. Verify the emergency with agencies such as the American Red Cross, or by direct consultation with medical professionals requesting the inmate's presence. Prior determination must be made to verify circumstances exist that justify such special action and that such action is consistent with correctional requirements and public safety. Ensure security is maintained when the inmate is hospitalized overnight following a medical donation procedure. If a non-hospitalized overnight stay is required, the inmate may only reside in a military confinement facility or an approved civilian facility (see paragraph 1.2.2.1. for facility approval). Due to the urgent nature of EP make initial victim/witness notification(s) telephonically followed up by the usual written notification(s). DFCs authorize EP for as long as deemed necessary, but normally should not exceed seven days or a period considered medically necessary. Time on EP counts as confinement time served. Unless the sentence expires during EP, ***inmates return to confinement***. The US Government must not incur financial responsibility for any inmate expenses during an EP situation unless it is lifesaving in nature, otherwise all travel and subsistence expenses of the inmate and escorts (escort number determined by custody classification) is borne by the inmate. For life saving instances, the inmates' parent unit is responsible for funding. **(T-1)**

NOTE: If a similar situation exists for a pretrial detainee, consult with the SJA and the commander who ordered pretrial confinement. Since a detainee is not adjudicated a decision is necessary to either release from pretrial confinement or conduct an escort mission under maximum custody guidelines.

12.24. Mandatory Supervised Release (MSR) Eligibility. Mandatory supervision applies to inmates not approved for parole, and whose approved finding of guilty included at least one offense that occurred on or after August 17, 2001. The AFC&PB normally places the following inmates, who are not paroled, under MSR on their minimum release dates: an inmate convicted of a violent offense or a sex offense (see sex offense list at Appendix 4 to Enclosure 2, DoDI 1325.07), an inmate with an approved sentence to confinement of 3 years or greater, and other inmates deemed appropriate for mandatory supervision by the confinement/corrections facility commander and the AFC&PB. There is no right of appeal of the AFC&PB's MSR decision. However, inmates who have been notified of their selection for MSR may request, in writing, that the AFC&PB reconsider the MSR decision or modify the conditions of MSR through the Military Confinement Facility commander to the AFC&PB within 30 calendar days of notification of the selection. Inmates placed on MSR are deemed to be on parole until the

expiration of their sentence to confinement. The AFC&PB provides corrections staff with guidance on implementing the procedures detailed in DoDI 1325.07. The AFC&PB considers inmates released on MSR for clemency 12 months after release and annually thereafter until the sentence expires.

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DCS/Logistics, Engineering, and Force Protection

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

DoD 1325.7-M, *DoD Sentence Computation*, 27 Jul 2004

DoD 5400.7-R_AFMAN 33-302, *Freedom of Information Act Program*, 21 Oct 2010

DoD Financial Management Regulation 7000.14-R, Sept 2014

Joint Travel Regulation,1 Oct 2014

DoDD 1030.1, *Victim and Witness Assistance*, 13 Apr 2004

DoDD 1300.17, *Accommodation of Religious Practices within Military Services*, 10 Feb 2009

DoDD 1325.04, *Confinement of Military Prisoners and Administration of Military Correctional Programs and Facilities*, 17 Aug 2001

DoDI 1030.2, *Victim and Witness Assistance Procedures*, 4 Jun 2004

DoDI 1325.07, *Administration of Military Correctional Facilities and Clemency and Parole Authority*, 11 Mar 2013

DoDI 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*

DoDI 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*

AFI 10-206, *Operational Reporting*, 11 Jun 2014

AFI 25-201, *Intra-Service, Intra-Agency, Inter-Service Support Agreements Procedures*, 18 Oct 2013

AFI 31-101, *Integrated Defense*, 8 Oct 2009

AFI 31-203, *Security Forces Management Information System*, 29 Jul 2009

AFI 31-206, *Security Forces Investigations Program*, 16 Sept 2009

AFI 31-117, *Arming and Use of Force by Air Force Personnel*, 29 Jun 2012

AFI 33-324, *The Air Force Information Collections and Reports Management Program*, 6 Mar 2013

AFI 33-328, *Administrative Orders*, 16 Jan 2007

AFI 33-332, *Air Force Privacy and Civil Liberties Program*, 5 Jun 2013

AFI 35-101, *Public Affairs Responsibilities and Management*, 18 Aug 2010

AFI 36-2646, *Security Forces Training and Standardization Evaluation Programs*, 13 Apr 2012

AFI 36-2502, *Airman Promotion/Demotion Program*, 31 Dec 2009

AFI 36-2903, *Dress and Personal Appearance of Air Force Personnel*, 18 Jul 2011

AFI 36-2911, *Desertion and Unauthorized Absence*, 15 Oct 2009

AFI 36-3003, *Military Leave Program*, 26 Oct 2009

AFI 36-3020, *Family Member Travel,* 22 0ct 2009

AFI 36-3026V1_1P, *Identification Cards for Members of the Uniformed Services, Their Eligible Family Members, and Other Eligible Personnel,* 17 Jun 2009

AFI 36-3208, *Administrative Separation of Airmen,* 9 Jul 2004

AFI 40-102, *Tobacco Use in the Air Force,* 26 Mar 2012

AFI 41-209, *Medical Logistics Support,* 6 Oct 2014

AFI 44-120, *Military Drug Demand Reduction Program,* 3 Jan 2011

AFI 48-123, *Medical Examinations and Standards,* 5 Nov 2013

AFI 51-201, *Administration of Military Justice,* 6 Jun 2013

AFI 51-504, *Legal Assistance, Notary, and Preventive Law Programs*, 27 Oct 2003

AFI 65-601, vol. 1, *Budget Guidance and Procedures*, 16 Oct 2012

AFMAN 51-203, *Records of Trial,* 17 Nov 2009

AFMAN 65-116 v1, *Defense Joint Military Pay System Active Component (DJMS-AC) FSO Procedures,* 1 Apr 2007

Prescribed Forms

AF Form 444**,** *Advisement of Rights upon Pretrial Confinement*

AF Form 511, *Individual Inmate Utilization*

AF Form 807, *Receipt-Inmate's Personal Property*

AF Form 808, *Cash Account-Inmate's Personal Deposit Fund*

AF Form 1387, *Receipt-Inmate's Personal Deposit Fund*

AF Form 1388, *Summary Receipt Voucher-Inmate's Personal Deposit Fund*

AF Form 1390, *Withdrawal Request-Inmate's Personal Deposit Fund*

AF Form 1391, *Group Purchase Voucher-Inmate's Personal Deposit Fund*

AF Form 1392, *Summary Disbursement Voucher- Inmate's Personal Deposit Fund*

AF Form 1393, *Petty Cash Voucher-Personal Deposit Fund*

AF Form 1398, *Daily Status- Inmate's Personal Deposit Fund*

AF Form 4289, *Monthly Confinement Report and Victim/Witness Activity Concerning Inmate Status*

AF Form 4454, *Earned Time and Special Acts Abatement Worksheet*

Adopted Forms

AF Form 53, *Security Forces Desk Blotter*

AF Form 100, *Request and Authorization for Separation*

AF Form 116, *Request for Deviation from Security Criteria*

AF Form 579, *Controlled Substance Register*.

AF Form 899, *Request and Authorization for Permanent Change of Station (for inmates)*

AF Form 1297, *Temporary Issue Receipt*

AF Form 2098, *Duty Status Change*

AF Form 3545, *Incident Report*

DD Form 214, *Certificate of Release or Discharge from Active Duty*

DD Form 499, *Prisoner's Mail and Correspondence Record*

DD Form 504, *Request and Receipt for Health and Comfort Supplies*

DD Form 506, *Daily Strength Record of Prisoners*

DD Form 509, *Inspection Record of Prisoner in Segregation*

DD Form 510, *Prisoner Request*

DD Form 515, *Roster of Prisoners*

DD Form 553, *Deserter/Absentee Wanted by the Armed Forces*

DD Form 553-1, *Parole/Mandatory Supervised Release (MSR) Violator Wanted by the Armed Forces*

DD Form 616, *Report of Return of Absentee*

DD Form 1610, *Request and Authorization for TDY Travel of DoD Personnel*

DD Form 2704, *Victim/Witness Certification and Election Concerning Prisoner Status*

DD Form 2705, Notification to *Victim/Witness of Prisoner Status*

DD Form 2706, *Annual Report on Victim and Witness Assistance*

DD Form 2707, *Confinement Order*

DD Form 2707-1, *Report of Result of Trial*

DD Form 2708, *Receipt for Pretrial/Post-trial Prisoner or Detained Person*

DD Form 2709, *Privacy Act Statement*

DD Form 2710, *Prisoner Background Summary*

DD Form 2710-1, *Prisoner Sentence Information*

DD Form 2711, *Initial Custody Classification*

DD Form 2711-1, *Custody Reclassification*

DD Form 2711-2, *Custody Initial/Reclassification Summary Addendum*

DD Form 2712, *Prisoner Evaluation*

DD Form 2713, *Prisoner Observation Report*

DD Form 2714, *Inmate Disciplinary Report/Action*

DD Form 2715, *Clemency/Parole Submission*

DD Form 2715-1, *Disposition Board Recommendation*

DD Form 2715-2, *Prisoner Summary Data*

DD Form 2715-3, *Inmate Restoration/Return to Duty, Clemency and Parole Statement*

DD Form 2716, *Parole Acknowledgement Letter*

DD Form 2716-1, *Department of Defense Certificate of Supervised Release*

DD Form 2717, *Department of Defense Voluntary/Involuntary Appellate Leave Action*

DD Form 2718, *Prisoner Release Order*

DD Form 2719, *Correctional Facility Continuation Sheet*

DD Form 2720, *Annual Correctional Report*

DD Form 2791, *Notice of Release/Acknowledgement of Convicted Sex Offender Registration Requirements*

FBI Form I-12, *Flash/Cancellation Notice*

FD-249, *Arrest and Institution Fingerprint Card*

R-84, *Final Disposition Report Form*

Abbreviations and Acronyms

AA—Alcoholics Anonymous

ABU—Airman Battledress Uniform

ADAPT—Alcohol and Drug Abuse and Treatment

ADC—Area Defense Counsel

ADL—Advanced Distributed Learning

AFC&PB—Air Force Clemency and Parole Board

AFCS—Air Force Corrections System

AF CR—Air Force Central Repository

AFI—Air Force Instruction

AFJI—Armed Forces Joint Instruction

AFM—Air Force Manual

AFOSI—Air Force Office Special Investigations

AFPD—Air Force Policy Directive

AFSC—Air Force Specialty Code

AFSFC/CC—Commander, Air Force Security Forces Center

AFSFC/SFC—Air Force Security Forces Center/Corrections Division

AMxRD—Adjusted Maximum Release Date

ASPI—Administrative Segregation Pending Investigation

AWOL—Absent Without Leave

BAS—Basic Allowances for Subsistence

BOP—Bureau of Prisons

CA—Convening Authority

CCTV—Closed Circuit Television

CF—Confinement Facility

CMCA—Court-Martial Convening Authority

CMO—Courts-Martial (promulgating) Order

CONUS—Continental United States

CPR—Cardio Pulmonary Resuscitation

CR—Central Repository

CRRO—Central Repository Responsible Official (i.e., AF Central Repository Manager)

