



**Mecklenburg County
Sheriff's Office**

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March 31, 2014

Christopher A. Brook, Legal Director
ACLU of North Carolina
PO Box 28004
Raleigh, North Carolina 27611-8004

Re: Your Letter to Sheriff Bailey dated March 19, 2014 concerning PREA

Dear Mr. Brook:

Your letter to Sheriff Bailey was forwarded to my attention. Enclosed are copies of our current PREA policies for the Mecklenburg County Jail. Many of the policies were updated in July, 2013. I hope this addresses your request. However, if you have any questions or concerns whatsoever, please feel free to call me anytime at 704-336-3669.

Regards,

A handwritten signature in cursive script, appearing to read 'Marilyn'.

Marilyn Porter, Managing Attorney
Mecklenburg County Sheriff's Office
700 East Fourth Street
Charlotte, NC 28202

Cc: Sheriff Daniel E. Bailey; Chief Deputy Felicia H. McAdoo; Captain Mike Greer

Classification Policy and Procedures

Subject: Initial Classification of Inmates CR 4.02

Revised: 07/16/2008

Effective: 11/05/2008

Applicable Standards: ACA, ACI – Part Four – Section B – Classification – Principal, ACA 4-ALDF-2A-25, 2A-40, 4D-22-1, 22-3, 22-4, NCAC 10 3J .2501, Stokes Vs. Delcambre, 710 F.2d 1120, (5th Cir. 1980), "Explanation of decision splits for the Primary Classification Instrument for Texas" (Provided by Northpointe, Dave Wells, 1996)
PREA 115.43

- I. Purpose: To provide guidelines for the Initial Classification of inmates within the Mecklenburg County Jail.
- Policy: The Initial Assessment Team of the Classification Division shall make appropriate inmate housing determinations and assignments to best meet the needs of inmates, staff, and our detention facilities. Determinations shall be based on information gained from interviews, criminal histories, and the process of objective assessments. By design, this policy's focus balances inmate needs while maximizing facility security, resources, and goals. In doing so, this process will house inmates in the least restrictive custody level appropriate to their specific needs meeting the safety and security measures of all entities involved.
- II. Definitions:
- A. Active Record: Formerly referred to as "Board Work". A compilation of information concerning an inmate's criminal, personal and release activity while in custody. This record includes the inmate's name, PID and JID numbers, date of birth, age, current housing assignment, current charges, bond amount, release orders, "A" number if it is an ICE inmate, and disposition slips for each charge.
- B. Alert Notice: This notice is sent from the US Marshal's office to alert classification of additional information regarding a federal inmate, i.e., escape risk, protective custody issues, violent tendencies etc. When received after initial assessment, this form is to be forwarded to the Housing Manager; it may be basis for reassessment of the inmate.
- C. American Correctional Association (ACA): An organization in the correctional field that develops standards for correctional facilities.
- D. Assessment: The procedure of primary classification.
- E. Assaultive Felony Crime List: The list used to determine the assaultive felony crimes when completing the Primary Classification Process. This form lists the felony assault charges/offenses for North Carolina, requiring a "yes" response when completing the NorthPointe Classification System in OMS.
- F. CIS: Court Information System, The system used by the State Of North Carolina to store and distribute data regarding inmates' court appearances, trial court history of cases and other information vital to the operation of the court system and jail facilities. For the purpose of the Primary Classification Process, this system compiles all prior history.

G. Classification Intake Record:

This form is completed by the Arrest Processing Deputy in Receiving. The form addresses the following potential risks: suicidal, escape or security, protective custody information, and physical/mental health. Information for emergency contact with name and telephone numbers are also obtained. This form is filled out at the time of the inmate's arrival.

H. Classification/Custody Level:

- A. The means by which the Initial Assessment Team (IAT) assign housing based on levels of security. The North Point Classification Tree system is used to assess inmates using the following criteria:

Maximum Custody Level: Inmates assigned to this custody level are those with the highest security level. There are 2 levels within this custody.

Level 1: Inmates assigned to "High" level will have the following past or present conditions:

- 1) Current assaultive felony offense
- 2) Prior assaultive felony convictions
- 3) Known past/present serious institutional behavior

Level 2: There are 6 different criteria's of this level.

