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## Department of Defense Instruction

SUBJECT Uniform Policies and Procedures Affecting Military Prisoners  
and Places of Confinement

### I. PURPOSE

This instruction consolidates and restates, with modifications, the uniform Department of Defense policies governing the treatment of military prisoners and the administration of places of confinement.

### II. RESCISSION

This instruction rescinds the Department of Defense policies concerning uniform policies and procedures affecting military prisoners issued in a memorandum on this subject dated 16 June 1950, and additional items for consideration to provide uniformity of treatment of military prisoners issued in a memorandum on this subject dated 1 December 1950, both from the Chairman, Personnel Policy Board to the Secretaries of the Army, Navy and Air Force. Also rescinded is the memorandum from the Secretary of Defense to the Secretaries of the Army, Navy and Air Force, subject: "Detention of Women Personnel of the Armed Forces", dated 18 May 1949.

### III. POLICY

A. General Policy. It is the policy of the Department of Defense that discipline be administered on a corrective rather than a punitive basis, and that military places of confinement be administered on a uniform basis. It is considered desirable that persons under sentence of courts-martial or other military tribunals be accorded uniform treatment, in keeping with the principles of unification and in justice to the individual. In the implementation of these uniform policies, the respective services will adopt the administrative procedures hereinafter set forth subject to limitations imposed by operating conditions, personnel, or facilities in certain areas.

#### B. Specialized Personnel Requirements for Military Correctional Institutions.

1. Policy. The specialized nature of duty at military places of confinement requires that personnel assigned shall be selected in accordance with uniform standard criteria and specifically trained in the control, management, and rehabilitation of prisoners.

## 2. Procedure.

### a. Training of personnel:

Knowledge of control, management, and rehabilitation of prisoners may be obtained from previous experience, special training, or a combination of both. Therefore, for military places of confinement, custodial personnel may be obtained from the following sources:

- (1) Special schools.
- (2) Military personnel with previous military or civilian experience in correctional type assignments.
- (3) Trained on the job; in-service training.
- (4) Qualified civilian specialists.

### b. Categories of personnel:

Specialized personnel are required in all of the following categories for disciplinary barracks, retraining commands, and rehabilitation training centers. For other activities the number of personnel and types required is dependent upon the type and mission of the facility.

- (1) Custodial - personnel trained specifically in the supervision and management of prisoners.
- (2) Chaplains - personnel directly responsible to the commanding officer for providing religious instruction, guidance, and services for prisoners.
- (3) Medical/Dental - personnel responsible directly to the commanding officer for the health of prisoners and the sanitary conditions of the command.
- (4) Neuropsychiatric - psychiatrist, clinical psychologist, psychiatric social workers, and psychiatric social work technicians for the diagnosis and treatment of prisoners presenting special personality problems or psychiatric disorders.
- (5) Classification specialists - supervisory personnel and trained interviewers to compile case histories and other background data required to plan the confinement program for individual prisoners and to furnish a basis for recommendations as to clemency, restoration to duty, or other appropriate disposition.
- (6) Training - supervisory personnel and instructor personnel qualified to conduct general and vocational training programs for prisoners.

(7) Employment - maintenance, construction and industrial personnel qualified to conduct and supervise work progress and vocational training projects for prisoners.

c. Criteria for selection of personnel:

Personnel assigned to military places of confinement, when practicable, should meet the following general criteria:

(1) Have served a minimum of two years active duty, or have attained such level of professional qualification by reason of civilian occupation, as to warrant assignment with the minimum of indoctrination and training.

(2) Be over twenty years of age and possess a high degree of maturity and emotional stability.

(3) Have no record of convictions by a general or special court and no more than one conviction by a summary court-martial during current enlistment.

(4) Score at least average on standard classification tests.

(5) Have no record of a civil court conviction which resulted in confinement.

d. Assignment of personnel:

Personnel should be, if possible, regularly assigned to military places of confinement for normal tours of duty and transient personnel should not be used except when regularly assigned personnel are not available.

C. Administrative Discipline and Close Confinement Measures.

1. Policy. In addition to or in lieu of punishments prescribed by law for persons under military jurisdiction, commanding officers are authorized to impose administrative disciplinary measures upon persons confined under their jurisdiction, and to segregate and restrict the movement and activity of such persons as may be necessary for their control and the safe operation of the place of confinement. The authorized administrative disciplinary measures and standards for close confinement will be uniform for all services.

2. Procedure.

a. Administrative disciplinary measures:

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(1) Commanding officers are authorized to impose one or more of the following administrative disciplinary measures upon persons confined under their jurisdiction for misconduct or infraction of regulations: Reprimand or warning; Deprivation of one or more privileges; Extra duty; Reduction in conduct grade or class; Segregation on regular or restricted diet; and Forfeiture or withholding of good time allowance. Neither solitary confinement nor restricted diet shall be imposed as disciplinary measures unless the medical officer certifies in writing that it will not produce serious injury to the prisoner's health. A diet restricted to bread and water may only be imposed on an offender attached to or embarked in a vessel and for no longer than three days for any one offense. Such action will not preclude trial by courts martial or imposition of punishment prescribed by law for persons under military jurisdiction if the prisoner is subject to military law and the gravity of the offense merits such action. The extent and nature of disciplinary action taken should be corrective rather than punitive.