CSD—Confinement Start Date

CS Gas—Ortho-Chlorobenzylidene Malonitrile

CTF—Correctional Treatment File

D&A—Discipline and Adjustment

DFC—Defense Force Commander

DoD—Department of Defense

EP—Emergency Parole

ET—Earned Time

FBI—Federal Bureau of Investigation

FBOP—Federal Bureau of Prisons

FOIA—Freedom of Information Act

FSO—Financial Services Office (formerly Accounting and Finance Office (AFO))

FSS—Force Support Squadron (formerly Military Personnel Flight (MPF))

GCMCA—General Courts-Martial Convening Authority

GCMO—General Courts-Martial (promulgating) Order

GCT—Good Conduct Time

HIV—Human Immunodeficiency Virus

HQ 11 WG/CC—Commander, Headquarters 11th Wing

HQ USAF/A4S—Headquarters US Air Force/Director, Security Forces

HYT—High Year of Tenure

JTR—Joint Travel Regulation

MAJCOM—Major Command

MAJCOM/A4S—Major Command/Director, Security Forces

MCM—Manual for Courts-Martial

MILPDS—Military Personnel Data System

MOA—Memorandum of Agreement

MRD—Minimum Release Date

MWD—Military Working Dog

MxRD—Maximum Release Date

NA—Narcotics Anonymous

NAVCONBRIG—Naval Consolidated Brig

NCIC—National Crime Information Center

NCO—Noncommissioned Officer

NCOIC—Noncommissioned Officer in Charge

NLETS—National Law Enforcement Telecommunications System

NTE—Not to Exceed

O&M—Operations and Maintenance

OCONUS—Outside the Continental United States

OC Pepper Spray—Oleoresin Capsicum

OSI—Office of Special Investigations

PA—Privacy Act

PCA—Permanent Change of Assignment

PCS—Permanent Change of Station

PDF—Personal Deposit Fund

PED—Parole Eligibility Date

PREA—Prison Rape Elimination Act

PSDG—Personnel Services Delivery Guide

RCM—Rule(s) for Courts-Martial, found in the Manual for Courts-Martial

RO—Responsible Official (Victim Witness Assistance Program)

ROT—Record of Trial

RSO—Registered Sex Offender

RTD—Return-to-Duty

RTDP—Return-to-Duty Program

SA—Support Agreement

SAF—Secretary of the Air Force

SAF/MRB—Secretary of the Air Force, Military Review Boards Office

SAFPC—Secretary of the Air Force Personnel Council

SO—Sex Offender

SF—Security Forces

SJA—Staff Judge Advocate

SPCMA—Special Courts-Martial Authority

SSN/SSAN—Social Security Number

TDY—Temporary Duty

TJAG—The Judge Advocate General

UCMJ—Uniform Code of Military Justice

UIF—Unfavorable Information File

UMxRD—Unadjusted Maximum Release Date

USACIL—United States Army Criminal Investigation Laboratory

UPRG—Unit Personnel Records Group

USAF—United States Air Force

USC—United States Code

USDB—US Disciplinary Barracks (Ft Leavenworth, KS)

VWAP—Victim Witness Assistance Program

Terms

Adjudged—The status of an inmate from the time sentence is announced until the convening authority takes action.

Adjusted Maximum Release Date (AMxRD)—Calculated by taking the Maximum Release Date (MxRD) and adjusting it for administrative credit, judicial credit, inoperative time, and the adjustment for crossing the international date line.

Administrative discharge—Action taken to separate an Airman from the AF according to AFI 36-3208.

Administrative segregation—The physical segregation for observation, medical reasons, protection, or as a control measure.

Aggregate sentence—The total sentence time pending against an inmate when adding the results of two or more sentences from courts-martial actions.

Appellate review—The process of factual and legal sufficiency review and sentence appropriateness review which commences immediately after judgment and continues through issuance of a final court-martial order after all appeals have been exhausted.

Calendar method—A method by which the span of time between two calendar dates is expressed in years, months, and days.

Central repository—A headquarters office which serves as a clearinghouse of information on inmate status and, collects and reports data on the delivery of victim and witness assistance, including notification of inmate status changes. AFSFC/SFCV is the AF's Central Repository.

Classification—The process and act of evaluating and observing to make a decision as to the degree of custody and control required.

Clemency—Under Article 74, UCMJ**,** the act of an authorized individual or body modifying a court-martial sentence by suspension or remission of any unexecuted portion of the sentence. Under Article 74(b), UCMJ, the SAF may for good cause substitute an administrative discharge for a dismissal or punitive discharge.

Confinee—A generic non-specific reference to an incarcerated person who is "either" a pretrial detainee or a post-trial inmate.

Contraband—Any item in the possession of a confinee or located within a confinement or corrections facility, which is not specifically authorized by regulation or the confinement officer.

Convening authority action—The approval, disapproval, or modification of a court-martial sentence and possibly the findings by the court-martial convening authority with jurisdiction over that case. RCM. 1107 (c) & (d).

Correctional Treatment File (CTF)—A file established on each confinee upon admission to the confinement/corrections facility and following; 1) the detainee to release from pretrial confinement or, 2) the inmate through the sentence to final discharge or returned-to-duty.

Custody—Having control over a detainee or inmate.

Custody levels—The classification level assigned to each confinee signifying the degree of supervision and type of restraint appropriate based upon the confinee, the circumstances of the confinement and all other appropriate factors. The basic custody levels used in AFCS are maximum custody, medium custody, and minimum custody.

Defense Force Commander (DFC)—For the purposes of this instruction this particular Air Force term is synonymous with the DoDI 1325.07 term "Military Correctional Facility Commander". This person is often the Security Forces Squadron Commander, as well.

Detainee—A person subject to the UCMJ who has been lawfully entered into confinement not as a result of an adjudged court-martial sentence. Detainees include persons ordered into pretrial confinement, persons pending a rehearing on charges or sentence, and persons pending the vacation of a suspended sentence, which includes confinement or a punitive discharge.

Detainer—A notice placed against a person in federal/state/local confinement that notifies the holding authority of the intention of another jurisdiction to take custody of that individual when they are released.

Detention warrant—A warrant that authorizes the arrest and temporary detention of a parolee pending preliminary revocation proceedings. A detention warrant should be distinguished from a warrant for the return of a parolee to prison, although return warrants are sometimes used as detainers. For the purpose of these standards, return warrants used as detainers also are deemed to be detention warrants.

Deviation—A waiver, variance, or exception to required standards.

Direct Staff Supervision—Staff are in the same room with and within reasonable hearing distance of a confinee(s).

Discipline and Adjustment Board (D&A Bd)—Personnel appointed to review and make disciplinary recommendations on confinees who has been accused of a violation of confinement rules or regulations.

Disinterested—Someone who has no connection with the inmate in terms of confining offense or through the misconduct, which is subject of the D&A Bd or any official or unofficial involvement with the inmate that would tend to bias an individual for or against the inmate.

Disposition board—Personnel appointed to review information, interview an inmate, and formulate recommendations for clemency and parole, as the inmate becomes eligible.

Earned Time (ET)—ET is a deduction from an inmate's release date earned for participation and graded effort in the areas of work, offense-related programs, education, self-improvement/personal growth, and support activities IAW DoDI 1325.07-M.

Emergency Parole (EP)—A conditional release which confinement officers can authorize. EP is for extreme emergency circumstances normally requiring the physical presence of the inmate to save the life of another, e.g., an organ donation/bone marrow donation. Inmates return to confinement after EP.

Escape—The unauthorized absence of a confinee from custody.

Escort—A person or persons detailed to provide custody and control of a confinee while not within the confinement/corrections facility.

Exception—The approved continuance of a non-correctable condition, which varies from a confinement/corrections standard. Exceptions require compensatory measures.

Excess leave—Voluntary or involuntary non-chargeable leave taken by a person upon release from confinement pending completion of appellate review. Also known as appellate leave.

Forfeitures—That portion of a sentence, which partially or totally removes pay and entitlements from an inmate’s pay as they accrue.

Good Conduct Time (GCT)—GCT is a deduction from an inmate's release date for good conduct and faithful observance of all facility rules and regulations IAW DoDI 1325.7-M.

Health and Comfort items (H&C)—Those items deemed necessary by the confinement officer or this instruction for appropriate issue to confinee(s).

Inmate—A person sentenced by a court-martial to confinement or death and ordered into confinement by competent authority whether or not the sentence has been ordered approved by convening authority.

Inoperative time—Any period of time during which an inmate or parolee is not credited with serving their sentence.

Level I Confinement Facility (CF)—Facilities housing pretrial detainees or post-trial inmates (can house up to 1-year) and those awaiting transfer to Level II or III facilities, or as directed by AFSFC/SFC. Treatment programs are offered consistent with security requirements and available resources. Inmates with sentences less than 1-year confinement and no adjudged discharge remain assigned to parent unit. **NOTE:** Normally, inmates that remain in place are not gained to the AF Corrections System.

Level II facility—**Joint Regional Correctional Facilities (JRCFs)** house inmates with sentences up to 10 years and on a limited basis hold pretrial detainees. Facilities provide specialized offense related treatment. Following is a sampling of the available treatment programs: Crisis Intervention, Corrections/Offense related counseling, Sex Offender Treatment Program, Drug and Alcohol Education including NA and AA, Stress Management, Pre-Release, Vocational Training, Functional Skills Testing, and Remedial Education.

Level III facility—Facilities housing post-trial inmates with sentences exceeding that of Level II facilities, including life and death sentences. Level III facilities provide all the programs and services available in Level II facilities based upon assessed inmate needs. The DoD uses US Disciplinary Barracks (USDB), Ft Leavenworth KS for Level III males with Level III females housed in the female facility at Miramar. The AF may also transfer inmates to the Federal Bureau of Prisons when approved by the AFC&PB. The US Army is the executive agency for Level III corrections.

Maximum custody—Classification assigned to confinees requiring continuous supervision or for those who are considered extremely violent, or are an escape risk.

Maximum Release Date (MxRD)—The sentence(s) to confinement without reductions, but less one-day. This one-day reduction is mathematically necessary to ensure credit is correctly given for confinement and release dates. For multiple sentences, each sentence has a specific MxRD.

Minimum custody—Classification assigned to inmates considered sufficiently dependable as to require little supervision.

Minimum Release Date (MRD)—The date of expected release for an inmate sentenced to confinement when computation of good conduct time has been deducted.

Medical Liaison Officer (MLO)—Military Treatment Facility commander appoints in writing, a qualified provider to assume Medical Liaison Officer duties creating a communications conduit with the confinement facility staff to assist in identifying and resolving challenges to treatment.

Parole—The conditional release of an eligible inmate, on order of the AFC&PB or the SAF, to the supervision of a US Probation Officer.

Parolee—An inmate who has been released by order of the AFC&PB or SAF and who is under the supervision of a US Probation Officer.

Parole violator—A parolee who has been determined to be in violation of their Conditions of Parole by the AFC&PC or SAF and has been ordered returned to confinement.

Personal deposit fund—A government controlled fund, which is established for control and safekeeping of a confinee's funds.

Post—trial inmate—An accused's status after court-martial, when sentenced to confinement.

Pre—release conference—A conference convened to counsel and prepare an inmate for release from confinement.

Pre—transfer conference—A conference convened to counsel and prepare an inmate for transfer to another confinement/corrections facility.