- A.
 - 1) Current assaultive felony offense
 - 2) No prior assaultive felony convictions
 - 3) Known past/present serious institutional behavior history
 - 4) No escape history
- B.
 - 1) Current assaultive felony offenses
 - 2) No prior assaultive felony convictions
 - 3) Escape history
- C.
 - 1) No current assaultive felony offense
 - 2) Prior assaultive felony conviction
 - 3) No escape history
 - 4) Known past/present institutional behavior history
- D.
 - 1) No current assaultive felony offense
 - 2) No prior assaultive felony conviction
 - 3) Escape history
 - 4) Known past/present institutional behavior history
- E.
 - 1) No current assaultive felony offense
 - 2) Prior assaultive felony convictions
 - 3) Escape history
- F.
 - 1) Current assaultive felony offense
 - 2) Prior assaultive felony
 - 3) No known past/present institutional behavior history

Maximum security inmates shall be allowed only 1 hour of out of cell recreation time, 5 times per week, and under direct supervision of officers. These inmates will not be allowed to associate with the general inmate population and will be housed in a selected area of the facility. Commissary will be limited to a hygiene kit and item on a Maximum custody commissary menu. This custody level will comprise the least percentage of the jail population.

Medium Custody Level: Inmates awaiting trial or sentencing will be placed in medium security. There are 3 different criteria's of this level.

Level 3

- A.
 - 1) Current assaultive felony offense
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) No known past/present institutional behavior history.
- B.
 - 1) No current assaultive felony offense
 - 2) Prior assaultive felony convictions
 - 3) No escape history
 - 4) No known past/present institutional behavior history
- C.
 - 1) No current assaultive felony offense
 - 2) No prior assaultive felony convictions
 - 3) Escape history
 - 4) No known past/present institutional behavior history

Level 4: There are 3 different criteria's of this level.

- A.
 - 1) No current assaultive felony offenses
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) 3 prior felony convictions
- B.
 - 1) No current assaultive felony offense
 - 2) No prior assaultive felony conviction
 - 3) No escape history
 - 4) 3 prior felony convictions in 5 years
 - 5) Has a detainers, warrants, or pending charges.
- C.
 - 1) No current assaultive felony offence
 - 2) No prior assaultive felony conviction
 - 3) No escape history
 - 4) 3 prior felony convictions in 5 years
 - 5) No detainers, warrants, or pending charges
 - 6) Has known past/present institutional behavior history

Level 5A:

- A.
 - 1) No current offense
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) Less than 3 prior felony convictions in 5 years
 - 5) No detainers, warrants or pending charges
 - 6) No known past/present institutional behavior history
 - 7) Inmate is pre-sentenced
 - 8) Has a class C, D, E felony charges

Medium Security- Inmates which are sentenced on all charges, but do not qualify for minimum security and who do not require a maximum level of security. These inmates may prove to be slightly uncooperative or resistant to jail rules, but may not display a significant disciplinary problem. These inmates will require a normal amount of staff supervision. They may be allowed to participate in most in-house programs. This custody level will comprise the highest percentage of the jail population. Medium 4 inmates are allowed to participate in inmate worker status.

Medium Pre-Sentence- Inmates with custody level 5, will have no other factors which warrant a medium security level other than they are awaiting conviction and sentence. These inmates may be reclassified to a lower custody level upon sentencing.

Minimum Custody Level: This custody level is imposed for those inmates whose levels are 5b, 6, 7, or 8 on the Northpointe Classification system. There are 4 variations to this level. The following criteria will apply:

Level 5b

- A.
 - 1) No current offense assaultive felony
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) Less than 3 prior felony convictions
 - 5) No detainers, warrants, or pending charges
 - 6) Has a pre-sentence/Not yet sentenced
 - 7) Has a F, G, H, I, J felony or misdemeanor

Level 6

- A.
 - 1) No current offense assaultive felony
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) 3 felony convictions in 5 years
 - 5) No detainers, warrants, or pending charges
 - 6) No known past/present institutional behavior history
 - 7) No post-sentence
 - 8) Current felony offense
 - 9) No community ties

Level 7

- A.
 - 1) No current assaultive felony offense
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) Less than 3 felony convictions in 5 years
 - 5) No detainers, warrants, or pending charges
 - 6) No known past/present institutional behavior history
 - 7) No post-sentence
 - 8) Current felony offense
 - 9) Has community ties

- B.
 - 1) No current assaultive felony offense
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) Less than 3 felony conviction in 5 years
 - 5) No detainers, warrants, or pending charges
 - 6) No known past/present institutional behavior history
 - 7) No post-sentence
 - 8) Current misdemeanor offense
 - 9) No community ties

Level 8

- A.
 - 1) No current assaultive felony offense
 - 2) No prior assaultive felony convictions
 - 3) No escape history
 - 4) Less than 3 felony conviction in 5 years
 - 5) No detainers, warrants, or pending charges
 - 6) No known past/present institutional behavior history
 - 7) No post-sentence
 - 8) Current misdemeanor offense
 - 9) Has community ties

Minimum Security- Inmates have a very low security level. They may be sentenced misdemeanants and/or selected sentenced felons. Inmates will have no "Holds" or other pending court action against them. They display a cooperative attitude toward staff and the rules and regulation of the facility. These inmates will be eligible for inmate worker and work crew status; with the possibility of credit time toward a sentence that is being served.

