



**DEPARTMENT OF THE ARMY**  
US ARMY INSTALLATION MANAGEMENT COMMAND  
HEADQUARTERS, UNITED STATES ARMY GARRISON, FT HUACHUCA  
2837 BOYD AVENUE  
FORT HUACHUCA, ARIZONA 85613-7001

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
US ARMY GARRISON, FORT HUACHUCA DIRECTORATE OF EMERGENCY  
SERVICES  
AND  
THE OFFICE OF THE SHERIFF, COCHISE COUNTY JAIL

SUBJECT: Military Prisoner Confinement in the Cochise County Jail

1. PURPOSE. This Intergovernmental Agreement (IGA) is designed to ensure that all military prisoners confined in the Cochise County Jail are held in accordance with the provisions of applicable regulations.
2. REFERENCES. This IGA incorporates the provisions of Army Regulation 190-47, dated 15 June 2006.
3. Responsibilities:

a. Fort Huachuca Directorate of Emergency Services (DES). As the Command's Primary law enforcement agency, DES will ensure that Fort Huachuca correctly and efficiently apprehends and confines all prisoners according to applicable laws and regulations. In discharging this responsibility, DES and personnel under his professional oversight will:

1. Coordinate with the Office of the Staff Judge Advocate, as appropriate, to ensure all confinement orders, charge sheets and any other necessary documents needed to confine Soldiers from the Fort Huachuca area of responsibility are provided. All confinement orders will indicate the status of the prisoner, whether pretrial or post-trial, for the purpose of correct segregation in accordance with Army Regulation 190-47.

2. Coordinate with the Office of the Staff Judge Advocate to ensure a responsible official from DES is named as the point of contact for jail per-diem charges billing purposes. The DES will validate all fees and services provided prior to making payment.

3. Coordinate with the Office of the Staff Judge Advocate to ensure the facility is notified in advance of any prisoner to be placed into confinement in the jail facility and any prisoner to be brought out of the jail facility.

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4. Coordinate with the parent unit of the Soldier to be confined to ensure two escorts, one driver, and a government owned vehicle are provided for each prisoner to be transported to and from the jail. Designated unit personnel will be responsible for completion of all necessary jail forms (sign in, sign out, emergency notification). Advise Command of confined Soldier of their duties to check on the welfare of the Soldier as required by regulatory guidance.

5. Provide necessary instructions and equipment in accordance with Army Regulation 190-47 for the proper security, safety, and transportation of prisoners to assigned escorts and drivers.

6. Conduct announced and unannounced inspections of the jail facility. Inspections will address the general condition of the facility, e.g. overall cleanliness, prisoner conditions, etc. Inspections will be performed in accordance with the standards set forth in Army Regulation 190-47.

7. Contact the jail facility on a daily basis either in person or via telephone to obtain a status report of any military prisoners. Matters of concern during this reporting session include prisoner issues and general information regarding federal prisoners. The daily report will include the total number of prisoners, classification as pre-trial or post-trial, officer, or enlisted, and male or female. The report will also identify any problems with any of the prisoners, to include health problems, discipline problems, etc.

b. Office of the Sheriff, Cochise County, as the servicing organization will:

1. Ensure that the jail facility is a member in good standing with the American Jail Association and the American Correctional Association; is maintained in accordance with the Arizona Jail Standards adopted by the Arizona Sheriff's Association and the Arizona Counties Insurance Pool and meets the standards required to house prisoners for the US Marshal's Service. These standards are based on legal requirements and sound corrections practice.

2. Immediately notify is sent to the Director of Emergency Services ([520-533-3000/desk-sgt@us.army.mil](mailto:520-533-3000/desk-sgt@us.army.mil)) Fort Huachuca, or his designee in the event of any prisoner incident such as medical emergencies, fights, or other exigent circumstances not otherwise described in this agreement.

3. Ensure each military prisoner is fed three (3) meals (including two hot meals) per day (each 24-hour period) consistent with the standards the facility is required to meet in feeding its civilian prisoners and other federal prisoners. A qualified nutritionist or dietician ensures meals meet the nationally recommended allowances for basic nutrition.