Pretrial detainee—An accused who is incarcerated awaiting filing of charges, disposition of charges, and/or trial by court-martial.

Qualifying military offense—A finding of guilty by GCM or SPCM after the GCMA has taken action for any offense under the UCMJ ***punishable*** by a sentence of confinement for more than 1 year (regardless of sentence imposed), and any of the following UCMJ offenses: Prostitution Involving a Minor, Arson, Solicitation of Another to Commit a Qualifying Offense (see AFI 51-201).

Registered Sex Offender (RSO)—A person convicted of a crime involving a sexual act where the Federal, State or Local laws require them to be placed on a sexual offender registry.

Release—related activities—Any action, hearing, or review that releases or affects the scheduled release date of a confinee.

Rules book—List of rules, schedules (e.g., meals, visitation, etc.) and other information necessary for the confinee to use to adapt to confinement. Includes confinee procedures for: making complaints, contacting legal representation and contacting parent unit chain of command.

Sentenced—The status of an inmate after convening authority approval action.

Special Acts Abatement (SAA)—Deduction from inmate's release date earned for specific act(s) of heroism, humanitarianism, or extraordinary institutional/community support deemed appropriate by the DFC.

Training, Treatment, and Transition Program (TTTP)—A voluntary workbook-based, modular, self-paced program for inmates who want to address issues that resulted in their confinement and to prepare for release. The Level I staff implements the program with on-call advice from the AF Corrections, Chief, Clinical Services at AFSFC, Detachment 2.

Unadjusted Maximum Release Date (UMxRD)—The MxRD without the less one-day adjustment. The UMxRD is used for translating sentences expressed in days which are 31 days or greater to the precise span of time (in years, months, and days).

Variance—A nonstandard condition, which technically varies from a requirement, but provides essentially the same level of standard. A variance does not require compensatory measures.

Victim—A person who suffers direct physical, emotional, or financial harm as a result of the commission of a crime.

Waiver—The approved contingence of a temporary condition that varies from a requirement and creates a vulnerability to the protected area. A waiver requires compensatory measures.

Witness—A person who participates in a criminal investigation or proceeding for the purpose of providing information or evidence concerning the offense. When the witness is a minor child, this term includes the minor's parents or any person having legal custody of the minor. The term

witness does not include defense witness or an individual involved in the crime as a perpetrator or accomplice.

NOTE:—Additional information on terms and definitions are published in 28 CFR Part 115, National Standards to Prevent, Detect, and Respond to Prison Rape Under the Prison Rape Elimination Act (PREA) which can be found using various computer search engines or on the AFSFC Corrections Website.

Attachment 2

CONTENT OF THE CORRECTIONAL TREATMENT FILE

Table A2.1. Content of the Correctional Treatment File.

Section A—In-processing and Identification 1. AF Form 899, *Request and Authorization for Permanent Change of Station-Military*, for Confinee transferred through AFSFC/SFC. 2. DD Form 1610, *Request and Authorization for TDY Travel of DoD Personnel*, for escorts' TDY orders when issued for inmate transfer. 3. FD-249, *Current Arrest Card* (fingerprint card). 4. Individual Clothing Inventory. 5. AF Form 807, *Receipt for Prisoner's Personal Property.* 6. Initial Confinement Interview (may be memorandum for record, local form letter, or checklist). 7. DD Form 2710, *Prisoner Background Summary* 8. AF Form 1297, *Temporary Issue Receipt*, (used to record issue of facility rules or other items). 9. DD Form 2707, *Confinement Order*. 10. Confinee's photographs. 11. DD Form 2708, *Receipt for Inmate or Detained Person.* **Section B**—Courts-Martial Actions and Sentence Computation 1. DD Form 2707-1 *Report of Result of Trial* or computer generated form). 2. AF Form 444, *Advisement of Rights Upon Pretrial Confinement*. 3. Courts-Martial Order. 4. Staff judge advocate review. 5. Air Force Court of Criminal Appeals decision.	6. United States Court of Appeals for the Armed Forces decision. 7. Sentence computation worksheets 8. Other paperwork relating to or affecting sentence, to include abatements, forfeitures, credits for pretrial, deferments, etc. 9. AF Form 100, *Request and Authorization for Separation.* **Section C**—Work Release and Inmate Utilization 1. AF Form 511, *Individual Inmate Utilization.* 2. Sign-in and sign-out logs. 3. Communication relating to job performance. **Section D**—Confinement History 1. DD Form 510, *Prisoner Request*. 2. DD Form 2714, *Inmate Disciplinary Report* 3. Custody classification determinations. 4. Classification panel actions and results. 5. On-the-Spot-Reports. 6. DD Form 509, *Inspection Record of Inmate in Segregation.* 7. DD Form 2791, Sex Offender, *Notice of Release/Acknowledgement of Convicted Sex Offender Registration Requirements* 8. Any other documents relating to confinement history. **Section E**—Disposition Boards and Considerations 1. All disposition board-related documents. 2. Copy of all disposition board proceedings. 3. Clinical evaluations. **Section F**—Medical and Miscellaneous 1. Report of illness/injury. 2. Copies of physical examination and test results. 3. Any documents not relating to other sections

Attachment 3

HEALTH AND COMFORT ITEMS

A3.1. Confinee's in pay status will purchase health and comforts items using their funds from the PDF. Inmates in non-pay status will be issued health and comfort items at limits established by the facility. Items issued may be paid for through the inmate's parent unit O&M funds or provided as part of the facility's established stock purchased through installation O&M funds. Generic items may be purchased as a means of controlling cost. Make-up, lip stick, and perfume/cologne are not authorized Tobacco products and food items are not considered health and comfort items. **(T-1)**

A3.2. The following personal hygiene/health items are made available when such items are not already in the confinee's possession. These items (whether purchased by pay status confinees or issued to non-pay status inmates) are to be available to all persons per limits established by the confinement officer.

1. Toothbrush and toothpaste or power
2. Razor, disposable (electric razors may be substituted at the discretion of the confinement officer)
3. Shaving soap or cream
4. Hair brush, rubber or plastic
4. Comb, or Afro comb, rubber or plastic (no picks)
5. Soap and soap dish
6. Towel (bath and face)
7. Shower shoes
8. Deodorant (roll-on or stick only)
9. Shoe polish and brush (if needed)
10. Sanitary napkins/tampons/panty liners (females)
11. Skin lotion
12. Shampoo/conditioner
13. Laundry detergent (if no laundry detail, also no bleach in the facility)
14. Any other item deemed appropriate as personal hygiene/health item by the confinement officer

A3.3. The following comfort items may be purchased by pay status confinees or issued to non-pay status inmates at their request per reasonable limits established by the confinement officer:

1. Writing instruments (type as approved by the confinement officer)
2. Writing tablet
3. Envelopes
4. Face cream
5. Nail clipper (without file; emery board allowed)
6. Chapstick ™ (lip balm)
7. Barrettes/hair ties (females)
8. Stamps (inmates in non-pay status use official mail for official correspondence only)
9. Any other item deemed appropriate as comfort item by the confinement officer

Attachment 4

CONFINEMENT/CORRECTIONS FACILITY OFFENSES

A4.1. Confinement/Corrections Facility Offenses:

A4.1.1. The laws and regulations applicable to confinement are too numerous to quote in their entirety. Copies of appropriate AFIs, the Uniform Code of Military Justice (UCMJ/Manual for Court-Martial, the CF Rulebook) and other regulatory guidance applicable to confinement may be made available to confinees.

A4.1.2. This list describes some of the offenses in the AF corrections program. This is not a complete list of offenses for which confinees may be disciplined. CF rulebooks may further localize additional offenses, categories and possible disciplinary actions.

A4.1.2.1. Academic Misconduct (Category III Offense). Missing class through design or misconduct, cheating or assisting another to cheat on any academic or vocational training examination, and disrupting an academic or vocational training session.

A4.1.2.2. Aiding Another (Category I, II, III, IV, or V Offenses). Conspiring with, soliciting, or aiding another to commit or attempt any prohibited act, to include failing to report a prohibited act. The level of offense will be the same as the prohibited act.

A4.1.2.3. Arson (Category V Offense). Igniting any item which could cause personal injury or damage to any property.

A4.1.2.4. Assault (Category III, IV, and V Offenses). To attempt or offer to do bodily harm to another with unlawful force or violence, with apparent ability to do so. Category IV offense, if with a weapon or consummated by battery. Category V offense, if against a staff member or commissioned officers.

A4.1.2.5. Assault Consummated by Battery (Category IV or V Offense). To intentionally and without consent, strike, touch, or apply force to the person of another, either directly or indirectly, resulting in either bodily harm or an offensive touching of any form.

A4.1.2.6. Attempt (Category I, II, III, IV or V Offenses). Any attempt to do a prohibited act, including any steps of preparation necessary to accomplish the prohibited act.

A4.1.2.7. Being Unsanitary or Untidy (Category I Offense). Failing to keep one's person, clothing, or living area sanitary and in accordance with prescribed standards. This offense includes littering of common use areas, etc.

A4.1.2.8. Breach of Peace (Category III Offense). Use of rough (offensive), loud, profane, boisterous language or action, which disturbs or threatens the peace and good order of the confinement/corrections facility.

A4.1.2.9. Bribery/Solicitation (Category IV Offense). Asking, offering, rendering, accepting, or receiving anything of value, this includes personal services, with intent to influence another to make a decision or commit an act that is prejudicial to good order and discipline. This offense also includes bribing or soliciting civilian and military personnel while in the performance of their official duties.

A4.1.2.10. Cell Alteration (Category II Offense). Making unauthorized changes to living quarters such as, but not limited to, moving furniture, painting or marking walls, hanging items to block the view into the living area, or affixing shading devices to lights.

A4.1.2.11. Communicating a Threat (Category IV Offense). Communicating verbally, in writing, or by physical gestures, a message intended to, or which may reasonably be expected to intimidate or threaten another, either directly or indirectly. This includes conditional threats or intimidation.

A4.1.2.12. Communications Tampering (Category I Offense). Tampering with any part of a radio jack, headset, television, telephone, etc.

A4.1.2.13. Conduct Which Threatens (Category III Offense). Any conduct which interferes with the orderly running, safety, good order and discipline, or security of the confinement/corrections facility.

A4.1.2.14. Contact Between Male and Female Confinees (Category III Offense). Any physical contact between male and female confinees is prohibited, except within the scope of duties. Verbal communication between male and female confinees is prohibited except, as necessary on a detail, or at official confinement/corrections facility programs. Written correspondence is covered in the unauthorized writing rule. Female and male confinees will not socialize during fellowship times at religious services or gatherings.

A4.1.2.15. Counterfeiting (Category IV Offense). Knowingly making, submitting, reproducing, or altering any signature, writing, document, article, or identification, money, security, or official paper without proper authority.

A4.1.2.16. Damaging or Destroying Property (Category IV Offense). Defacing, altering, or destroying property belonging to the government, or belonging to an individual. Anything issued to a confinee is government property (i.e., rulebook, identification badges, cell furnishings, clothing, and all equipment). This offense also includes marking, defacing, or destroying any posted instructions/orders.

A4.1.2.17. Disobedience (Category III Offense). Disobeying an order given by civilian or military personnel in the performance of their duties, to include failure to comply with any order in a timely manner.