- I. **Classification Notice:**
A printout used by the IAT to inform the inmate of his/her custody level, resulting from the primary classification and the inmate's rights to appeal the results.
- J. **DCI:** Division of Criminal Information: A printout of an inmate's prior criminal history. This lists the inmate's name, aliases, physical information, SBI and FBI numbers and Social Security number. Most will list the following information for each arrest:
1. Arresting agency – County or State
 2. Offense Charged – The charge the inmate was arrested for
 3. Court Docket number – The same as the case number
 4. Court Offence – The charge the court based its findings on (i.e., the arrest charge was reduced to a lesser offense.)
 5. Disposition – The courts Decision on this charge, Not Guilty, Guilty, etc.

If the inmate has served time in the Department of Corrections, it will be listed as follows:

1. Agency – The jurisdiction of the DOC facility
 2. Custody Status/Date – The status and date the inmate was received, paroled or discharged
 3. Prison Count – The number of offense(s) the inmate was in prison.
 4. Prison Confinement – The sentence the inmate was served.
- K. **Detainers/Warrant/Pending Charge:**
A warrant or hold placed against a person in a detention facility that notifies the holding authority of the intention of another jurisdiction to take custody of that individual when he/she is released, i. e., Fugitive charge, ICE, Federal Detainers, Governor's Warrant, Parole Warrant, etc.
- L. **Felony Offense Class List:**
The list used to determine what class felony a specific offense is when completing the NorthPointe Classification system.
- M. **Form 41:**
The US Marshals' commitment/release form used when an arrestee is committed to or released from the Mecklenburg County Jail. This form contains the inmates name, date and signature of the Federal Marshal.
- N. **Form 129:**
The US Marshals' prisoner tracking sheet that indicates the personal identification data, prisoner aliases, security risks, active detainers, case information, status history, and medical history. This form will be used to verify the active record and the Primary Classification of federal inmates.
- O. **Initial Assessment Team:**
The Primary Classification Officers (PCO) who conduct the first assessment to determine an inmate's custody level.
- P. **Inmate Program Referral :**
A form used to notify the Program Coordinator, of an inmate who may have need for these programs.
- Q. **Inmate Worker Referral:**
The IAT will notify the Inmate Work Coordinator (IWC) any inmate who has shown interest for inmate worker status.
- R. **Youthful Offenders:**
Inmates 16&17 of age.

- S. OMS: Offender Management System:
The computer system used by Mecklenburg County to store and distribute data regarding inmates' records, current charges, bond amounts, classification status, alerts, current housing assignments, court appearances and other information.
- T. Major Violations List:
A form used to determine the major sustained violations when completing the Primary Classification Process. This form lists the violations requiring a "yes" response when completing the "Serious/Institutional Behavior Problem" in the NorthPointe Classification
- U. North Carolina Administrative Code:
(NCAC) Rules and regulations governing certain aspects of jail regulations.
- V. Offense: The charge name of a crime.
- W. Security Override:
A procedure used by the I.A.T. for the purpose of lowering or raising an inmate's custody level. When overriding an inmate "up", the inmate will be assessed to the next appropriate level. When overriding an inmate "down", the custody level of the inmate will be assessed to the appropriate level within their present custody level.
- X. Administrative/Housing Overrides:
Overrides that are the decisions of the Sheriff or Jail Commander, or Designee based on past/present crimes committed and or past/present detention behavior.
- Y. Primary Classification:
A process to determine the needs and requirements of inmates by assigning the inmate to housing units and custody level(s) to maintain supervision and security for staff and inmate safety.
- Z. Primary Classification Process:
The process used by the Initial Assessment Team (IAT) during the primary classification to establish an inmate's recommended custody level.
- AA. Primary Classification Questionnaire:
Questions asked by the Arrest Processing analyst upon an initial arrest. If the questionnaire is not completed by the AP analyst, the IAT will interview the inmate and have the questionnaire completed at this time. The IAT will use the answers given to determine the inmate's classification level, keep separate issues, program needs and inmate worker availability.
- BB. Protective Custody:
The custody status imposed on those inmates requesting or requiring protection from other inmates to ensure safety. The majority of these inmates will not need to be housed in a "Protective Custody Unit", but only in a separate housing unit from the individual(s) they need to be separate from.
- CC. Special Population:
This includes such housing units as Administrative Detention Unit (ADU), Disciplinary Detention Unit (DDU), Medical, Program Housing (Drug Pod, etc.), and any other housing where inmates of different classification may be housed together.

