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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

FEDERAL PERSONNEL AND
COMPENSATION DIVISION

JANUARY 10, 1980

B-196918

The Honorable Harold Brown
The Secretary of Defense

Dear Mr. Secretary:

Subject: [Military Confinement and Correctional Facilities, Policies, and Practices] (FPCD-80-28)

We recently completed a survey of current military confinement policies and practices. Our work included a review of pertinent Department of Defense (DOD) and military service directives and discussions with members of the Defense Corrections Council and headquarters corrections personnel from each of the services. We visited confinement facilities and discussed correction programs at the U.S. Disciplinary Barracks, Fort Leavenworth, Kansas; U.S. Army Retraining Brigade and Fort Riley Army confinement facility, Fort Riley, Kansas; Marine Corps correctional facility at Camp Pendleton, California; 3320th Correction and Rehabilitation Squadron and the base detention facility at Lowry Air Force Base, Denver, Colorado; and the Naval Station Correctional Center at Norfolk, Virginia.

We also assessed DOD's actions in response to our recommendations in a 1975 report entitled, "Uniform Treatment of Prisoners Under the Military Correctional Facilities Act Currently Not Being Achieved," (FPCD-75-125). In that report, we concluded that uniform treatment of prisoners and opportunities for rehabilitation to the extent possible had not been achieved as intended by the Military Correctional Facilities Act of 1968.

We were pleased to find that the services have been cooperating in consolidating and jointly using confinement facilities. This is particularly noteworthy in these times of strict budgetary constraints, and we encourage all such future cooperative actions.

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We also observed that each service is striving to improve its correction program; both DOD and the services are revising and updating their corrections directives. Additionally, a Chief of Naval Operations study group is evaluating Navy confinement policies and practices, and the Army Audit Agency is reviewing the effectiveness of the U.S. Army Retraining Brigade's program. We view these actions as positive and constructive efforts to improve correctional programs.

However, certain problems we identified in our 1975 report still exist, and recommendations we proposed to help solve these problems have not been implemented. Although DOD Instruction 1325.4 was originally issued to establish uniform DOD policies and procedures governing the treatment of military prisoners and the administration of places and types of confinement, a central office or group has not been established with authority to insure that the services comply with the DOD instruction and implement correctional treatment programs which are as uniform as possible.

Even though DOD stated, in response to our 1975 report, that the Defense Corrections Council would, if continued on a regular and permanent basis, adequately fill the need for developing corrections policy and insuring uniformity consistent with service needs, the problems we identified have still not been resolved. While the Council has served as a very useful and regular forum for exchanging information on confinement and corrections policy and philosophy, it has been, and we believe will continue to be, unable to insure the degree of uniformity possible, because it lacks the authority to enforce services' compliance with DOD policy. Consequently, centralized direction and oversight are still needed to insure appropriate and uniform treatment of military prisoners.

As stated in our prior report, each service originally developed its own correctional program with policies and procedures which were not totally uniform. As a result, some service members who commit similar offenses and have similar sentences are treated differently. We still believe this violates the intent of the Military Correctional Facilities Act.

There are three primary types of military confinement and correctional facilities:

- Short-term facilities used by all the services.
- Retraining centers used by only the Army and Air Force.

--Long-term facilities used by all the services.

Since each service developed its own confinement and correctional procedures, programs differ in such things as (1) amount and degree of counseling and treatment, (2) opportunities for education and skills training, and (3) incentives for rehabilitation. These differences even exist for facilities within some of the services since the individual commands basically develop and administer their own programs.

Criteria for confinement in each type of facility also differ among the services. The type of confinement facility and, consequently, the rehabilitation program a prisoner participates in depend on

- his or her military service,
- the length of the sentence,
- whether the sentence includes a punitive discharge, and
- how long the appellate review process takes.

For example, individuals from different services who have committed similar crimes and have identical or similar sentences may be sent to different types of confinement and correctional facilities (short-term, retraining, or long-term). For example, an Air Force prisoner with a sentence of 45 days and a punitive discharge who does not want to volunteer for participation in the Air Force retraining program is confined in either an Air Force detention or consolidated detention facility. On the other hand, an Army prisoner with an identical sentence is confined at the U.S. Disciplinary Barracks where the rehabilitation program is much more extensive than the programs of the other service confinement facilities.