A4.1.2.18. Disorderly Conduct (Category III Offense). Conduct of such a nature as to affect the peace and quiet of individuals, or who may thereby be disturbed or provoked to resentment. This charge could encompass all participants in a fight, regardless of who started the fight, or against individuals who engage in disruptive conduct, such as trashing the confinement/corrections facility (i.e., throwing things on the floors, or flooding the facility by any means).

A4.1.2.19. Disrespect (Category IV and V Offenses). Being disrespectful in language or actions toward or about any member of the military service confinement/corrections staff or commissioned officers, or other person of authority.

A4.1.2.20. Escape (Category V Offense). Leaving custodial control, including departing the confinement/corrections facility or detail under escort, or job site without proper authority.

A4.1.2.21. Extortion (Category IV Offense). Demanding or receiving anything of value, to include personal services from another, by threatening to harm or exposure to authorities, etc.

A4.1.2.22. False Statement (Category II Offense). Lying to a staff member about an official matter, either verbally or in writing. Signing or printing the name of another on any official document without authority of confinement/corrections staff. Any confinee who, with intent to deceive, signs any false record, return, order, regulation, or other official document, knowing it to be false, or makes any other false official statement knowing it to be false, is guilty of this offense.

A4.1.2.23. Funds Manipulation (Category IV Offense). Directly or indirectly transferring money or negotiable instruments, including, but not limited to, checks and money orders to another, except as specifically authorized by this AFI. Receiving money or negotiable instruments from a person or persons is identified as a prohibited source for funds transfers under this AFI.

A4.1.2.24. Gambling (Category III Offense). Participating in games of chance for anything of value, to include personal services. Use of authorized recreational equipment for games of chance, or operating of any gambling pool. Possession of gambling paraphernalia.

A4.1.2.25. Indecent Exposure (Category III Offense). Intentionally exhibiting one's sexual organs, bare buttocks, or in the case of a female, bare breast, to another or to public view.

A4.1.2.26. Interfering with Count (Category IV Offense). Delaying or interfering with count. Confinees will have three minutes to move to their cells or areas when lockdown is ordered. They will position themselves so they are readily visible to the staff member conducting count. Cell lights will remain on during count (except during normal sleeping hours).

A4.1.2.27. Intoxicants (Category V Offense). Possession, introduction, manufacture, or use of any narcotic, narcotic paraphernalia, drug, or intoxicant not prescribed by the medical staff.

A4.1.2.28. Larceny (Category III or IV Offense). The taking of any property (Category III – Personal or Category IV – Government owned) without authority.

A4.1.2.29. Lock Tampering (Category IV Offense). Tampering with locking devices or other security equipment, to include obstructing doors to prevent them from locking.

A4.1.2.30. Loitering (Category I Offense). Lingering, moving slowly, stopping, or pausing in any area during individual or mass movement. Taking more than the prescribed time to consume a meal.

A4.1.2.31. Malingering (Category II Offense). Self-inflicted injury, or faking an injury or sickness (includes abuse of sick call), for purposes of avoiding any responsibility, requirement, or order.

A4.1.2.32. Medicine Misuse (Category II Offense). Use, possession, or storage of medicine, except as authorized by the confinement/corrections medical staff. Failure to take medication as prescribed by confinement/corrections medical staff.

A4.1.2.33. Mutilation (Category III Offense). Tattooing, piercing, marking, or maiming any part of the body or another person's body.

A4.1.2.34. Non-support of Dependents (Category III Offense). Failing to provide the minimum amount of support required to care for dependents. For inmates in non-pay status, this includes failing to provide support when an inmate has assets from which they could draw, in order to satisfy in whole or in part, support obligations. This offense also includes failing to comply with support related requirements of court orders (i.e., requirements to provide copies of tax returns or make property distributions).

A4.1.2.35. Out of Place (Category IV offense). If a confinee is not at their designated detail, housing unit, scheduled appointment, religious activity, recreational activity, or dining area and is not on pass or under escort, they are out of place. Simply stated, if a confinee is not where they are supposed to be, they're out of place. This includes confinees who deviate from the most direct authorized route from one authorized location to another.

A4.1.2.36. Possession, Introduction or Use of a Weapon (Category V Offense). Construction, introduction, possession, or the use of weapons, is expressly forbidden. Weapons include, but are not limited to: guns, knives, clubs, brass knuckles, saps, blackjacks and hard object(s) in a sock or similar container, or any item modified so it could be used as a weapon (i.e., modifying a disposable razor to expose the cutting edge, or placing a bar of soap in a sock).

A4.1.2.37. Possession of Stolen Property (Category IV Offense). Having on one's person or in one's living area property belonging to another or the government, which has been stolen. While actual knowledge that the property was stolen is required, such knowledge may be inferred and proved by circumstantial evidence.

A4.1.2.38. Profiteering/Racketeering (Category IV). The loaning, buying, selling, transferring, receiving, lending of property, or anything of value for profit or increased return.

A4.1.2.39. Prohibited Property (Category III Offense). Anything not specifically authorized by proper authority to be in a confinee's possession is prohibited. Confinees must obtain and keep written permission from the confinement officer, superintendent, or Noncommissioned Officer, to possess any item not authorized by this AFI. Any item not specifically authorized and found in a confinee's possession while outside their housing unit will be considered prohibited property. Possession of property obtained from trash receptacles, or that which was discarded in any other way by other confinees or staff is prohibited.

A4.1.2.40. Provoking Words or Gestures (Category III Offense). Verbal or written communications or physical gestures that may anger, irritate, or incite another to induce a breach of peace under the circumstances.

A4.1.2.41. Rations Misuse – Confinement/Corrections Facility (Category III Offense). Use of any ration in any manner for which it was not intended, such as throwing a ration item, using rations to make intoxicants, using rations in other illegal acts, wasting rations, or adding foreign substances to rations.

A4.1.2.42. Rations Misuse – Personal (Category II Offense). Use of any health and comfort items or other personal rations for other than their intended purpose.

A4.1.2.43. Resisting Forced Cell Moves (Category V Offense). Any action taken to impede, resist, or interfere with the actions of a forced cell move team, including but not limited to, trying to keep the cell door closed, throwing objects at the team, attempting to grab a team member while in the performance of his/her duties, etc.

A4.1.2.44. Rules Violation (Categories II and IV Offenses). Violation of any posted or published facility rule. This includes, but is not limited to, the rules or instructions posted in housing units, details, and other offices/work areas; limitations imposed by recreation restriction, quarters, and medical profiles; the terms of minimum custody or trusty pledges; and visitation rules and requirements not otherwise specified as CF offenses.

A4.1.2.45. Running (Category I Offense). Running anywhere inside the confinement/corrections facility is prohibited, except as appropriate when engaged in authorized recreational activities, or as part of the confinement/corrections training program.

A4.1.2.46. Sexual Misconduct (Category IV Offense) Soliciting, threatening, or engaging in sexual or lewd conduct with another.

A4.1.2.47. Staff Harassment (Category II Offense). Any comment, conversation, question, or other communication (verbal or non-verbal expressions) intended to or which may reasonably be expected to anger, irritate, or demean a staff member. Such communications will be considered staff harassment, when directed to a staff member or to another and overheard or observed by a staff member.

A4.1.2.48. Suffering Loss of Property (Category II Offense). Loss of property due to carelessness, to include loss of property due to unsecured lockers within the living areas, whether or not the confinee is present.

A4.1.2.49. Trafficking (Category III Offense). Selling, buying, trading, giving, receiving, or lending any item within the confinement/corrections facility is prohibited except as specifically authorized by the proper authority.

A4.1.2.50. Unauthorized Ordering (Category II Offense). Purchasing or ordering goods or services that are not authorized, or purchasing or ordering goods or services in a manner that is prohibited.

A4.1.2.51. Unauthorized Contact with Staff Members, Former Staff Members, or Former Confinees (Category III Offense). Any contact or communications by a confinee with confinement/corrections staff members, other than during the normal course of duty performance, or during a confinement/corrections facility sponsored activity, is prohibited. Confinees are also prohibited from communicating with, or having contact with, confinees in other institutions, former confinees, or former staff members, except as authorized in advance through a request by the confinee concerned to the confinement officer.

A4.1.2.52. Unauthorized Use of Mail or Telephone (Category III Offense). Using the mail or telephone for unauthorized purposes as specified by law, regulation, or confinement/corrections facility rules.

A4.1.2.53. Unauthorized Writing (Category III Offense). Writing, distributing, or possessing any written motto, creed, saying, or drawing within the confinee population, whose content is designed to or could disrupt the confinement/corrections facility by encouraging strikes, disturbances, fights, racial or religious hatred, or other prohibited acts. Written correspondence between confinees is also prohibited, to include correspondence with former confinees and confinees in other institutions (civilian or military). Correspondence with family members who may be confinees or with staff/former staff, except as authorized by the confinement officer, is prohibited.

A4.1.2.54. Violation of the Uniform Code of Military Justice (Category IV and V Offenses). Violation of any punitive articles of the UCMJ, regardless of whether the misconduct violates a confinement/corrections facility rule. Category V if the violation meets the specifications for any Category V Offense.

Attachment 5

EMERGENCY ACTIONS

A5.1. Emergency Evacuations (i. e., Fire, Structural Damage) Recommended actions (not all inclusive):

A5.1.1. Sound the alarm (i.e., whistle, shout "Fire, Fire, Fire", etc.).

A5.1.2. Notify the fire department (911).

A5.1.3. Post guards on fire evacuation routes and exits.

A5.1.4. Evacuate confinees a safe distance (away from danger) depending on the emergency. Ensure all confinees are under constant supervision and control.

A5.1.5. Transport Med-In/Max custody confinees in handcuffs/shackles and march those classified as Med-out/minimum custody to predetermined rally point with appropriate escorts.

A5.1.6. Conduct headcount.

A5.1.7. Notify the SF Control Center of evacuation, request appropriate escort(s).

A5.1.8. Assign personnel to firefighting equipment and attempt to extinguish.

A5.1.9. Notify DFC, confinement/corrections officer/NCO.

A5.1.10. If possible, assign personnel to remove records.

A5.1.11. Ensure duplicate door keys are available at all times to responsible personnel.

A5.1.12. Once emergency is declared safe, return confinees to the facility. Conduct count.

A5.2. Disturbances and Disorders. Recommended actions (not all inclusive):

A5.2.1. Lockup or isolate the situation(s) to the smallest area.

A5.2.2. Notify SF Control Center.

A5.2.3. **(Contact confinement NCO if not on duty)** confinement officer/DFC determines need for recall of off-duty personnel.

A5.2.4. If order is not restored, explain the following to the commander:

a. Another call for offenders to restore order.
b. Show of force (i.e., riot control formations, MWD Teams).
c. Shut off power and water sources.
d. Use of tear gas (CN or CS).
e. Use of high pressure water (Fire Dept).
f. Use of firearms (IAW AFI 31-117).

A5.2.5. Identify and segregate ringleaders involved.

A5.2.6. Remove peaceful confinees from the affected area.

A5.2.7. Conduct count.

A5.2.8. Designate units that will furnish additional personnel (if needed).

A5.2.9. Assist in the investigation and Incident Report.

A5.3. Hostage Situations. Recommended actions (not all inclusive):

A5.3.1. Alert SF Control Center (recall).