(2) The imposition of administrative disciplinary measures will be subject to approval of the commanding officer. However, the establishment of Discipline and Adjustment Boards composed of at least three officers to consider and recommend to the commanding officer action to be taken against prisoners for misconduct or infraction of regulations and to consider prisoner adjustment problems, is authorized.

b. Administrative control:

(1) Close confinement, segregation, separate quartering, or restriction of the movement and activity of prisoners, administratively, for purposes of control, safekeeping, to prevent injury to the prisoner or others, or for other purposes of safe administration, is authorized.

(2) Prisoners in close confinement or segregated for disciplinary reasons will be kept under close custodial supervision. Special precautions will be taken in the preparation, equipping, inspection, and supervision of close confinement quarters to prevent escapes, self-injury, and other serious incidents or unhealthy conditions of confinement. Quarters will be adequately heated and ventilated and of sufficient size to permit erect standing and lying down, and will meet minimum space standards of the respective service. The use of quarters which are totally dark during daylight hours is prohibited. Prisoners in this category will be visited daily by a medical officer who will keep the commanding officer advised regarding the state of health and conditions of confinement of such prisoners. They will also be visited daily by the custodial officer in charge or, in his absence, by his delegated relief.

D. Correspondence of prisoners and visits to prisoners.

1. Policy. Since the maintenance of wholesome and frequent contacts with their families and others genuinely interested in their welfare is a vital factor in rehabilitation of personnel in confinement, the right of prisoners to mail and visiting privileges will be limited only by security requirements and the facilities available.

2. Procedure.

a. Security - incoming and outgoing mail will be inspected, under conditions provided by law, and visits will be supervised.

b. Authorized correspondents and visitors - no limitation is imposed as to the number of persons who may be approved for the purpose of visiting or corresponding with a prisoner. The prisoner's wife, children, parents, brothers, and sisters should uniformly be approved unless disapproval is required in the interest of safe administration or the prisoner's welfare. Other persons may be approved as correspondents and visitors when this appears to be in the best interest of the prisoner.

c. Mail:

(1) Restrictions will not be placed on the number of letters to or from authorized correspondents, except as necessary to maintain security and control, to prevent unreasonable individual excesses, or to prevent delays in processing mail. Normally, prisoners should be permitted to write at least two letters weekly and to receive all incoming letters from authorized correspondents. Mail privileges for unsentenced prisoners will be as liberal as operating conditions and facilities permit.

\* All correspondence between a prisoner and the President, Vice President, \*  
\* members of Congress, Attorney General, the Judge Advocates General or their \*  
\* representatives, his defense counsel or any military or civilian attorney \*  
\* of record; initial correspondence with any other attorney listed in pro- \*  
\* fessional or other directories for the purpose of establishing an attorney- \*  
\* client relationship; all correspondence between a prisoner and his clergy- \*  
\* man (when recommended by the installation chaplain) will be regarded as \*  
\* privileged correspondence, not subject to inspection; except that any \*  
\* incoming correspondence apparently from any of these sources may be inspected \*  
\* when considered necessary to insure the authenticity of the correspondence. \*

Other special purpose correspondence may be permitted in the discretion of the commanding officer. Letters containing accusations, charges, or complaints will be forwarded through proper channels to officials who have the authority to correct the complaint or alleged wrong, except that letters to members of Congress and petitions or writs for release to proper authority shall not be forwarded through official channels.

(2) Vulgar or obscene language or any violations of postal laws will not be permitted.

d. Visits. - Restrictions on the number and length of visits and the number of authorized persons permitted to visit at any one time will be limited to those which are necessary for the safe handling of visits, prisoner control, and those made necessary by operational routines or limited facilities. Normally, sentenced prisoners should be permitted to receive visits of one to two hours' duration on non-work days (weekends and holidays) at least twice monthly. However, in determining the need for exceptions, consideration should be given to the distance traveled by visitors, the frequency of visits, and other pertinent factors. Visits for unsentenced prisoners will be as liberal as operating conditions and facilities permit. Reasonable exceptions as to time and length of visits will be made for attorneys to interview their clients regarding pending legal affairs.

e. Other. - The receiving of articles other than correspondence may be authorized by commanding officers. Telegraphic communications may be authorized only when warranted by existing circumstances. Telephone calls to or by prisoners, at the expense of the caller, will be permitted only in emergencies, when no other means of communication will suffice, will be monitored, and will be limited to the emergency subject.

f. Postage. - Postage for all authorized mail will be furnished as a regular item of the health and comfort issue.

E. Uniform Prisoner Classification Records Including Format and Methods of Establishing Valid Case Histories.

1. Policy. Classification data, when obtained for case histories of military prisoners, will be reported in a uniform manner for all of the Armed Forces and will be verified as required.

2. Procedure:

a. Classification data, when reported, will include a summary of all available information regarding the prisoner together with staff evaluations and recommendations and will be reported on standard Department of Defense forms.

b. The American Red Cross will be used in accordance with existing agreements as the primary agency to furnish information concerning the prisoner's community and family background.

c. Reports will be obtained from the Federal Bureau of Investigation on prisoners committed to disciplinary barracks and on other prisoners as necessary.

d. Additional verification inquiries will be made on a selective basis as required in the individual case. Inquiries to individuals and agencies of the community will not be made indiscriminately or routinely.