III. Procedures:

- A. The IAT will assign inmates to custody levels that are based on factual criteria and apparent needs, rather than personal biases, conflicts, values or prejudices. Inmates will be assigned to housing units consistent with their custody levels, unless "Special Population" needs arise.
- B. No custody level assignments will be determined by sex, race, religion or national origins.
- C. IAT will determine an Inmate's initial classification by reviewing the NorthPointe Classification system and/or Initial Assessment Questionnaire.

This process will be completed for the following:

- 1. Inmates requiring first appearance, 1150B court.
- 2. Writs, Federal, Immigration, parole violations, the first business day following their commitment.
- 3. Any inmate admitted to the Mecklenburg County Jail the IAT will check the DCI and/or contact the agency to verify any disciplinary issues.
- 4. **Male officers will not interview female inmates.**
- 5. IAT will not solicit criminal information.
- 6. Should the inmate reveal criminal information, it will be reported to the arresting agency.
- 7. Any information involving a minor, i.e. abuse, neglect, assault, etc. will be reported to DSS and the arresting agency.
- 8. When completing and/or reviewing the Initial Assessment Questionnaire, if the inmate answered yes to any questions relating to the sexual assault questions or when reviewing the DCI, and the inmates has a present charge of a Sexual Assaultive Offense or a history of sexual assaultive behavior/conviction will be referred to Mental Health for counseling.
- 9. When the IAT is reviewing and/or interviewing an inmate's questionnaire and if there are indications about affiliation and/or involvement in a gang or gang activity. This information will be notated on the Questionnaire and forward to a staff member with the Security Threat Group Unit "STGU". The Security Threat Group Unit will review and investigate their findings.
- 10. The Classification File will be given to the Housing Coordinator.

Classification of Youthful Offender-Initial and Orientation Housing

- 1. Records will initiate the paper work under the North Screen. This will allow records to assign the housing and check for keep separates, Initial/Orientation housing will be at Jail North in pod HL.
- 2. AP and Central- Once the youthful offender is dressed out, the Reception Deputy will call transport or the First Floor Sergeant.

3. Central/North-Transport will bring the youthful offenders to Court Staging for 1150B arraignment. Youthful offenders will appear.
4. Central/North- Youthful offenders will return to Jail North after court and remain in the orientation assignment until he is assessed, The youthful offender housing manager will be responsible for moving the youthful offender from orientation to general housing, The Housing manager will determine the level of risk and program needs developmentally appropriate for the adolescents, with consideration of physical, mental, social and educational maturity of the youthful offender, There will be and alternate Housing manager in the absence of the primary Housing manager.