A5.3.2. If possible, isolate the hostage taker and hostage(s).

A5.3.3. Determine whether to evacuate or secure remaining confinees.

A5.3.4. Make floor plans available.

A5.3.5. Contact Hostage Negotiator.

A5.3.6. Notify MTF/CC request appropriate medical personnel.

A5.3.7. Notify DFC, confinement officer/NCO.

A5.3.8. DFC determines recall of EST.

A5.3.9. Complete Incident Report/Lessons Learned Report.

A5.4. Bomb Threats. Recommended Actions (not all inclusive):

A5.4.1. Remain calm, DO NOT HANG UP THE PHONE.

A5.4.2. Complete AF Form 440.

A5.4.3. Alert SF Control Center (DFC determines recall).

A5.4.4. Notify the fire department.

A5.4.5. DFC determines whether to evacuate confinees.

A5.4.6. If evacuated, secure confinees/provide constant supervision and control with appropriate escort/confinee ratio based upon custody classification.

A5.4.7. Notify DFC, confinement officer/NCO.

A5.4.8. Conduct count.

A5.5. Natural Disasters. Recommended actions (not all inclusive):

A5.5.1. Place all confinees into structurally enhanced parts of the facility (i.e., segregation cells, etc.).

A5.5.2. Segregate confinees by custody classification and gender.

A5.5.3. Conduct count.

A5.5.4. Notify SF Control Center.

A5.5.5. Once “all clear”, determine damage and notify CE.

A5.5.6. DFC, confinement officer/NCO, determines when to reenter facility.

A5.6. Medical Emergency Reponses. Recommended actions (not all inclusive):

A5.6.1. Send an unarmed guard into the facility to evaluate the emergency.

A5.6.2. If a medical emergency exists, call 911.

A5.6.3. Render first aid as appropriate; use communicable diseases control techniques (i.e., wear protective gear- mask, gloves, etc.).

A5.6.4. If blood is present, use a Blood Borne Pathogens kit (i.e., splash shield, apron, etc.).

A5.6.5. Notify DFC, confinement officer/NCO.

A5.6.6. If the confinee(s) must be transported, send an escort(s).

A5.6.7. Notify the hospital that an armed/unarmed guard will be escorting the confinee.

A5.6.8. Place all used/contaminated supplies in a BIO Hazard bag and discarded IAW local guidance.

A5.6.9. All surfaces must be sanitized (i.e., 50/50 bleach and water, or IAW local guidance).

A5.6.10. If hospitalized, notify the parent unit as soon as possible/provide escort/guard IAW with custody classification.

A5.6.11. Secure remaining confinees and conduct count.

A5.6.12. Notify SF Control Center of pertinent information.

A5.6.13. Have all responding personnel check themselves for suspected hazardous contact (cuts, needle sticks, splash into the eyes/mouth) go to the ER immediately for treatment.

A5.7. Power Failure. Recommended actions (not all inclusive):

A5.7.1. Know the location and procedure for activating an emergency lighting system.

A5.7.2. Use pre-positioned flashlights.

A5.7.3. Execute procedures to secure the confinee(s) in an orderly manner.

A5.7.4. Notify SF Control Center, request assistance (i.e., patrol(s), CE, etc.).

A5.7.5. Conduct frequent counts.

A5.7.6. Plan procedures for obtaining mobile emergency lighting (generator).

A5.7.7. Notify confinement officer/NCO.

A5.8. Apprehension of Escapees. Recommended actions (not all inclusive):

A5.8.1. Secure remaining confinees and return to cells or facility (if out of facility).

A5.8.2. Notify the SF Control Center with the following: Where escape occurred, direction of travel, description, mode, armed/unarmed.

A5.8.3. Conduct count.

A5.8.4. Patrols will secure avenues of escape.

A5.8.5. Notify confinement officer/NCO.

A5.8.6. Determine the identity of escapee/secure personal belongings for investigation.

A5.8.7. Post guards at critical points along the most probable route of escape.

A5.8.8. Plan pursuit actions.

A5.8.9. Notify victims or witnesses who, according to the Victim and Witness Protection Act, request notification of an inmate's changes of status.

A5.8.10. Provide all investigating agencies with photos and background data

A5.8.11. Collect personal property or any information from escapee's file that might aid in apprehension.

A5.8.12. Complete Incident Report/Lessons Learned.

A5.9. Forced Cell Moves/Extractions. Recommended actions (not all inclusive):

A5.9.1. Secure remaining confinees and facility.

A5.9.2. Request medical personnel (physically available).

A5.9.3. Notify commander, confinement officer/NCO.

A5.9.4. Gather move team (recall).

A5.9.5. Determine team setup and objectives.

A5.9.6. Equipment to use in the extraction.

A5.9.7. If confinee resists being moved from the cell; shut off their water and lights.

A5.9.8. Provide five members; shields, helmets (with face visor), chest armor, elbow/knee pads and sturdy gloves.

A5.9.9. Set-up team (include a sixth person to video the move to protect the staff/confinee):

a. The first person should be the biggest one; objective: pin the confinee against the wall or floor.
b. The second person's objective: move to left and secure confinee's left hand/arm.
c. The third person's objective: move to right and secure confinee's right hand/arm (this person carries handcuffs and applies them).
d. The fourth person's objective: move to left and secure confinee's left leg.
e. The fifth person's objective: move to right and secure confinee's right leg (this person carries leg restraining device and applies them).

A5.9.10. Forcefully warn, e.g., "Comply with our commands or you will be extracted from your cell!"

A5.9.11. Before use of ASP, OC/pepper spray, or riot baton, ensure DFC has authorized same.

A5.9.12. Complete Incident Report/Lessons Learned.

Attachment 6

RISK SURVEY FOR CONFINEE VICTIMIZATION AND ABUSIVENESS

Confinee's Name (Last, First, MI):_____

Confinement Facility:_____

Read out loud to Confinee: "Per 28 Code of Federal Regulations Part 115, for confinement facilities, this survey is required to better ensure your safety, as well as, safety of others. Your answers remain confidential and protected in accordance with federal law. While your responses are VOLUNTARY, every question MUST be asked".

SECTION I. Risk of Victimization (RV). Staff instructions: *Read below questions out loud to confinee, use their responses to fill in physical data and age. Then continue to read out loud the yes/no questions. Mark "Yes" answers and total.* More than three (3) "YES" checks, or if either of items #2, 7, 8 are "YES", indicates RV**. DO NOT PROVIDE RESULTS TO CONFINEE.**

Physical build: How tall are you? _____ How much do you weigh? _____ (ref: 115.41(d)3)
____ Mark yes, if small physical stature (Men: < 5'6" & < 120 lbs.) (Women: < 5' 0" & < 118 lbs.)

How old are you? _____ (115.41(d)2)
____ Mark yes, if less than 21 or over 65.

____ 1. Is this your first time being incarcerated? (ref: 115.41(d)1)
____ 2. Have you **ever been** the victim of sexual assault? (ref: 115.41(d)8)
____ 3. Do you have or perceived to have any known developmental/mental/medical disabilities? (ref: 115.41(d)1)
____ 4. Are you or are you often perceived to be gay/lesbian/bisexual/transgender/intersex or gender nonconforming? (ref: 115.41(d)7)
____ 5. Do you have a criminal history of sex offenses with Adult(s) or Child(ren) victims? (ref: 115.41(d)6)
____ 6. Is your criminal history exclusively nonviolent? (ref: 115.41(d)5)
____ 7. Do you **feel vulnerable** or have reason to fear placement in general population? (ref: 115.41(d)9)
____ 8. If previously incarcerated, have you **ever been** the victim of sexual assault? (ref: 115.41(d)8)
____ 9. If previously incarcerated, have you ever had consensual sex? (ref: 115.41(d)
____ 10. If previously incarcerated, have you ever been placed in protective custody? (ref: 115.41(d)8)
____ 11. If previously incarcerated, have you ever been approached for sex and/or threatened with sexual assault? (ref: 115.41(d)4&8)
____ **TOTAL**

RISK SURVEY FOR CONFINEE VICTIMIZATION AND ABUSIVENESS, Continued

Confinee's Name (Last, First, MI):_____

SECTION II. Risk of Abusiveness (RA). Staff instructions: *Read below questions out loud to confinee. Mark "Yes" answers and total.* More than three (3) "YES" checks, or if item #18 is "YES", indicates RA. **DO NOT PROVIDE RESULTS TO CONFINEE.**

____ 12. Have you ever been convicted of sexual assault against an adult? (ref: 115.41(d)6)
____ 13. Have you ever been convicted for domestic violence as a perpetrator? (ref: 115.41(d)5)
____ 14. Have any prior convictions for violent crimes, excluding sex offenses or domestic violence? (ref: 115.41.(d)6) & (115.41(e))
____ 15. If previously confined, any incident reports for violent offense, excluding sexual misconduct? (ref: 115.41(d)5) & (115.41(e))
____ 16. If previously confined, any incident reports for sexual misconduct? (ref: 115.41(d)6) & (115.41(e))
____ 17. Do you have any prior convictions for sex offenses against an Adult or Child? (ref: 115.41(d)6)
____ 18. If previously confined, have you ever **sexually abused** someone? (ref: 115.41(e))
____ **TOTAL**

Staff Last Name:_____Signature:_____Date:_____

Forward to confinement officer to assist in placement decisions for housing, cell/bed, work outlet, education, and program assignments. NOTE: Do not discipline or pressure confinees to answer any assessment inquiries. NOTE: Do not conduct the survey if charge/conviction is based solely on civil immigration charges (ref: 115.41(d)10).

Confinement Officer Last Name:_____Signature:_____Date:_____

Attachment 7

GUIDANCE ON DNA COLLECTION

A7.1. 1. AFSFC/SFC Responsibilities:

A7.1.1.1. Maintain liaison with USACIL.

A7.1.1.2. Maintain copies of all AF initial promulgating (court-martial) orders containing an annotation that DNA processing is required, regardless of where or if the member is confined.

A7.1.1.3. When requested, assist USACIL in reconciling why a DNA sample for a particular AF member has not been received at the lab for analysis (i.e., in cases where USACIL has received an annotated initial promulgating order reflecting conviction of a "qualifying military offense" but no corresponding sample). This includes contacting the facility at which the member is confined and ascertaining the status of the DNA collection requirement. If the member is not in confinement at the time the request is received, this will require contacting the CA's staff judge advocate for assistance in ascertaining the status of the DNA collection requirement.

A7.1.2. **Air Force Correctional Facility Responsibilities:**

A7.1.2.1. Contact USACIL at DSN 797-7258 or COMM (404) 469-7258 or email at **usarmy.gillem.dfsc.mbx.codis@mail.mil** using your confinement organizational email account to obtain kits.

A7.1.2.2. Determine if any inmates confined at their facilities on or after 19 June 2001, regardless of service affiliation, have a conviction of a "qualifying military offense" for which initial action has been taken by the convening authority. Ascertain the existence of a "qualifying military offense" by examining the initial court-martial promulgating orders published for each inmate. DNA samples are not collected upon conviction of a qualifying offense, but upon CA action approving the member's sentence.

A7.1.2.2.1. Promulgating orders published *on and after* 19 Jun 2001 (IAW AFI 51-201) are annotated in bold print at the top of the first page if the inmate has been convicted of a qualifying military offense: "DNA Processing Required. 10 USC. §1565 and 42 USC §14135a".