F. Uniform Reporting Procedures Including Statistical and Strength Accounting of Prisoners.

1. Policy. Uniform statistics on military prisoners will be maintained by the Armed Forces. For this purpose reporting procedures will be established which will permit the compilation of uniform statistics.

2. Procedure:

a. Uniform statistical reports. - The periodic publication of statistical reports concerning military prisoners will be coordinated between the Armed Forces and will include uniform data statistically comparable for all services.

b. Uniform reporting. - Places of confinement on shore will submit periodic reports giving sufficient uniform strength accounting data, which, together with data maintained in the Departments of the Army, Navy and Air Force, will provide comparable information for the compilation of uniform statistical reports. For this purpose, standard Department of Defense forms will be used insofar as is practicable.

c. Prisoner strength accounting. - Strength accounting will include information concerning the commitments, releases, population loads, and types of military prisoners, and such other data as may be agreed upon.

G. Policies and Procedures Governing Restoration Leave (delay in reporting) for Prisoners Restored to Duty.

1. Policy. It is considered desirable, when the conditions of the particular case warrant, to grant leave to prisoners on restoration to duty; provided that such leave is not in excess of that authorized by law and regulations.

2. Procedure:

a. Restoration leave or delay in reporting may be granted prisoners restored to duty.

b. The purpose of this leave is to enable the prisoner to visit his family or others interested in his welfare and to handle any personal problems requiring his personal attention. The granting of this privilege will be based upon full consideration of all the facts in each individual case, including the home and family situation.

c. Leave may be granted for any period provided that such leave is not in excess of that authorized by law and regulations.

H. Expenditure of Personal Funds by Prisoners Confined in Military Installations.

1. Policy. Prisoners will be permitted to expend personal funds in limited amounts. The criteria for the expenditure of personal funds by prisoners and any limitations upon the amount of said expenditures will be uniform for all services.

2. Procedure:

a. Personal funds of prisoners will be held in safekeeping for them while under confinement and prisoners will not be permitted to have money in their personal possession.

b. In addition to the authorized allowance for health and comfort items, prisoners will be permitted to expend personal funds held in safekeeping for them for other authorized items not to exceed an amount mutually agreed upon by the Services, and may be permitted to make additional expenditures from personal funds for special purposes, such as

purchase of educational materials, remittances to dependents, payment of debts or attorney's fees, etc.

c. Expenditures of personal funds will be subject to the approval of the commanding officer of the disciplinary barracks, rehabilitation training center, retraining command, or disciplinary training command, or the commanding officer of the installation responsible for guardhouses, brigs, or other confinement facilities.

I. Policies and Procedures Governing Designation and Transfer to Federal Institutions and Between Military Installations.

1. Policy. Uniform policies and criteria will be used by all services in determining the type of confinement facility for a prisoner under the provisions of Article 58 of the Uniform Code of Military Justice.

2. Procedure:

a. Prisoners considered non-restorable with approved sentences involving dismissal or punitive discharges and one year or more of confinement imposed for felony-type offenses or for major military offenses; and other prisoners who present serious custody, behavior, or personality problems or who should be separated from minor non-criminal type military offenders, normally will be confined in Federal penal and correctional institutions.

b. Prisoners convicted of certain felony-type offenses and major military offenses, mutually agreed upon by the Services, whose approved sentences are one year or more and who are considered unsuitable for further military service may be confined initially in Federal penal and correctional institutions.

c. Prisoners other than those specified in par 2 b, above, normally will be confined initially in a military place of confinement.

d. Prisoners initially committed to military places of confinement, who come within the categories prescribed in par 2 a, above, normally will be recommended for transfer to Federal penal and correctional institutions if determined to be unsuitable for further military service.

e. Prisoners who were initially committed to Federal penal and correctional institutions for confinement and who are later determined to be of possible future value to the service may be returned to military installations in preparation for their return to military service.

f. Military prisoners should be confined in any confinement facility under the jurisdiction of any of the military departments where economy and more efficient military administration will result.

J. Type and Allowances of Prison Uniform Clothing.

1. Policy. Uniform and distinctive or distinctively marked outer clothing for all persons confined therein is necessary for safe and economical operation of military places of confinement on shore and will be provided by all services to the extent necessary for custodial purposes.