The Army, Air Force, and Marine Corps generally confine their long-term prisoners at the U.S. Disciplinary Barracks unless there are extenuating circumstances. The Navy, however, has its own long-term correctional center in Norfolk, Virginia. The Norfolk center is used to confine all types of prisoners, with one exception: Navy prisoners with sentences of more than 1 year and punitive discharges and whose appellate reviews have been completed are automatically transferred to Federally approved civilian facilities.

The services also differ in the types of individuals used to staff confinement and correctional facilities. The Army and Marine Corps currently have military occupational specialties for corrections duties. Until recently the Air Force also trained individuals in an Air Force corrections specialty code, but because of dwindling prisoner populations, it has combined the corrections career with a law enforcement specialty. While the Navy also has individuals who are trained in corrections under the Navy enlisted classification system, the Navy's sea/shore rotation policy prevents individuals from having a continuous career in corrections. Navy personnel are usually assigned to correctional centers for approximately 2 years. At the completion of their tour they are reassigned to other Navy duty and may never use their corrections training again.

Other problems noted in our 1975 study which still exist include:

- The services do not routinely require or develop information on the cost to confine and rehabilitate prisoners. Some of the facilities develop their own cost estimates, but comparison is meaningless since the estimates are calculated differently. It was not practical, therefore, for us to determine the overall cost to confine and rehabilitate military prisoners or to compare the costs of the services' different rehabilitation and confinement programs during our survey.
- There is no research and evaluation program to measure the overall effectiveness of the services' rehabilitation programs or the effectiveness of various rehabilitative techniques. The limited research currently done is conducted by the Army and Air Force retraining centers. It is therefore extremely difficult to evaluate the services' effectiveness in rehabilitating prisoners or compare the various rehabilitation program components.
- Opportunities for reducing actual time in confinement differ among the services. They all have earnable good conduct time used in computing minimum release dates, but some of the services allow prisoners to earn "extra" good conduct time credit for varying reasons. For example, the Army allows certain individuals to earn up to 5 days of good time abatement per calendar month for excellence in work or academic

pursuits. The Navy, on the other hand, has no provision for earning any extra good conduct time. We believe this is inequitable and is another example that treatment of prisoners is not uniform.

CONCLUSIONS

As discussed in our 1975 report, correctional systems, programs, incentives, resources committed, and the degree of research and evaluation differ among the services. We believe these differences are symptoms of a decentralized operation and program. The Defense Corrections Council as it currently exists serves primarily as a forum for the services to air problems in correctional and related programs and to discuss corrections philosophy and confinement and rehabilitation techniques. The Council does not, however, have the authority to both establish definitive corrections policy and to enforce it. In order for correctional problems to be resolved uniformly to the degree possible, each service must agree on the changes that are needed and on the corrective approach that should be taken. Since this has not always been the case, service programs and criteria sometime differ and do not, in our opinion, provide the degree of uniform prisoner treatment as intended by the Military Correctional Facilities Act.

X RECOMMENDATIONS

To attain uniform treatment and rehabilitation opportunities for military prisoners and to develop cost-effective correctional programs, we recommend that the Secretary of Defense designate a single office or group with continuing responsibility for both developing and monitoring corrections policy. As a minimum this office or group should:

- (1)--Establish uniform criteria for confinement at each type of confinement and correctional facility.
- (2)--Establish definitive procedures providing uniform incentives for rehabilitating prisoners with identical sentences.
- (3)--Develop uniform records and reports for all services to provide a common data base for efficient research and evaluation.
- (4)--Establish an independent research and evaluation system to measure the effectiveness of facilities' correctional programs. This system should provide

coordinated research and evaluation within each service; comparative evaluations among services; and data for weighing alternative program inputs, related program costs, and probable prisoner success rates.

We believe accomplishing these objectives will help DOD insure that prisoners are afforded uniform treatment, that each of the services utilizes the best rehabilitative and correctional techniques possible, and that operations are cost effective and efficient.

We also recommend that the Defense Corrections Council serve as an advisory body to the designated office or group.

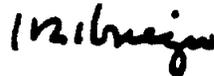
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As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions taken on our recommendations to the Senate Committee on Governmental Affairs and the House Committee on Government Operations not later than 60 days after the date of the report and to the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of the report.

We are sending copies of this report to the Director, Office of Management and Budget; the Chairmen, House and Senate Committees on Appropriations and Armed Services; the Chairmen, House Committee on Government Operations and Senate Committee on Governmental Affairs; and the Secretaries of the Army, Navy, and Air Force.

We appreciate the courtesies and cooperation extended to our staff during this survey.

Sincerely yours,



H. L. Krieger
Director