A7.1.2.2.2. Promulgating orders published *prior* to 19 Jun 2001 will not be annotated. When in doubt, consult with your local SJA.

A7.1.2.3. For each inmate identified with a conviction of a "qualifying military offense," ensure a DNA sample is promptly collected and sent to USACIL. Confirm with AFOSI and SFS/SFI that a sample was collected. If not, use USACIL DNA collection kits, including the instructions contained in these kits, for processing DNA collection. If an inmate refuses to cooperate in providing a DNA sample, contact AFSFC/SFC for guidance.

A7.1.2.4. Document DNA processing in each inmate's confinement records. If an inmate is subsequently transferred to another correctional facility after a DNA sample has been sent to USACIL, ensure paperwork reflecting DNA processing is included with the other

documentation provided to the gaining correctional facility. If the inmate is transferred to another correctional facility before a required DNA sample can be obtained, notify the receiving facility that DNA processing requirements must still be accomplished for the transferred inmate.

A7.1.2.5. If an inmate must be released from confinement before collection of a DNA sample is possible (i.e., USACIL kits are unavailable), immediately notify SJA of the CA. The SJA will notify appropriate agencies to ensure DNA processing is accomplished.

A7.1.2.6. Monitor kit expiration dates. When supplies are low, request additional kits from USACIL.

A7.1.2.7. When members did not receive confinement or are no longer in confinement, provide full assistance to commanders who are responsible for ensuring a DNA sample is collected, when the initial promulgating order is published. Assist such commanders regardless of service affiliation. This includes completing items 1-6 and 8 on the USACIL collection card, witnessing local medical personnel draw the blood, and complete item 7 on the USACIL collection card and mailing the DNA sample to USACIL.

A7.1.2.7.1. For installations that do not operate a correctional facility, SF personnel should assist local commanders in fulfilling their DNA processing responsibilities, including assistance as described in paragraph A7.1.2.7 above.

A7.1.2.7.2. Coordinate with SJA and owning commanders to develop procedures to deal with inmates on appellate leave who refused to comply with requirements following notification.

Attachment 8

SAMPLE - PERSONAL DEPOSIT FUND ACTIVITY REPORT

(PREPARE ON LETTERHEAD)
FROM: Organization/Ofc Symbol

TO: Unit Commander

SUBJECT: PDF Report for _____ through _____.

1. According to AFI 31-105, *Air Force Corrections System*, an inspection of the personal deposit fund was conducted as directed by (installation commander or other authorized official).

2. The inspection included a review of the accounting system, internal controls, and a detailed inspection of all transactions for the period of _____ through _____.

3. Statement of operations as follows:

a. Balance on hand as of (ending date of previous inspection):

b. Deposits:

c. Withdrawals:

d. Balance on hand as of (ending date of this inspection):

e. Petty cash:

f. Bank balance as of (ending date of this inspection):

g. Outstanding checks:

h. Outstanding deposits:

i. Revised checkbook balance:

4. Recommended improvement areas: (Auditor's remarks)

Disinterested Official's Signature
(Include typed name, grade, organization, and duty title)

Custodian, Personal Deposit Fund, Signature
(Include typed name and grade)

Installation Commander or Authorized Official's Signature

Attachment 9

SAMPLE - CERTIFICATE OF TRANSFER OF ACCOUNTABILITY

(PREPARE ON LETTERHEAD)

FROM: Organization/Ofc Symbol

TO: Unit Commander

SUBJECT: CERTIFICATE OF ACCOUNTABILITY TRANSFER

1. Certificate of Outgoing Custodian: (NAME)

I certify that I have, on _____ 20__, transferred to (Name, Grade, SSN), the new custodian appointed by (Name, Grade, SSN), dated_____20__, $_____ cash on hand and $_____ on deposit to the credit of the personal deposit fund for (Name, Grade, Office).

This represents the total of the balance on deposit with me as custodian of the individual accounts of all confinees listed below:

NAME OF CONFINEE	BALANCE ON DEPOSIT
_____	_____
_____	_____
_____	_____
_____	_____

At the same time, I conducted an inventory of the personal effects in my custody of all confinees in confinement as of this date at _____(hrs) and all items of material value as listed on the individual account sheets in the effects section of the confinee's property record were present.

(Signature)
TITLE

2. Certificate of New Custodian:

I certify that I have, on _____20__, received from (Name, Grade, SSN), the sum of $_____, representing (Name, Grade, SSN), the balances due confinees listed above together with the personal effects, as listed on the individual account sheets in the effects section of the confinee's personal property record, of all confinees in confinement as of this date at _____(hrs), and I hereby relieve the previous custodian from all responsibility for the same.

(Signature)_____

Attachment 10

MARRIAGE OF CONFINEES

A10.1. PURPOSE AND SCOPE. Provide correctional facilities guidelines for the marriages of confinees. The DFC shall approve a confinee's request to marry except where a legal restriction to the marriage exists, or where the proposed marriage presents a threat to the security or good order of the facility, or to the protection of the public. The DFC may approve the use of the facility for the marriage ceremony. If a marriage ceremony poses a threat to the security or good order of the facility, the DFC may disapprove a marriage ceremony in the facility after coordination/guidance from the SJA for an alternate means (i.e., most states recognize a marriage ceremony performed over speaker phones or a proxy marriage via affidavit of absent applicant for marriage license). Any decision to disapprove a request to marry must first be coordinated with the SJA.

A10.2. PROGRAM OBJECTIVE. The expected result of this program: Confinee marriages will be requested, approved, and conducted in accordance with all applicable laws, rules, and regulations.

A10.3. PROCEDURES. Procedures specified in this Program Statement apply to all AF pretrial detainees and post-trial inmates.

A10.4. AUTHORITY TO APPROVE A MARRIAGE. The DFC may approve the marriage of confinees in an AF facility. This authority may not be delegated below the level of Acting DFC.

A10.5. ELIGIBILITY TO MARRY. A confinee's request to marry shall be approved provided:

A10.5.1. The confinee and intended spouse are legally eligible to marry. If overseas, check Host Nation requirements.

A10.5.2. The confinee is mentally competent;

A10.5.3. The intended spouse has verified, ordinarily in writing, an intention to marry the confinee; and

A10.5.4. The marriage poses no threat to facility security or good order, or to the protection of the public. Staff reviews the marriage request to ensure it is not made to circumvent existing visiting policy, thereby posing a threat to facility security or good order.

A10.6. APPLICATION TO MARRY.

A10.6.1. A confinee in an AF confinement/corrections facility who wants to get married submits a DD Form 510, to the confinement NCO. Requirements vary by facility according to country (international) or State law. Obtain the requirements from nearest city courthouse or foreign consulate. The confinement NCO evaluates the request based upon the criteria identified in paragraph A10.7. The confinement NCO submits a written report of the findings and makes a recommendation to the DFC for a final decision. Seek SJA assistance as necessary. The intended spouse must obtain needed documents.

A10.6.1.1. Information on the confinee's legal eligibility to marry is determined through conversation with the confinee and by reviewing the Correction Treatment File (CTF). Indication of a present or prior marriage, including a common-law marriage, requires written verification that the marriage is legally dissolved. The status of a common-law

marriage and its dissolution, are determined under the law. Refer questions on a confinee's legal eligibility to marry to the SJA.

A10.6.1.2. Information on a confinee's mental competence may be obtained by reviewing behavioral health reports prepared on the confinee prior to and/or during the present period of confinement. A mental competency examination should not be conducted specifically to determine the confinee's mental competence to marry.

A10.6.1.3. The confinement NCO should contact and request a written statement from the intended spouse, to verify that party's interest in marrying. An intended spouse who requests additional information about the confinee from the confinement NCO is to be advised to discuss these issues with the confinee, or, if preferred, to write the ADC.

A10.6.1.4. The confinement NCO assesses whether the marriage poses a threat to facility security or good order, or to public protection. As part of the review, the confinement NCO consults with the confinement officer for their assessment.

A10.6.2. The DFC notifies the confinee in writing whether the confinee's request to marry is approved or disapproved. Place a copy of this notification in the confinee's CTF. When the DFCs decision is to disapprove the confinee's request, the notification to the confinee includes a statement of reason(s) for that action. The DFC also advises the confinee that the decision may be appealed to the installation commander, who will have final authority.

A10.7. SPECIAL CIRCUMSTANCES.

A10.7.1. Detainers and Pending Charges. Marriage requests from confinees who have a detainer and/or a pending charge shall be coordinated with the SJA to assess the legal effects of the marriage on those actions.

A10.8. MARRIAGE CEREMONY IN THE FACILITY.

A10.8.1. The DFC may approve the use of the facility for a short simple marriage ceremony. If a marriage ceremony poses a threat to the security or good order of the facility, the DFC may disapprove a marriage ceremony in the facility. The DFC may not delegate the authority to approve or to disapprove a marriage ceremony in the facility below the level of Acting DFC. A marriage ceremony in the facility cannot be denied because it may inconvenience the facility. Ordinarily, if there is concern about facility security or good order, the matter can be resolved by controlling the place, time, and number of participants for the ceremony, or by placing conditions or restrictions on the ceremony. When the DFC approves a confinee's application to marry, but intends to *deny the use of facility* for the marriage ceremony, the DFC documents the reasons for this disapproval and consults the SJA for other options (i.e., conduct the ceremony over speakerphones or conduct the marriage by proxy via a completed affidavit of absent applicant for marriage license).

A10.8.2. Expenses for a marriage ceremony in the facility are paid by the confinee, the confinee's intended spouse, the confinee's family, or other appropriate source and must be determined in advance and approved by the DFC. The DFC may not permit appropriated funds to be used for the marriage ceremony.

A10.8.2.1. The marriage ceremony may be performed by any military chaplain, community clergy, or by a justice of the peace. The installation chaplain confirms that a

community person requested to perform the marriage ceremony is either a member of the clergy or a justice of the peace, in good standing.

A10.8.2.2. Because of ecclesiastical constraints, chaplains may decline to perform the marriage ceremony. Upon request of the confinee, the chaplain assists the confinee in preparing for an approved marriage; for example, by providing, or arranging for a confinee to receive prenuptial marriage counseling.

A10.8.3. The DFC ensures the marriage ceremony be a short private ceremony conducted without media publicity and without a best man or maid of honor. There will not be visiting time between the couple after the ceremony unless a situation, i.e., sign legal documents, warrants approval from the DFC. There are no conjugal visits. DFC notifies the appropriate MAJCOM and AFSFC/SFC of the proposed marriage of a confinee whose marriage might attract national attention, or significant local or regional attention.

A10.9. FACILITY SUPPLEMENT. Each DFC develops a facility Supplement establishing local procedures to implement this Program Statement. It should include, but not be limited to, information on the local marriage laws and processing procedures (for example, marriage license requirements, blood tests). Also note the military member's responsibility to complete all requirements in arranging for the military identification card and DEERS and Tri-Care enrollment.