IV. Authority: This policy and procedure will remain in effect until amended or repealed by the Sheriff or Chief Deputy.

PRIMARY JICS CLASSIFICATION TREE

Name: _____ PID: _____ JID: _____

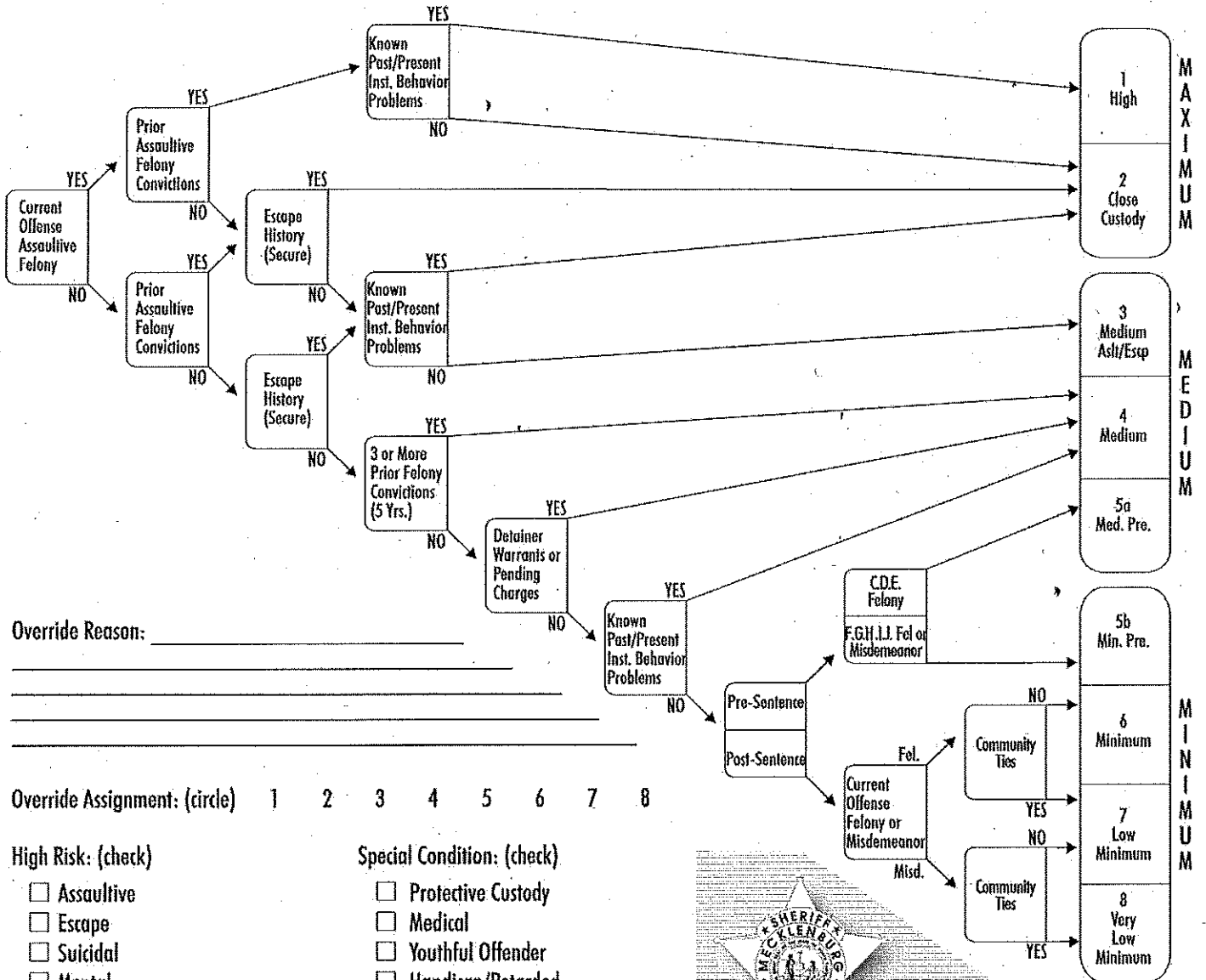
Race: _____ Sex: _____ DOB: ____/____/____ Age: _____ Charge: _____

Current Assignment: _____ Recommended Housing Assignment: _____

CLASSIFICATION: _____ (Custody Level)

Classification Officer: _____ Date: _____ Arrest Date: _____

PRIMARY SECURITY LEVEL ASSIGNMENT



Override Reason: _____

Override Assignment: (circle) 1 2 3 4 5 6 7 8

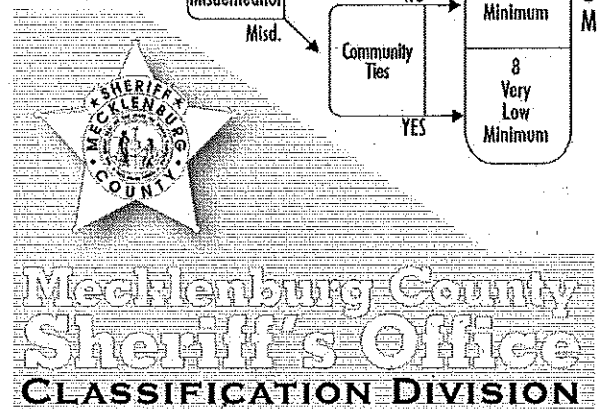
High Risk: (check)

- Assaultive
- Escape
- Suicidal
- Mental
- Gang Member
- Other _____

Special Condition: (check)

- Protective Custody
- Medical
- Youthful Offender
- Handicap/Retarded
- Other _____

Comments: _____





MECKLENBURG COUNTY SHERIFF'S OFFICE
Classification Division

Revised: 06/18/2013

CR 4.14



Prison Rape Elimination Act Of 2003

Subject: PREA - Classification

- I. **Applicable Standards:** The National Standards to Prevent, Detect, and Respond to Prison Rape (Standards "§") under the Prison Rape Elimination Act.
- II. **Purpose:** The National Standards to Prevent, Detect, and Respond to Prison Rape (Standards) under the Prison Rape Elimination Act (PREA) require corrections agencies, as part of their prevention efforts, to screen individuals for their risk of sexual victimization or sexual abusiveness and to use the information to inform housing, bed, work, education, and program assignments.¹ *This policy solely addresses those LGBTI inmates which have been found to be at high risk for sexual victimization and/or sexually predatory to others.* This policy insures all the aforementioned inmates are screened, classified, housed, and provided the necessary services.
- III. **Policy:** Classification staff will make appropriate designations regarding identified inmates with vulnerability or predatory tendencies during the housing and classification process. This process will begin upon their arrival to Jail Reception. A preliminary review will then be conducted by staff from Security, Health Services, and Classification within 72 hours of an inmate's arrival. This policy requires Classification Staff to make placement decisions that prioritize the physical safety and emotional well-being of the inmates on a case-by-case basis.²
- IV. **Definitions:**
 - A. **LGBTI:** A group of sexual minorities including: Lesbian, Gay, Bisexual, Transgender, and Intersex individuals (*or is otherwise identified as "gender non-conforming"*).
 - B. **Gender Committee:** A committee established by the Mecklenburg County Sheriff's Office comprised of the Director of Nursing, a Licensed Mental Health Practitioner, Arrest Processing Captain, Classification Captain & applicable staff. The committee shall determine an identified LGTBI inmate's gender & housing assignment after full review of all inmate records, assessments, and an interview of the inmate. The inmate shall be allowed to express their opinion regarding their vulnerability in the facility, and shall be considered in the decision making process.