4. Provide mail services for the military prisoners consistent with the standards the facility is required to meet for its civilian prisoners and other federal

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prisoners. The jail facility will provide a copy of the institutions policy/procedure to DES, Fort Huachuca within 30 days of signing this agreement.

5. Furnish all health and comfort items consistent with the standards provided to civilian prisoners and other federal prisoners.

6. Obtain/or furnish emergency care for military prisoners. An emergency is defined as a serious illness or a life threatening injury. In the event a military prisoner is admitted to any medical facility for treatment, the military will take custody of their prisoner within 12 hours of being contacted by the Jail Commander or his designee. The military will be responsible for their cost of any medical services provided to the prisoner.

7. Provide space for confidential, face to face meetings between prisoners and their respective counsel and/or Military Chain of Command representatives.

8. Provide the appropriate treatment and care of all prisoners in accordance with State and Federal law.

9. Provide appropriate housing for military prisoners.

10. Supervise and control all military prisoners confined in the jail facility.

11. Implement controls to ensure that Military pretrial (detained) and Military post-trial (sentenced) prisoners are not integrated in the same cell for any purpose. Implement controls to ensure that a Soldier in pre-trial confinement will not mingle with prisoners who have been sentenced to confinement. Male and female prisoners will not be integrated. This facility will not house military prisoners with foreign nationals in the same cell. Soldiers in confinement will be segregated by status of officer, noncommissioned officer, and enlisted.

12. Establish policy, procedures and religious support where prisoners have the opportunity to participate in practices of their faith deemed essential by the faith's judicatory. Practices of religious faith must not cause disruption to the order and discipline within the institution and/or pose a threat to the safety of persons involved.

13. Not Require pre-trial prisoners to perform any work other than cleaning their own cell area to published standards. Under no circumstances will pre-trial prisoners supplement the prisoner work force.

14. Permit visitation to the following individuals as outlined below:

a. Director of Emergency Services Representative: 24 hours per day

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b. Chaplain: During normal military duty hours (0600-1800)

c. Prisoner Counsel: During normal military duty hours (0600-1800) with 30 minute notice. The jail facility will receive calls from prisoner counsel and inform the prisoner that their counsel has attempted to contact them. Prisoners will then be permitted to make prisoner initiated telephone calls to their counsel during normal duty hours (0600-1800) daily except holidays, as allowed in military confinement facilities.

d. Military Prisoner's Commander or Authorized Representative: During military duty hours (0600-1800) subject to three (3) hours advance notice and if at all possible notify the Jail Commander a day prior.

e. Forward documentation left at the jail facility (regardless of reason) pertaining to a released or transferred prisoner to the gaining facility, unit, or the prisoner's forwarding address within three (3) days of notification receipt.

c. Both parties agree that:

1. The Jail Per Diem Study conducted yearly determines the cost to house an inmate and changes on a yearly basis. The current rate is: First day \$258.67, each additional day \$75.47. No appropriated funds of the Army are obligated by this agreement. This agreement will not be used as a contract to purchase services. Required services will be purchased by authorized Army personnel using a Government Purchase Card.

2. The jail facility may refuse to accept a prisoner for any reason. If the jail facility refuses a prisoner, the Jail Commander, or his representative will directly contact DES, or his representative.

4. All terms and agreements made in this document will be adhered to at all times.

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5. EFFECTIVE DATE AND MODIFICATIONS. This agreement shall become effective upon signing, and remain in effect for three (3) years from that date. Any modifications to the IGA shall be made in writing, and are subject to concurrence of all parties.



THOMAS A. BOONE  
Colonel, MI  
Commanding

PATRICK CALL  
Chairman,  
Board of Supervisors



MARK DANNELS  
Sheriff,  
Cochise County



BRITT HANSON  
Deputy County  
Attorney Cochise  
County

12 MAR 15

Date

Date

03-01-15

Date

03/02/2015

Date