Attachment 11

SAMPLE – INITIAL VICTIM/WITNESS NOTIFICATION COVER LETTER

(PREPARE ON LETTERHEAD)

UNIT ORGANIZATION & ADDRESS DATE

VICTIM or WITNESS ADDRESS
Re: (ACCUSED'S NAME)

Dear (NAME),

1. We have received documentation certifying you as a victim or witness as well as your desire to participate (enroll) in the Victim and Witness Assistance Program (VWAP) for the attached case. The impact of crime is devastating to innocent victims, witnesses, and their families. We will make every effort to be responsive and sensitive to any concerns you may have. By federal law, Titles 18 & 42 of the US Code, your status as a victim or witness and all information concerning your address is kept strictly confidential. **Inmates are not allowed to contact a victim or witness**. Also, if you testified for defense on behalf of the inmate, you should not be in this program.

2. We will notify you of a pending release or release-related activities of the accused using the attached DD Form 2705. This includes notification of initial parole and clemency eligibility dates, clemency and parole hearing dates (if eligible), transfer to another confinement facility, and temporary releases (i.e., emergency parole, etc.), escape, or death. Inmates with confinement sentences of 12 months or more are eligible for parole upon serving one third of their sentence. Every year thereafter, the inmate is eligible for Clemency and Parole. It is Department of Defense (DoD) policy that inmates may earn a portion off of their sentence for good behavior. This is referred to as "good conduct time" and, if earned, is reflected in the release date we provide you. Inmates may also receive "earned time abatement" for graded participation in the areas of work, offense related treatment programs, education, self-improvement, and personal growth and, if earned, this also affects the release date. Earned Time (ET) is not awarded within 30-days of the scheduled minimum release date (MRD) from confinement.

3. The date an inmate is eligible for a parole hearing is also mandated by DoD policy. It is your right to submit an impact statement to the inmate's Service Clemency and Parole Board provided to you on DD Form 2703, *Post-Trial Information for Victims and Witnesses of Crime*. Notification to you is done sufficiently prior to the inmate's case appearing before the Clemency and Parole Board. This provides you an opportunity, if you desire, to submit an impact statement to the board. You may also travel to appear at the Parole and/or Clemency hearing at no expense to the government. The address is 1500 West Perimeter Road, Suite 3700, JB Andrews, MD 20762-7002.

4. Should you receive any threats, by or on behalf of the inmate (accused), or attempts by the accused to contact you or intimidate you in any manner, please notify me immediately so we can take appropriate action. To continue to receive inmate notifications of status changes, you must

maintain current address and/or telephone number with the AF Central Repository. If you would like to be removed (opt-out) from the Victim Witness Assistance Program (VWAP), submit a written request to:

Manager, AF Central Repository
AFSFC/SFCV
1517 Billy Mitchell Blvd
JBSA Lackland, TX 78236-0119.

NOTE: After three unsuccessful attempts to contact you with a notification, your VWAP case will be provided to the Central Repository for removal determination.

5. If you have any questions, or would like more information, or if you were not briefed about the VWAP program, you can reach the Confinement VWAP monitor, (NAME), at (COMM PHONE) or email (email address).

//signed//

DFC or Confinement Officer

Attachment: DD Form 2705, *Victim/Witness Notification of Inmate Status*

Attachment 12

SAMPLE – CLEMENCY/PAROLE NOTIFICATION COVER LETTER

(PREPARE ON LETTERHEAD)

Unit Organization & Address Date

Victim or Witness Address

Re: (ACCUSED'S NAME)

Dear (NAME),

1. As requested, this is to notify you that _____ is scheduled for a clemency/parole initial/review hearing tentatively set for ___. If you wish to submit comments to be considered by the Disposition Board and the AF Clemency and Parole Board (AFC&PB), please send your comments No Later Than (NLT) ____ to:

Confinement Facility
Confinement Facility Address

The Confinement Facility will consider the comments and forward them to AFC&PB for consideration.

2. Interested parties are permitted to offer victim impact statements for the clemency/parole hearing. The Disposition Board and AFC&PB consider any written, audio, or video material received from you or on your behalf. The chairperson of the Disposition Board or authorized Disposition Board representative or chairperson of the AFC&PB or authorized AFC&PB representative may initiate discussions and correspondence with you and will make every effort to be responsive and sensitive to your request.

3. In addition to submitting written, audio, or video material, victims, the victim's family, and representatives may also appear in person at the AFC&PB at no expense to the Government, to present information concerning the impact of the confining offense (s) on the victim and victim's family. If you wish to appear in person at the AFC&PB, please notify the AFC&PB no later than _____ (Use same date as NLT date in Paragraph 1), via email at usaf.pentagon.saf-mr.mbx.saf-mrbp-cpb@mail.mil or via mail at:

AFC&PB
SAF Personnel Council (SAF/MRBP)
1500 West Perimeter Road, Suite 3700
JB Andrews, MD 20762-7002

4. Please understand the scheduling of a clemency/parole hearing is required at this time by law/regulation and does not signify or imply that actual release on parole/clemency will result.

5. Statutory interim (review) hearings are for the purpose of considering changes that may have occurred since the inmate's case was last considered by the Board. The merits of prior parole/clemency hearings will not be reconsidered, but the release/clemency decision may be changed if new events or information warrant. Regardless of the type of parole/clemency hearing, the Board takes into account the seriousness of the offense, including surrounding circumstances and the risk to public welfare.

6. You may also request to be kept informed of any future case decisions even if you do not have comments to submit. If you have any questions, please contact the Confinement Facility at the address above.

Sincerely,

DFC or Confinement Officer
Title

Attachment: DD Form 2705, *Victim/Witness Notification of Inmate Status*

Attachment 13

SAMPLE – INMATE STATUS CHANGE LETTER

(PREPARE ON LETTERHEAD)

Unit Organization & Address Date

Victim or Witness Address

Dear (NAME),

1. Our records reflect that you previously requested notification regarding the arrival of (inmate's name here) and/or all significant release and release-related activities pertaining to their period of incarceration. We fully recognize that the impact of crime is devastating to innocent victims, witnesses, and their families. Therefore, we will make every effort to be responsive, informative, and sensitive to your request.

2. Unless otherwise requested, you will be notified of all future releases and/or release proceedings regarding this inmate. Please advise AF Central Repository in writing of any changes to your address or telephone number. Notification(s) ordinarily terminate when the inmate has completed the sentence to confinement for the crime that resulted in your request for notification. You may also cancel your request for notification at any time by contacting the AF Central Repository in writing. This information should be sent to the following address:

Manager, AF Central Repository
AFSFC/SFCV
1517 Billy Mitchell Blvd
JBSA Lackland, TX 78236-0119

3. We will make every effort to ensure your request for notification remains confidential. However, if the inmate learns through other means that you have made this request and threatens or attempts to intimidate you in any manner, please notify this facility immediately.

4. The attached form indicates what action is pending or has been taken in this case. Should you have any questions or concerns, or would like more information, please contact my victim and witness monitor (Name) at (Comm phone), and/or email (address).

Sincerely,

DFC or Confinement Officer
Title

Attachment:
DD Form 2705, *Victim/Witness Notification of Inmate Status*

Attachment 14

SAMPLE – VICTIM/WITNESS NOTIFICATION RECORD

Victim/Witness Notification Record (file with DD Form 2704 in the adjunct file)

Name of the Accused:_____Date Adjudged

Date	Person Contacted †	Reason for Contact	Method *	Initials

† = Including unsuccessful attempts
* = Method: CERT = certified mail, RRR = return Receipt Requested, PH = telephone call

Attachment 15

SAMPLE – SEX OFFENDER REGISTRATION NOTIFICATION COVER LETTER

(PREPARE ON LETTERHEAD)

UNIT ORGANIZATION & ADDRESS Date

SUBJ: (ACCUSED'S NAME) Sex Offender Registration Requirements Before Confinement Release

1. Per 42 USC §16901, et. seq. and DoDI 1325.07, upon release from confinement you are required to register. As directed, a copy of DD Form 2791 has been submitted to the National Sex Offender Targeting Center, appropriate State Sex Offender Registry, and State/Local Law Enforcement Agencies.

2. Upon confinement release you have _____ **Business Days** in which to register your intention to work, reside or attend school in the State (District of Columbia), Territory, or Tribal Jurisdiction, of _____. The point of contact for your local law enforcement agency is:

_____

(Local Law Enforcement Agency Title/Address)

_____

(Phone Number) (Hours of Operation)

3. To register with the local law enforcement agency, you must provide the following documents: DD Form 2791, Copy of Court-Martial Order, and State Driver's License (if issued).

4. States have penalties for not registering within their specified time frame. Failure to comply could incur additional civil punishment/penalties. Additionally, if you are still under military jurisdiction and fail to register in the state to which you are released, you could face additional UCMJ action.

5. If you plan to enter and/or gain access to a military installation/federal reservation to work, reside or attend school, you must report to the installation Law Enforcement Official or Provost Marshal. Failure to register could subject you to adverse legal action under the law.

6. If you have any question regarding your release requirements, contact (CONFINEMENT NCO NAME/ADDRESS), at (COMM TELEPHONE) during normal business hours.

//signed//

DFC

I, _____, acknowledge receipt of this letter on _____.
(Last, First MI) (DATE)

2 Attachments:
1. DD Form 2791
2. Copy of this letter

Attachment 16

NOTIFICATION OF COMMUNITY TREATMENT PROGRAMS

1. In accordance with the provisions of the ***Violent Crime Control and Law Enforcement Act of 1994*** (name of releasing confinement facility) is required to notify you of available treatment programs in the community in which you plan to reside. We have identified the following treatment program(s) in or near your release area, which may be of assistance to you. We strongly encourage you to contact these programs, or other similar programs.

a. Recommended Treatment Program:

_____

_____

_____

Address:

_____

Telephone Number: _____

Other: _____

_____

b. Additional Treatment Program:

_____

_____

Address:_____
_

Telephone Number: _____

Other:_____
_

_____

Inmate's signature _____ Date
_____

Staff signature _____ Date _____

Attachment 17

SAMPLE INMATE TRANSFER REQUEST MESSAGE

From: NAME OF CONFINEMENT FACILITY WHERE INMATE IS HELD

To: AFSFC.SFCT.INMATE@US.AF.MIL (VIA ENCRYPTED EMAIL)

SUBJECT: (U) REQUEST FOR INMATE TRANSFER/"FOR OFFICIAL USE ONLY"