2. Procedure:

a. Uniform and distinctive outer clothing will be provided for all prisoners while confined in disciplinary barracks and where deemed necessary, in rehabilitation training centers or other retraining facilities.

b. If distinctive outer clothing is not provided for persons confined in military places of confinement on shore, other than disciplinary barracks, rehabilitation training centers, and retraining commands, distinctive markings may be used, such as arm bands or other devices of a distinguishing color or organizational markings (i.e., "GH," "BRIG") affixed on shirt, blouse, jumper or other outer clothing. The type and condition of clothing, or markings, if used, will not be degrading or subject the prisoner to ridicule, and will not be used as a form of punishment.

c. All necessary items of clothing for prisoners, while confined in a non-pay and allowance status, will be furnished at Government expense without charge to the prisoner.

d. In the cases of prisoners in a pay and allowance status, if distinctive clothing is prescribed, it will be furnished at the expense of the Government. Distinctive markings may be used on the prisoner's own clothing. If the distinctive marking permanently defaces the prisoner's uniform, the uniform will be replaced at Government expense.

e. The distinctive types of prisoner outer clothing, and clothing allowances, will be prescribed by each service for use by its places of confinement. All prisoners confined therein, regardless of branch of service, will wear the prisoner uniform or work uniform prescribed for that place of confinement.

f. Unsentenced prisoners will wear the work uniform of the place of confinement, but will be permitted to wear their prescribed service uniforms during visits, appearance before court-martial, or other appropriate occasions.

g. For prisoners confined without essential clothing, emergency issue will be made by the commanding officer of the confinement activity. Such issue, except for a distinctively marked outer garment, shall be subject to pay checkage if the prisoner is in a pay and allowance

status. In cases requiring issue to members of the other services, reimbursements will be made on a cross-service basis.

K. Detention and Segregation of Female Prisoners.

1. Policy. Existing rules and regulations regarding apprehension, arrest, restriction and confinement provided for male personnel are applicable to women personnel except as stated herein:

a. Apprehension:

(1) Restraint: Physical contact will normally be avoided. In apprehension only such force as is necessary may be used.

(2) Search: Only another woman of appropriate status is authorized to search a woman of the armed services. Male apprehending authorities may, however, search the offender's handbag, overcoat or luggage.

(3) Custody: Following apprehension, if physical custody is necessary, the apprehending authority will communicate with his headquarters and receive instruction as to disposition. Normally such disposition will be as follows:

(a) The woman will be immediately placed in the custody of the Commanding Officer of the nearest activity of her own Department where there is adequate housing and supervision for women; or

(b) If no such activity is within reasonable distance, request for assumption of temporary custody will be made upon the nearest organization of the armed services where women personnel are housed; or

(c) If (a) and (b) are not applicable, delivery will be made to the proper civilian authorities having suitable custodial facilities for women.

(d) Brigs and guardhouses, normally used for male personnel, will not be used for the custody of women of the armed services.

b. Confinement:

(1) Women will not be confined in confinement facilities used only for male personnel.

(2) Punishment by confinement by Commanding Officer under Article 15, Uniform Code of Military Justice, is not regarded with favor and should not be imposed. Where confinement is adjudged by other than General Courts Martial, it should, as a matter of policy, be remitted by the Convening or Reviewing authorities.

(3) As a matter of policy, where confinement is adjudged by a General Court Martial and approved by higher authority, the place of confinement shall be designated by the Office of the Secretary of the Department concerned or as provided for in accordance with instructions issued therefrom.

(4) Except under extreme circumstances, those women personnel whose conduct is such as to bring discredit on themselves or the services which they represent, shall, as a matter of policy, be separated.

L. The Provision and Support of Welfare Activities for Prisoners.

1. Policy. Welfare activities are necessary for the physical and mental well-being of prisoners and will be provided by all services.

2. Procedure:

a. Disciplinary barracks, rehabilitation training centers, disciplinary training centers, and retraining commands will provide a well-balanced program of welfare activity for prisoners, which may include fiction and non-fiction books, periodicals, newspapers, motion pictures, radio, physical recreation facilities, competitive sports, and other special programs and events.

b. Smaller places of confinement, such as guardhouses, stockades, and briggs, will provide welfare activities to the extent that local facilities, personnel, and conditions permit, but will provide as a minimum, reading materials and physical recreation.

c. Where practicable, support from appropriated funds and contributions from central non-appropriated welfare funds may be supplemented by funds generated by fund producing work of prisoners on projects approved by the Department concerned.

d. Minimum requirements for the provision of welfare activities and common sources of support therefor, insofar as practicable, will be developed by the services on a uniform basis.

M. The Feasibility and Desirability of Adopting a Rehabilitation Program Common to all Military Services and the Use of Joint Facilities.

1. Policy. Provision should be made for the rehabilitation of military prisoners and a general program common to all of the services is desirable. The program of each of the services should provide equal opportunities for prisoners and be essentially uniform although operational details will vary dependent upon the organizational structure, facilities available, and missions of the respective services. The measures provided

to carry out this program should be designed to prepare for successful return to duty those prisoners whose sentences do not include punitive discharge and those with sentences including punitive discharges who are considered potentially restorable; and to prepare for return to civil life those whose sentences include punitive discharges who are considered non-restorable. Prisoners of potential value to the military service, who have been sentenced to punitive discharge and whose return to duty will not adversely affect the esprit and good name of the service, should be restored to duty upon successful completion of any restoration training provided. Common policies and criteria should be used in selecting prisoners for participation in restoration training programs. Joint screening to determine disposition of prisoners should be conducted in those installations where prisoners of more than one service are confined, provided that facilities and qualified personnel are available for the purpose. Each service should provide restoration training for its own personnel with a course of instruction based on the military training program of that service. Installations of any service, other than those provided for restoration training, should be used for the confinement of prisoners of other services when local operating conditions and available facilities permit, and if economy and more efficient administration will result.