¹ For adult prisons and jails, see §115.41 Screening for risk of victimization and abusiveness and §115.42 Use of screening information; for lockups, see §115.141

² §115.42(c)

- C. Bisexual: A person who is romantically or sexually attracted to more than one gender or sexual category.
- D. Gay: Commonly refers to men typically attracted to other men.
- E. Gender: A socially constructed concept classifying behavior as either "masculine" or "feminine", unrelated to one's external genitalia.
- F. Heterosexual: Sexual or romantic attraction to a sex differing from one's own.
- G. Homosexual: Sexual, emotional, and/or romantic attraction to persons of the same sex.
- H. Intersex: A condition in which a person is born with external genitalia, internal reproductive organs, chromosome patterns, and/or and endocrine system that does not fit typical definitions of male or female.
- I. Lesbian: Commonly refers to women typically attracted to other women.
- J. Sexual identity: The sex that a person sees themselves as, this can include refusing to label oneself with a sex.
- K. Sexual Orientation: Includes homosexuality, heterosexuality, and bisexuality, by preference or practice.
- L. Transgender: Any person whose gender identity differs from their birth sex.
- M. Transsexual: A person whose physical anatomy does not match his or her gender identity, and seeks medical treatment.(sex reassignment surgery or hormones)
- N. Transvestite: A person who engages in gender non-conforming behavior, such as adopting the gender expression of the opposite sex for purposes of sexual or emotional gratification, but does not necessarily consider their gender identity to be different from their sex.

V. Procedures:

- A. Within 72 hours of incarceration, excluding holiday and weekends, the Initial Assessment Team (IAT) will review all collected information provided from the Intake and booking process; and that provided by the inmate(s). Additionally, the Initial Classification Questionnaire (ICQ) shall be completed to further substantiate determinations made on identified LGBTI inmates. Moreover, the inmates' current charges, DCI, and past or present institutional behaviors, past or present history of Sexual Assaultive offenses will be considered as part of the housing process.
- B. The IAT will make notification to the Gender Committee of an identified LGBTI inmate whose gender is to be determined.
- C. The Gender Committee shall conduct a hearing, which is to be documented in the Offender Management System (OMS). The Committee shall consider all available information and records when making a determination regarding gender and appropriate housing. Identified LGBTI inmates shall not be placed in segregated or

protective custody based solely on their gender and physical characteristics. The identified LGBTI inmate shall be present for the hearing regarding both gender designation, classification level, and housing; and has the right to speak and present information.

- D. The Committee shall determine if the inmate will be housed in general housing or protective custody consistent with the determined gender identity and/or genitalia. The Committee shall document the decision/recommendation action within the Medial section of OMS. The Major of the Facility shall be provided the information, and may approve, override, or amend the Committee's decision, in writing, to the Gender Committee. Once final determination has been deemed, the affected inmate shall be made aware of the findings in writing by the Committee or Classification Section.
- E. The IAT will assess inmates based on factual criteria and apparent needs, rather than personal biases, conflicts, values, or prejudices.
- F. During the ICQ interviews, IAT members shall screen each LGBTI inmate for individual placement decisions that prioritize the physical safety and emotional well-being of the inmate.³
- G. Additionally, inmates will be assigned to housing units consistent with their custody levels, and with guidance from the Gender Committee.
- H. Each IAT member encountering an LGBTI inmate shall make notification to Programs staff as to address any found concerns associated with a history of sexual victimization and/or a history of violent behavior as appropriate.
- I. The IAT will store all collected information within the inmates Classification folder for the Housing Manager to review, and/or OMS.