1. NAME: SSN: GRADE: SEX: DOB: RACE:
2. LOCATION OF CONFINED INMATE:
3. OFFENSES FOR WHICH CONVICTED: (Example: ART 112, USE OF COCAINE; ART 133 INDECENT ACTS) ***NOTE***: IDENTIFY SEX OFFENDERS AND DNA REQUIRED
4. LIST THE COMPLETE SENTENCE AS ADJUDGED, TO INCLUDE TYPE OF PUNITIVE DISCHARGE; LENGTH OF CONFINEMENT (i.e., PTA) AND PRETRIAL CONFINEMENT. LIST FORFEITURES AND REDUCTIONS IN GRADE.
5. ADJUDGED DATE (IF CONFINEMENT WAS DEFERRED, SO STATE AND PROVIDE APPLICABLE DATES): ADJUDGED _____, SENTENCE WAS DEFFERRED TO __Date_____ (Number of days). PRETRIAL CONFINEMENT STARTED ON _____AND ENDED_____. INMATE WAS AWARDED 25 DAYS PRETRIAL CREDIT BY CONVENING AUTHORITY.
6. CONVENING AUTHORITY ACTION, COURT MARTIAL ORDER NUMBER, AND DATE OF SENTENCE APPROVAL: CA, GCMO NUMBER, DATE
7. UNIT OF ASSIGNMENT AND SERVICING FSS AT THE TIME OF THE COURT-MARTIAL: UNIT/BASE and UNIT FSS/BASE
8. HOME OF RECORD: TOWN, STATE. **PLACE OF BIRTH:** CITY/STATE
9. OPERATOR'S LICENSE: NUMBER/STATE/EXP. DATE (YYYYMMDD)
10. EYE COLOR: HAIR COLOR:
11. MINIMUM RELEASE DATE: MAXIMUM RELEASE DATE:
12. PAROLE ELIGIBILITY DATE: (IF SENTENCE IS OVER 12 MOS)
13. DATE CLEMENCY AND PAROLE DISPOSITION BOARD DUE (IF SENTENCE IS OVER 12 MOS):
14. REASON FOR TRANSFER: CONFINEMENT SENTENCE LENGTH, DIRECTED REHABILITATION, SPECIAL REQUIREMENTS (MEDICAL/DIETARY).
15. REQUESTED DATE OF TRANSFER. (MINIMUM 72 HRS IN ADVANCE. NOTE: IF USING COMMERCIAL AIRCRAFT, DO NOT REQUEST FRIDAY/WEEKEND OR HOLIDAY TRAVEL)
16. OFFICER SAFETY CONCERNS:
17. REMARKS: INFORMATION WHICH MAY AFFECT THE TRANSFER ACTION (i.e., **CUSTODY LEVEL, IF VWAP NOTIFICATIONS ARE REQUIRED, MEDICAL OR MENTAL CONDITION, GUARD OR RESERVE INMATE ON ACTIVE DUTY ORDERS**). ***NOTE*****:** *DO NOT IDENTIFY HIV POSITIVE INMATES IN THIS MESSAGE. CONTACT AFSFC/SFCT AND GAINING FACILITY VIA TELEPHONE OR "FOR EYES ONLY" CORRESPONDENCE.*

18. POINT OF CONTACT/DSN PHONE/FAX NUMBER: (FULL NAME, RANK, PHONE NUMBER)

Attachment 18

AIR FORCE RETURN-TO-DUTY APPLICATION REQUIREMENTS, AND AFC&PB CLEMENCY CONSIDERATIONS AND DECISIONS

A18.1. Air Force Return-to-Duty (RTD). The Air Force maintains a service unique RTD system (reference 10 USC §§ 951, 953). The system offers selected court-martialed enlisted personnel, with exceptional potential, the opportunity for clemency action concerning the characterization of their discharges and possible return to duty. The goal for the applicant is to prove that their successful rehabilitation is worthy to be considered for reenlistment in the Armed Services.

A18.2. Eligibility.

A18.2.1. Except as indicated in paragraph A18.5.3., applicants must be court-martialed enlisted personnel who *cannot* have an executed discharge or be retirement eligible on the date of the application. **(T-1)**

A18.2.2. Applicants may not have a civilian or military conviction record of sex offenses or violent offenses. **(T-1)**

A18.2.3. Applicants must accept responsibility for their crime(s) and must have demonstrated a strong and serious desire to change negative attitudes and behaviors, as evidenced by their post-trial rehabilitation, treatment reports and volunteer community service/employment efforts for those already released from confinement. **(T-1)**

A18.2.4. Applicants must have had an otherwise positive record of military training, experience, and performance. **(T-1)**

A18.2.5. At time of application the applicants must be worldwide duty qualified as determined by medical authorities. **(T-1)**

A18.2.6. Applicants must have favorable personality characteristics as established by a post-trial psycho-social mental health evaluation. The mental health evaluation summary must support a reasonable expectation of successful life skills and duty performance. The applicant's assigned military treatment facility (MTF) (or the closest MTF, as arranged by the assigned MTF if the geographic separation is too great) shall conduct a mental health evaluation by a licensed clinical social worker, psychologist, or psychiatrist. CARE PROVIDERS: The following characteristics have been found valuable to successful RTD as candidate attributes; ability to accept constructive criticism, team orientation, dependability, assertiveness, motivation for change, adequate stress tolerance, at least average intelligence, and good interpersonal skills. The following characteristics have been found to be less desirable RTD candidate attributes: patterns of poor judgment, patterns of impulsivity, history of violent behavior or serious psychological problems (bipolar disorder, recurrent major depression, any psychotic disorder, diagnosed personality disorder), conflict avoidance, and lack of initiative. **(T-1)**

A18.3. Application Process. The applicant, with assistance from their defense counsel, submits a letter and attachments (no specific format) to the Convening Authority (CA) or The Judge Advocate General (TJAG) requesting a recommendation for RTD. (The applicant can apply to either the CA or TJAG, but not both.) The defense counsel is responsible for ensuring the

application, with either the CA or TJAG recommendation attachment, is forwarded to the AF Clemency and Parole Board (AFC&PB). **(T-1)**

A18.3.1. The defense counsel's assistance is similar to routine post trial clemency requests intended for the CA or TJAG; however, for the purposes of an application to RTD, specific concentration should concern: post trial rehabilitation and treatment, past duty performance, awards, and redemption value to the AF and society in general. The package may include letters of recommendation from military supervisors and superiors, as well as letters from religious and civil leaders (e.g., former civilian employers, educators, heads of volunteer organizations, etc.). The letter should state that the applicant admits their guilt and presents their past performance records (military and incarceration behavior and treatment records) for review. The letter should state that the CA or TJAG and those in the decision chain up to and including the Secretary of the Air Force are authorized to view medical and mental health records. If confinement was approved, the letter should include minimum and maximum release dates, as well as an attached copy of the DD Form 2710-1, *Inmate Sentence Computation*. Note to defense counsel: While the applicant is responsible to obtain as much of the supporting documentation as possible on their own, some of the documents may be in possession of the confinement/corrections staff or CA's Staff Judge Advocate. Upon request, those offices should provide those documents, not otherwise forbidden due to security or privacy issues, for inclusion in the application. If the applicant cannot reasonably obtain documents from the government which are required for the application, defense counsel's assistance may be necessary. **(T-1)**

A18.3.2. Except as provided in paragraph A18.5.1, the application is submitted after the CA has taken action and no sooner than the 60th day following the date of the applicant's adjudged sentence and no later than one year after their adjudged sentence. The AFC&PB cannot act on any application until the CA has taken action in the case. The AFC&PB may decide to waive the application time limits for good cause. **(T-1)**

A18.3.3. The applicant can reapply once during the one year period after their sentence is adjudged, but only if significant change has occurred that was not previously considered by the AFC&PB. (Significant change means, for example, an outstanding confinement record or subsequent strong rehabilitation success.) **(T-1)**

A18.3.4. Once started, the applicant can withdraw their request at any time during the process by providing the CA or TJAG and the AFC&PB written notice via their defense counsel. **(T-1)**

A18.3.5. If there was an adjudged sentence to confinement; the application must include a letter of evaluation from the confinement facility. This letter should briefly explain the applicant's overall behavior as determined by the staff. The letter can come from any supervisory staff member no lower than the Confinement NCOIC, and can be supplemented by the Confinement Officer. The DFC includes an indorsement briefly explaining concurrence or non-concurrence. The letter is provided to their defense counsel. To avert agitation among the population the staff's written indorsement is not provided directly to the inmate to prevent inadvertent sharing of the letter. **(T-1)**

A18.3.6. The CA or TJAG provides a *concur* or *non-concur* recommendation to the application package within 30 days of receipt from the defense counsel and returns it to the

defense counsel to electronically forward to the AFC&PB at: **usaf.pentagon.saf-mr.mbx.saf-mrbp-cpb@mail.mil** .

A18.4. Rehabilitation. The applicant's record while in confinement, if confinement was adjudged, is an important tool for the decision team to consider. How completion of mandatory rehabilitation and treatment is characterized, as well as characterization of the number and types of voluntary rehabilitation and treatment, are essential for RTD consideration. **(T-1)**

A18.4.1. The applicant must explain negative incidents documented while in confinement, e.g., respond to behavioral notations such as: malingers, quibbles, uses of passive resistance during treatment, receipt of excessive disciplinary reports, or receipt of facility Disciplinary and Adjustment Board findings. If so, the applicant should explain how it was mitigated. **(T-1)**

A18.4.2. For applicants who received either no sentence to confinement or less than a six month sentence to confinement, the applicant should provide as much extracurricular voluntary program attendance (e.g., AA), self-improvement (e.g., education courses), and/or volunteer community service as possible. Also important will be results of a potential candidate's civilian employment while on appellate leave (e.g., timely attendance, productiveness and restitution payment plan, if appropriate). **(T-1)**

A18.4.3. For applicants who were confined in a non-military facility (usually downtown), rehabilitative opportunities are likely limited; therefore, request the base confinement NCO to provide the appropriate Training, Treatment and Transition Program workbooks which are available to all Level I confinees. Successful completion of the workbooks can be used to help support the applicant's request for RTD. For scheduled appointments with qualified/privileged Mental Health provider bring workbooks and associated progress reports in order to assist the care provider with the on-going assessment and treatment effort. **(T-1)**

A18.5. Consideration Process. The AFC&PB reviews the submitted package and makes its decision based upon historical comparison of past RTD packages, applicant's demonstrated redemptive quality(ies), as well as rehabilitation and treatment successes.

A18.5.1. For approved sentences to confinement *without a* punitive discharge, AFC&PB approval prevents the discharge authority from executing an administrative discharge action that has been initiated, allowing the AFC&PB to retain the member on active duty or upgrade to a General Discharge or an Honorable Discharge. For those applicants receiving an Honorable Discharge from the AFC&PB, the coding on the DD Form 214, *Certificate of Release or Discharge from Active Duty*, shall reflect that the applicant is reenlistment eligible. See AFI 36-2606, *Reenlistment in the United States Air Force* and use reenlistment Code 2D per Table 5.2. **(T-1)**

A18.5.1.1. In cases where a punitive discharge was not adjudged, the applicant may immediately submit an application to the CA or TJAG after action by the CA, provided notice of an administrative discharge action has been initiated against the applicant. **(T-1)**

A18.5.2. For approved sentences with or without confinement and *an unexecuted* punitive discharge, AFC&PB approval orders the upgrade of the characterization to a General Discharge or an Honorable Discharge. For those applicants receiving an Honorable Discharge from the AFC&PB, the coding on the DD Form 214 shall reflect that the applicant is reenlistment eligible. **(T-1)**

NOTE: Pending change to AFI 36-2606, Table 5.1.; reenlistment Code 1S is hereby created. The Code 1S reads, Airmen who were sentenced by court-martial to dishonorable or bad conduct discharge (with or without confinement) and approved through the AFC&PB for return to active status or reentry into service. **(T-1)**

A18.5.3. With applicant approval, in cases when the member's ETS has expired or will do so during the decision process, HQ AFPC orders an extension of sufficient length to cover a period until such time as the final AFC&PB decision is made.

A18.5.4. In all actions for this application, the decision of the AFC&PB is final and cannot be appealed. However, when the decision of the AFC&PB grants any relief to the applicant, the AFC&PB's decision does not become final until SAF/MR and the Secretary of the Air Force are provided with notice of the proposed decision and have been given an opportunity to transfer the matter to their level for decision.