## 2. Procedure:

a. The program for prisoners whose sentences do not include punitive discharges, should include useful varied work, military training, and instruction within the limitations of available facilities and personnel. Prisoners in this category who have sufficient time to warrant such action may be placed in rehabilitation centers.

b. The program for potentially restorable prisoners whose sentences include punitive discharges should include rehabilitative instruction, intensive military training, and opportunities to prove their fitness to return to honorable duty. Such measures should, if sufficient time permits, be carried out in rehabilitation training centers or retraining commands operated by each service for its own personnel and should be based on the military program of that service.

c. Deserving Army and Air Force prisoners, whether or not their sentences include punitive discharges, who have sufficient time to warrant such action, should be placed in rehabilitation training centers for rehabilitation. Normally, this should include prisoners with approximately two months or more remaining on their sentences to confinement. With the exception of those prisoners whose sentences include punitive discharges, this procedure is considered impracticable and uneconomical for the Navy because of the wide dispersion of Naval operating forces afloat and ashore.

d. The program for prisoners who are to be returned to civil life by punitive discharge and who are not transferred to Federal institutions, should include a reasonable opportunity to promote self-improvement through educational and vocational training, and in useful work of value to the Government, within the limitations of available facilities and personnel.

e. The following general criteria should be used as a guide for selecting prisoners for participation in restoration programs.

- (1) A sincere desire for restoration and demonstrated motivation for military service.
- (2) Mental and physical fitness for military service.
- (3) An absence of criminal and anti-social characteristics.
- (4) An absence of any factors which in the event of restoration would adversely affect the esprit and good name of the service.
- (5) In the absence of exceptional circumstances, conviction of a major offense generally recognized as a felony in the civil courts should ordinarily preclude selection for restoration training. "Exceptional circumstances" should include such factors as youth, a comparatively low degree of moral turpitude or wrongful intent in the commission of the offense, a substantially clear civil and military record with a reputation for honesty and good behavior prior to the commission of the current offense, and demonstrated or potential ability to perform military duties in a creditable manner.

f. During hostilities, the necessity for maximum utilization of all available manpower will warrant a more liberal policy on restoration to duty than would normally be followed in peacetime.

g. Brig or guardhouse facilities may be used jointly for sentenced prisoners where it is determined by local commanders to be feasible and practicable. Generally, sentenced prisoners who are to return to duty should serve their confinement in the facilities of their own service in order that they may receive the benefit of the training, education and work program, based upon the needs and mission of that particular service.

h. In accordance with such agreements as shall be made between the individual services in regard to the activity concerned, disciplinary barracks facilities may be used jointly for prisoners who are sentenced to a punitive discharge and who are not considered restorable or cannot be transferred to a Federal institution.

N. The Provision of Health and Comfort Supplies for Prisoners.

1. Policy. Certain supplies are necessary for the personal hygiene, health and comfort of prisoners, and other persons in a non-pay and allowance status held in military jurisdiction awaiting disposition as a result of disciplinary action, and at least the minimum required of such supplies will be uniformly provided by all services for such persons.

2. Procedure:

a. When necessary, all prisoners committed to military places of confinement will be issued, immediately, toilet articles and other personal hygiene supplies, tobacco, and such other authorized items including postage for authorized letters as are determined to be essential for health and comfort, and will receive similar issues periodically while in confinement. Similar issues will be made to other persons held in military jurisdiction awaiting disposition as a result of disciplinary action, such as former prisoners with executed discharges who have completed confinement overseas until their release from military control.

b. Authorized items of health and comfort supplies will be prescribed by the services and will be coordinated between the services to prevent inequalities.

c. Health and comfort supplies furnished to persons in a non-pay status will be paid for from appropriated funds. The cost of health and comfort supplies issued to persons in a pay status will be charged against their pay accounts or paid for from their personal funds.

d. To facilitate cross-servicing and reimbursements, a standard Department of Defense form will be used for authorization of health and comfort issues.

O. Abatement of Confinement.

1. Rate of Earning:

a. Good Conduct Time:

(1) Each prisoner serving a sentence or sentences imposed by a court-martial or other military tribunal for a definite term or terms of confinement, other than for life will, except as otherwise provided herein, be credited monthly with a deduction from the term of his sentence or sentences beginning with the day on which the sentence commences to run at the following appropriate rate:

Five days for each month of the sentence, if the sentence is less than one year.

Six days for each month of the sentence, if the sentence is not less than one year and is less than three years.

Seven days for each month of the sentence, if the sentence is not less than three years and is less than five years.

Eight days for each month of the sentence, if the sentence is not less than five years and is less than ten years.

Ten days for each month of the sentence, if the sentence is ten years or more.

(2) In order to predetermine release dates, a prisoner may be credited at the beginning of his sentence to confinement with the regular good conduct time that can be earned in his case during the entire period of his sentence.

(3) A parole or probation violator will earn good conduct time, at the rate applicable to his sentence, for the period of time to be served as a parole or probation violator.

b. Extra Good Time:

(1) A prisoner in confinement may be allowed an abatement of his sentence for actual employment in such industries, work projects, or other activities or assignments as shall be specifically authorized by the Secretary of the Department concerned. The rates at which extra good time may be earned are as follows:

For the first year or any part thereof, not to exceed three days per month.

