

APPENDIX E

PRISONERS AND PRISONER GUARDS

1. Rules Governing Prisoners

AR 190-2, Installation Confinement Facilities, and AR 190-4, Uniform Treatment of Military Prisoners, prescribe uniform procedures for the administration, treatment, and disposition of military persons confined at Army installations. The correctional officer is responsible to the provost marshal who in turn is responsible to the installation commander on all matters relating to the administration and operation of a correctional facility.

2. Confinement and Release of Prisoners

a. A prisoner, from the first day of confinement until his sentence is announced, is held in confinement by authority of a properly executed confinement order. After being sentenced by a court, the prisoner is held in confinement by the convening authority who reviews the court proceedings.

b. All prisoners are released from confinement only by an order of the proper authority.

3. Custodial Personnel

a. The provost sergeant is the senior enlisted assistant to the correctional officer.

b. The correctional officer either operationally controls or commands all custodial personnel as-

signed and guard personnel for duty in the correctional facility and is the commanding officer of personnel assigned to the correctional holding detachment. He is responsible for making certain that all custodial personnel assigned as work supervisors are properly armed and instructed in the use of their weapons (when weapons are required), know their general and special orders, and are instructed in their duties.

c. Personnel from the installation units may be used during an emergency to augment the correctional facility custodial personnel. Personnel from other units on the installation will not be detailed as work supervisors.

4. Prisoner Guards

a. A prisoner guard is detailed for the particular duty of guarding prisoners who are taken out of a correctional facility for work or other purposes. Prisoner guards should be detailed for not less than one month. The number of men detailed on prisoner guard is kept to the minimum. Normally, prisoner guards are not part of the interior guard.

b. A part of the personnel from the main guard may be used in an emergency to augment the stockade custodial personnel.

5. Guards on Duty at Confinement Facilities

a. A prisoner guard actively assigned to guarding prisoners is considered on post.

b. In the event of an attempted mass breakout from confinement, riot, or other general disorder,

a prisoner guard takes immediate action, using that force necessary to restore order or prevent escape. The force used, in any case, is limited to that which is reasonable and necessary to enforce regulations and to control prisoners. For priorities of force at an Army confinement facility, see AR 190-4.

c. Caution and good judgment will control the use of firearms in preventing the escape of a prisoner. In certain cases, as determined by the correctional officer, different classifications of prisoners will require only unarmed supervision; however, when firearms are used by a prisoner guard, they will be used when no other reasonable means of preventing an escape is considered effective, and realizing that firing to prevent an escape is justifiable only as a last resort. If a prisoner attempts to escape the guard will call HALT twice. If the prisoner fails to halt, and if there is no other effective means for preventing his escape, the guard directs shots at the prisoner which are aimed to disable rather than to kill. Extreme care must be taken to avoid hitting innocent bystanders.

d. A prisoner guard placed over prisoners should receive specific instructions from the confinement officer or provost sergeant. Guards are responsible for making sure that the work of the prisoners is performed satisfactorily.

e. They should not allow anyone to come between them and the members of their details or to talk, or give any object to prisoners.

f. A prisoner guard, placed over prisoners, strictly enforces the rules for the conduct and control of prisoners in accordance with the instructions received or the local policies.

g. Prisoners, except installation parolees and those assigned to military retraining units, are denied the privilege of the military salute.

6. Temporary Release of Prisoners to Unit Guards

Units will normally provide guards when a temporary release of a prisoner of that unit is necessary for routine administration (i.e., appointment for physical examination and mental evaluation or for administrative elimination under provisions of AR 635-212, appointment with JAG personnel, purchase of required clothing, etc.).