VI. Housing Managers

- A. Any LGBTI inmates who remain in custody after their initial court appearance will be assigned a Housing Manager (HMR) based on housing location. The HMR will review all the documentation within the classification file and/or OMS to become familiar with any LGBTI inmate whose been found to be vulnerable or create a risk.
- B. HMR will provide assistance needed to LGBTI inmates who have been identified when visiting housing locations and/ or reviewing Inmate Request and Grievance Forms.
- C. The HMR shall also consider each LGBTI inmate's own views with respect to his or her safety while incarcerated.⁴
- D. Any identified LGBTI inmate the HMR feels may be high risk for sexual victimization *shall not* be placed in involuntary segregated housing unless an assessment of all available alternatives have been made, and that there is no available alternative means of separation from likely abusers. If an assessment *cannot* be conducted immediately, the inmate may be held in involuntary segregated housing for no more than, but less than 24 hours while completing the assessment.⁵ Notification to the

³ §115.42(b)

⁴ §115.42(d)

⁵ §115.43

Gender Committee shall be made as soon as possible.

- E. When a LGBTI inmate is placed in "involuntary segregated housing" for *more* than 24 hours for the purpose of assessment, the inmate shall have access to programs, privileges, education, and work opportunities to the extent possible. If restrictions are applied denying access to programs, privileges, education, or work opportunities, the HMR shall document:
 - 1. The opportunities that have been limited;
 - 2. The duration of the limitation; and,
 - 3. The reasons for such limitations.
 - 4. Notification made to the Gender Committee
- F. The Gender Committee or HMR shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.
- G. If an involuntary segregated housing assignment is made pursuant to section VI (C&D) of this section, the HMR shall clearly document:
 - 1. The basis for the facility's concern for the inmate's safety; and,
 - 2. The reason why no alternative means of separation can be arranged.
- H. Segregated housing will not exceed a 30 period, or until alternative means of separation from likely abuser can be arranged.
- I. HMR will re-assess those inmates to determine if there is a continuing need for separation from the general population:
 - 1. Every 30 days, or,
 - 2. By request of inmate, or,
 - 3. Following an incident, or report of sexual or physical abuse.
- J. Any sexual abuse or harassment reported by an inmate, third-party, written, or verbal shall be reported immediately.
- K. When making housing placement decisions, consider the host of issues specific to LGBTI inmates.

VII. Housing Youthful Offenders:

- A. The HRMs will ensure that all identified LGBTI Youthful Offenders are prohibited from sight, sound, and physical contact with any adult inmates.
- B. All aforementioned policies apply to LGBTI Youthful Offenders housed in the Mecklenburg County Jail.

VIII. Authority:

This policy and procedure will remain in effect until amended or repealed by the Sheriff or Chief Deputy.

Classification/Records Policy and Procedures

Subject: Inmate Housing Plan

CR 4.04

Revised: 7/20/13

Effective: Immediately

Applicable Standards: ACA 4-ALDF-2A-22, 25, 32, 35, 37, 38 and 42
10 NCAC 03J.2501-.2505
PREA 115.14, 115.114

- I. Purpose: To identify the inmate housing assignments and the criteria for assigning inmates to each housing unit.
- II. Policy: The Jail Division will provide for the separate management of male and female inmates, other classes of detainees (witnesses, civil inmates), community custody inmates, inmate's with special problems/needs, inmates requiring disciplinary detention, inmates requiring administrative segregation/protective custody, and youthful offenders/juveniles.
- III. Definitions:
- A. Administrative Detention Unit (ADU): Housing unit used to confine those inmates whose continued presence in the general population poses a serious threat to life, property, self, staff, or other inmates.
- B. Disciplinary Detention Unit (DDU): Housing unit used to confine those inmates who have been found negligent of rule violations by the Disciplinary Hearing committee.
- C. Protective Custody Unit (PCU): A housing unit used to confine those inmates requesting or requiring protection from others to ensure his/her safety. (This unit will be used as a last resort for protective custody issues.)
- D. Community Custody Inmate: Weekenders, inmate workers; and inmates assigned to work release.
- E. Dry Cell: Cell that has no plumbing for a toilet and/or lavatory.
- F. Wet Cell: Cell that has plumbing for a toilet and lavatory.
- G. Hearing: A due process in which an inmate has an opportunity to refuse the status of Protective Custody or Administrative Segregation after the first seven days of his/her assignment and every thirty days thereafter.
- H. Youthful Offender: (YO) Male and Female inmates who are at least 16 years of age, but have not reached their 18th birthday.
- I. Juvenile: Any person under age 16, transferred to superior court for trial as an adult and who are ordered held in the Mecklenburg County Jail, pursuant to G.S. 7A-611.
- J. SPMI: Serious and persistent mental illness.
- K. Video Arraignment: First court appearance using video equipment

(camera and monitor), conducted in a room adjacent to the housing unit.

- L. Pod Roster: A list of names with each inmate assigned to that particular housing unit.