For the second and subsequent years, not to exceed five days per month.

Such allowance of extra good time shall be in addition to that granted for good conduct.

2. Forfeiture, Withholding, and Restoration of Abatement:

a. Good conduct time. If, during the term of imprisonment, a prisoner violates the rules of the institution or commits any offense, all or any part of his earned good conduct time may be forfeited. In addition all good conduct allowances for the month in which the violation occurs may be withheld in accordance with such administrative directives as may be published by the Department concerned.

b. Extra good time. Extra good time may be forfeited and withheld in the same manner as provided for good conduct time.

c. Parols and Probation Violators. All good conduct time and extra good time which has been earned up to the date of a prisoner's return to custody as a parole or probation violator, will be forfeited effective with the revocation of parole or probation.

d. Restoration of good conduct time and extra good time. The commanding officer of the military institution where a prisoner is currently confined or, as provided by statute, the Attorney General in the case of a military prisoner confined in a Federal institution, may

restore all or any part of the good conduct or extra good time previously forfeited or withheld, including time withheld or forfeited at other institutions, except that time forfeited for parole or probation violation may not be restored.

P. Clemency (General). For the purposes of this paragraph clemency is a right vested in the Secretaries of the separate Departments and certain commanders, by law, to mitigate, remit, or suspend, the whole or any part of the unexecuted portion of any sentence, to restore to duty and, where applicable, to prescribe parole regulations to insure equality in the administration of justice and to guarantee that the best interests of society, the Service, and the individual will be served. The Secretaries of the Departments of the Army, the Navy, and the Air Force may appoint such clemency and parole boards as are necessary to consider the cases of individuals under their jurisdiction and to take into consideration all aspects of the sentence, including fines, forfeitures, discharge or dismissal, and period of confinement, as well as the circumstances of the offense, the social factors, the prisoner's military and civil history, his personality characteristics, and his progress in confinement, in order that appropriate recommendations concerning clemency action may be made to the Secretary concerned in individual cases. In addition to any direct personal action by the Secretary concerned and exclusive of clemency action taken by appropriate officers pursuant to powers vested in them by law, clemency may be effected through any of the following methods in accordance with the policies and eligibility standards prescribed herein:

1. Clemency. At such times as may be directed by the Secretary of the Department concerned and prior to completion of confinement or execution of the discharge, sentences imposed by courts-martial or other military tribunals which include sentences to confinement of eight months or more and all sentences which include discharge or dismissal will be reviewed to determine conformity with current administrative and disciplinary policies, to adjust sentence disparities, and to make appropriate recommendations regarding any unexecuted portions of the sentence. Members of the Armed Forces of the United States sentenced by courts-martial or other military tribunals to confinement and discharge or dismissal, and persons other than members of the Armed Forces of the United States sentenced to confinement by courts-martial or other military tribunals will be eligible to be considered for clemency, wherever confined as follows:

a. Within 8 months after the sentence begins to run, or prior to release if the sentence expires earlier, and at least annually thereafter.

b. At any time prior to completion of the sentence, upon recommendation of appropriate authority for cause.

2. Parole:

a. A prisoner confined in disciplinary barracks with a sentence or sentences to confinement of one year or more who has served one-third of the total of the term or aggregate terms of confinement without credit for abatement, but in no case less than 6 months, or has served 10 years of a term of life, or of a term or aggregate terms of more than 30 years, may be released on parole. A prisoner released on parole will remain under supervision and will be considered annually for clemency until the expiration of the full term or aggregate terms of his sentence without credit for abatement.

b. Members of the Armed Forces of the United States sentenced by courts-martial or other military tribunals to confinement and discharge or dismissal, and all persons other than members of the Armed Forces of the United States sentenced to confinement by courts-martial or other military tribunals, confined in a disciplinary barracks are eligible to be considered for release from confinement on parole prior to the expiration of their sentences as follows:

(1) Those with sentences of 1 year or more and less than 2 years -- not earlier than 4 months nor later than 6 months of confinement computed from the date the sentence to confinement begins to run, and annually thereafter.

(2) Those with sentences of 2 years or more and less than 30 years -- within 2 months prior to completion of one-third of the sentence to confinement without credit for abatement and annually thereafter.

(3) Those with sentences of life or 30 years or more -- within 2 months prior to completion of 10 years in confinement, and annually thereafter.

### 3. Restoration:

a. Members of the Armed Forces of the United States sentenced to confinement and discharge by courts-martial or other military tribunals will be eligible to be considered for return to duty status under such terms or conditions of probation as may be prescribed by the Secretary of the Department concerned, when eligible for clemency under the provisions of sub-paragraphs 1a and b or as otherwise prescribed by the terms of the sentence.

b. Applications for restoration will be reviewed and acted upon within the Department concerned. However, the appropriate boards of the Department concerned may make recommendations with regard to restoration in individual cases in connection with the review of sentences for the purpose of general clemency. Any recommendation of these boards regarding restoration for further duty will be advisory only.

