

LEGADMINMAN

CHAPTER 7

ADMINISTRATIVE PROCEDURES FOR PAROLEES

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7000. SCOPE. This chapter sets forth procedures and administrative instructions relating to the processing of Marine Corps prisoners sent on parole. Detailed instructions concerning the legal procedures of parole are contained in SECNAVINST 5815.3H, Department of the Navy Clemency and Parole Systems.

7001. PAROLE AUTHORIZATION. Authority to place a prisoner on parole will be given by the President, Naval Clemency and Parole Board prior to a member going on parole. A prisoner should be processed to a parole status in a timely and accurate manner upon receipt of the parole authorization.

7002. CONDITIONS OF PAROLE. Parole is considered a supervised form of confinement; not appellate leave. Prisoners on parole must continue serving their sentence except that they will serve their sentence in a civilian community, through the guidance and supervision of an officer of the Federal Probation Service. The Naval Clemency and Parole Board will determine an individual's parole conditions. However, all pre-release conditions of parole must be accomplished prior to releasing an individual on parole.

7003. PROCEDURES

1. Upon receipt of the parole authorization, the prisoner must understand the conditions of the parole agreement. The prisoner's signature must be witnessed and verified when signing the receiving endorsement on the parole agreement.

2. Commanders will ensure that all administrative procedures pertaining to the prisoner have been accomplished prior to parole. The commander will transfer the prisoner via unit diary in accordance with MCO P1080.40A (MCTFSPRIM). All records (service, health, dental, and pay) and a copy of the parole agreement must be forwarded to CMC (POS-40) in accordance with MCO P1070.12J (IRAM).

3. In the event a prisoner's discharge is approved and ordered executed before parole, the unit must report the discharge of a prisoner as prescribed in MCO P1080.40A (MCTFSPRIM). All records will be forwarded as above and will include all copies of discharge related documents.

7004. RELEASE FROM PAROLE

1. When a prisoner is released from parole, CMC (POS-40) will place the prisoner on appellate leave until discharge authority is received from the Court of Military Review.
2. If a prisoner was discharged prior to completion of parole, CMC (POS-40) will forward the records of the former prisoner per MCO P1070.12J (IRAM).

7005. PAROLE REVOCATION

1. Upon notification of parole revocation, the parolee is ordered to report to the brig from which released for re-confinement within 24 hours. The receiving brig must ensure that CMC (POS-40) is notified immediately via naval message if the parolee fails to report.
2. A parolee at large, whose parole has been terminated pursuant to SECNAVINST 5815.3H, or whose parole has been suspended or revoked (except those suspended without prejudice), will be considered the same as an escaped military prisoner whose return to military control is desired. Regulations pertaining to apprehension and return to military control of escaped military prisoners will apply. Flash wanted notices will be filed by the Federal Bureau of Investigation (FBI Form I-12).