Q. Sentence Operation. It is the purpose of the following provisions to provide uniform execution of sentences adjudged by courts-martial and other military tribunals of the Department of Defense.

1. Effective Date of Sentence. A sentence becomes legally effective and the sentence to confinement begins to run as provided for by statute or, in the absence thereof, by appropriate authority.

2. Inoperative Time. Any period of time during which a prisoner is not entitled to be credited with serving his sentence.

3. Continuity of Sentence. A sentence to confinement is continuous until the term expires and is interrupted only by inoperative time.

4. Multiple Sentences. When a prisoner, serving a sentence adjudged by a court-martial, is convicted of another offense and sentenced to a term of confinement, the subsequent sentence upon being ordered into execution will begin to run as of the date adjudged and will interrupt the running of a prior sentence.

5. Aggregation of Sentences. When a prisoner has two or more sentences to confinement standing against him, the several sentences will be aggregated to determine the rate of earning abatement for good conduct, parole eligibility date, and any other necessary dates. The remainder of the term of confinement which a parole or probation violator is serving cannot be aggregated with a term of confinement adjudged by a subsequent sentence.

6. Computation of Sentences. Procedures employed in the computation of sentences will be in conformity with those published by the Department of Justice, which govern the computation of sentences of federal prisoners and military prisoners under the jurisdiction of that Department.

7. Probation Sentences:

a. The Probationary Period. Unless otherwise provided, a probationary period begins on the date of restoration to duty and, unless otherwise terminated, ends at midnight on the last day of the specified period or upon discharge or separation, whichever is sooner.

b. Multiple Sentences. Unless otherwise directed, revocation or termination of probation applies to all probationary periods in operation at the time the unsatisfactory conduct occurred.

R. Gratuities. Members of the Armed Forces of the United States sentenced by courts-martial or other military tribunals to confinement and dismissal or discharge and all persons other than members of the Armed Forces of the United States sentenced to confinement by courts-martial or other military tribunals upon each release from a military

place of confinement, when necessary, may be furnished the following gratuities in addition to such other grants and gratuities as may be authorized by law:

1. Clothing. A suit of citizen's outer clothing, and an overcoat when necessary.

2. Cash Donations. In the discretion of the Secretary of the Departments concerned, a cash donation of not to exceed \$25.00.

S. Applicability. The foregoing provisions concerning abatement and sentence operation will be applicable to only those sentences adjudged on or after 31 May 1951.

T. The Feasibility and Desirability of Adopting a Work Program in Military Correctional Institutions.

1. Policy. Able-bodied prisoners in military custody who are not assigned to other full time training, and whose status permits, should be employed in useful work.

2. Procedure.

a. Work projects shall be chosen to rehabilitate and train the prisoner and benefit the government. Suitable work for prisoners includes maintenance and repair of the institution; salvage, repair, and conversion of government property; services performed for contiguous government establishments; and manufacture of articles for government use.

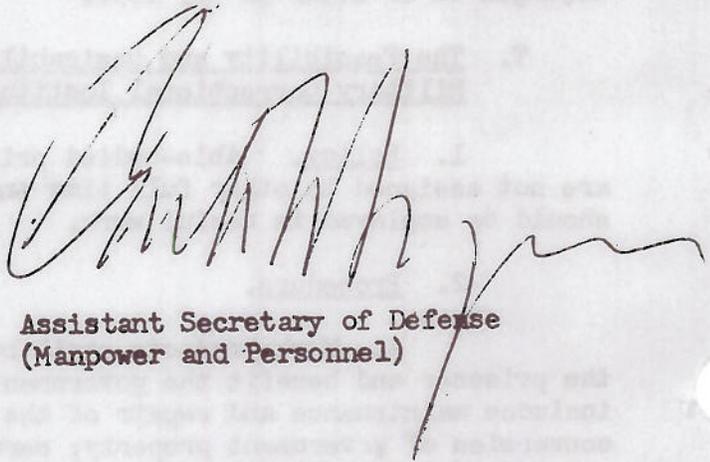
b. The full time employment of military prisoners in comprehensive and diversified programs of education, military training, and vocational training in maintenance, repairs, industries, and plain hard work not only reduces the tax burden imposed by their confinement, food, clothing, medical care and other services, but is essential to their reformation. Commanding officers shall take positive action to insure such full time employment of all military prisoners under their control. The military services shall utilize the productive facilities of military correctional institutions to the maximum extent possible.

c. One expeditious, economic, and effective method of establishing industries in military correctional institutions on a sound businesslike basis, which will give general courts-martial prisoners maximum opportunity to acquire occupational skills, is to bring them within the financial and managerial jurisdiction of the Federal Prison Industries, Incorporated. This Corporation is empowered by law to provide facilities; establish industries; employ, train, and supervise prisoners under the custody and control of the commanding officer; and dispose of the products for government use.

d. In view of the small percentage of military personnel in confinement, and the fact that many are assigned to other types of training, the competition offered to private industry and labor by work programs in military correctional institutions is insignificant compared to the rehabilitative effects on the prisoners, whose custody, treatment, and reformation are direct responsibilities of the armed services to society.

IV. ACTION REQUIRED

The Assistant Secretary of Defense (M&P) shall be made an information addressee of all regulations issued in implementation of this policy.



Assistant Secretary of Defense  
(Manpower and Personnel)

REFERENCE

1325.4

# DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL

NUMBER 1325.4 - Ch 1	DATE June 30, 1965	DISTRIBUTION 1300 series
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ATTACHMENTS

Pages 5 and 6 of DoD Instruction 1325.4, Jan 14, 55.

### INSTRUCTIONS FOR RECIPIENTS

The following page changes to DoD Instruction 1325.4, "Uniform Policies and Procedures Affecting Military Prisoners and Places of Confinement," dated January 14, 1955, have been authorized:

#### PAGE CHANGES

- Remove: Pages 5 and 6
- Insert: Attached replacement pages

Change appears on Page 5 and is indicated by marginal asterisks.

#### EFFECTIVE DATE AND IMPLEMENTATION

This change is effective immediately. Two (2) copies of revised implementing documents shall be forwarded to the Assistant Secretary of Defense (Manpower) within sixty (60) days.

*Maurice W. Roche*

MAURICE W. ROCHE  
Director, Correspondence and Directives Division  
OASD(Administration)

ACTION CY	OFFICE	INFO CY
✓	OSA	Director, Correspondence and Directives Division
✓	OUSA	
	ASA LOG	
	ASA FM	
	ASA R&D	
	OCSTAFF	
	TAGO	V85 ←
	OCLL	
	OGC	

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT

a. Security - incoming and outgoing mail will be inspected, under conditions provided by law, and visits will be supervised.

b. Authorized correspondents and visitors - no limitation is imposed as to the number of persons who may be approved for the purpose of visiting or corresponding with a prisoner. The prisoner's wife, children, parents, brothers, and sisters should uniformly be approved unless disapproval is required in the interest of safe administration or the prisoner's welfare. Other persons may be approved as correspondents and visitors when this appears to be in the best interest of the prisoner.

c. Mail:

(1) Restrictions will not be placed on the number of letters to or from authorized correspondents, except as necessary for security and control, to prevent unreasonable individual excesses, or to prevent delays in processing mail. Normally, prisoners should be permitted to write at least two letters weekly and to receive all incoming letters from authorized correspondents. Mail privileges for unsentenced prisoners will be as liberal as operating conditions and facilities permit. In addition, letters to members of Congress, to Federal officials, to higher military authority or to inspectors general, and correspondence regarding legal matters in which he has a legitimate interest, will be forwarded subject to inspection. Other special purpose correspondence may be permitted in the discretion of the commanding officer. Letters containing accusations, charges, or complaints will be forwarded through proper channels to officials who have the authority to correct the complaint or alleged wrong, except that letters to members of Congress, and petitions or writs for release, to proper authority, shall not be forwarded through official channels.

(2) Vulgar or obscene language or any violations of postal laws will not be permitted.

d. Visits. - Restrictions on the number and length of visits and the number of authorized persons permitted to visit at any one time will be limited to those which are necessary for the safe handling of visits, prisoner control, and those made necessary by operational routines or limited facilities. Normally, sentenced prisoners should be permitted to receive visits of one to two hours' duration on non-work days (weekends and holidays) at least twice monthly. However, in determining the need for exceptions, consideration should be given to the distance traveled by visitors, the frequency of visits, and other pertinent factors. Visits for unsentenced prisoners will be as liberal as operating conditions and facilities permit. Reasonable exceptions as to time and length of visits will be made for attorneys to interview their clients regarding pending legal affairs.

e. Other. - The receiving of articles other than correspondence may be authorized by commanding officers. Telegraphic communications may be authorized only when warranted by existing circumstances. Telephone calls to or by prisoners, at the expense of the caller, will be permitted only in emergencies, when no other means of communication will suffice, will be monitored, and will be limited to the emergency subject.

f. Postage. - Postage for all authorized mail will be furnished as a regular item of the health and comfort issue.

E. Uniform Prisoner Classification Records Including Format and Methods of Establishing Valid Case Histories.

1. Policy. Classification data, when obtained for case histories of military prisoners, will be reported in a uniform manner for all of the Armed Forces and will be verified as required.

2. Procedure:

a. Classification data, when reported, will include a summary of all available information regarding the prisoner together with staff evaluations and recommendations and will be reported on standard Department of Defense forms.

b. The American Red Cross will be used in accordance with existing agreements as the primary agency to furnish information concerning the prisoner's community and family background.

c. Reports will be obtained from the Federal Bureau of Investigation on prisoners committed to disciplinary barracks and on other prisoners as necessary.

d. Additional verification inquiries will be made on a selective basis as required in the individual case. Inquiries to individuals and agencies of the community will not be made indiscriminately or routinely.

F. Uniform Reporting Procedures Including Statistical and Strength Accounting of Prisoners.

1. Policy. Uniform statistics on military prisoners will be maintained by the Armed Forces. For this purpose reporting procedures will be established which will permit the compilation of uniform statistics.

2. Procedure:

a. Uniform statistical reports. - The periodic publication of statistical reports concerning military prisoners will be coordinated between the Armed Forces and will include uniform data statistically comparable for all services.