IV. Procedures:

- A. All initial housing assignments will be done by Records staff upon initiation into the Offender Management System.(OMS)
- B. Except for Special Housing needs, all inmates will be initially housed in a designated Classification/Orientation pod.
- C. No Housing assignment will be made on the basis of race, color, creed, national origin or political belief.
- D. The facility administrator or designee can order immediate segregation when it is necessary to protect an inmate or others. This action is reviewed within 72 hours by the appropriate authority in Classification.
- E. An inmate assigned to Protective Custody or Administrative Segregation may appeal his/her status after the first seven days of his/her housing assignment and every thirty days thereafter.
1. The appeal process will be initiated by the inmate (inmate grievance).
 2. The appeal will be reviewed by a Hearing Board which will consist of the assigned Housing Manager and the Classification Sergeant.
 3. The inmate will be notified of a decision from the Hearing Board, in writing, within five (5) business days of the receipt of the inmate's appeal.
- F. No inmate will be assigned to a Medical Pod without a specific request from Medical Staff.
- G. Male Youthful Offenders are housed at the North Jail facility in a specialized unit except when violent, predatory youthful offender possess an undue risk of harm to others within the specialized unit or a qualified medical or mental-health specialist documents that the youthful offender would benefit from placement outside the unit.
An Inmate Housing Manager will prepare a written statement describing the specific reasons for housing a youthful offender outside the specialized unit and a case-management plan specifying what behaviors need to be modified and how the youthful offender may return to the unit. The statement of reasons and case-management plan must be approved by the facility administrator or his/her designee. Cases are reviewed at least quarterly by the case manager, the administrator or his/ her designee, to determine whether a youthful offender should be returned to the specialized unit. (See *Youthful Offender Policy-Youthful Offender Special Housing Program*)
- H. The Inmate Housing Coordinator will assign housing for inmates based on their classification, custody level and individual needs.
- I. Mecklenburg County Jails are 95% single occupancy cells, and 5% dormitories.
- J. Any Community Custody Inmates that are deemed a Walk-off/Escapes and once recaptured will be sent to DDU at Jail Central **Only**. All necessary paperwork will be completed by appropriate staff (Incident Report, Notice of Disciplinary Hearing, and an Escape warrant). A warrant for Escape will be obtained from the Magistrate's Office when the Walk-off/Escapes occurs and served on the inmate upon recapture.
- K. Housing units will be defined as follows: *and are subject to change as needs arise.*

NOTE: All female and female YO inmates will be housed at Jail Central Only.

NOTE: All male YO will be housed at Jail North. YO have no more than incidental sight or sound contact with adult inmates from outside the unit in living, program, dining, or other common areas of the facility. Any other sight or sound contact is minimized, brief, and in conformance with applicable legal requirements.

Classification Housing Plan	Housing Assignment	Rated Capacity	Sex	Unit Classification	Cell Type	Notes
	NHA	56	Male	MIN/MED IW	Single	
	NHB	56	Male	MIN	Single	
	NHC	56	Male	MIN/MED IW	Single	
	NHD	56	Male	MED	Single	
	NHE	56	Male	MED	Single	
	NHF	56	Male	MED	Single	
	NHG	56	Male	MED	Single	
	NHH	56	Male	MIN	Single	
	NHI-1	12	Male YO	MIN/MED PRG	Single	
	NHI-2	11	Male YO	MIN/MED PRG	Single	
	NHI-3	12	Male YO	MAX/PC	Single	
	NHI-4	12	Male YO	DDU	Single	
	NHI-5	12	Male YO	MIN/MED PRG	Single	
	NHI-6	12	Male YO	MIN/MED PRG	Single	
	NHI-7	12	Male YO	MIN/MED PRG	Single	
	NHI-8	12	Male YO	MIN/MED PRG	Single	
	NHI-9	12	Male YO	MIN/MED PRG	Single	
	NHK-1	24	Male	DDU	Single	
	NHK-2	16	Male	MAX/DDU	Single	
	NHK-3	16	Male	DDU/ADIT/FOV	Single	
	NHL	55	Male	MIN/MED PRG	Single	
	NHM-1	9	Male	MAX	Single	
	NHM-2	6	Male	PC	Single	
	NHM-3	16	Male	ORIENT Flex	Single	
	NHM-4	24	Male	MIN/MED	Single	

Facility	Housing Assignment	Rated Capacity	Sex	Unit Classification	Cell Type	Notes
	1700	28	Male	MIN/MED IW	Single	
	1800	54	Male	MED 4	Single	
	1900	48	Male	MIN/MED 5a	Single	
	2210	20	Male	MED/MED 5a	Dorm	
	2220	20	Male	MED	Dorm	
	2230	7	Male	PC	Single	
	2240	16	Male	MED	Dorm	
	2300	12	Male	MD	Single	
	2300F	7	Female	MD	Single	
	2510	8	Male	MD/MRSA	Dorm	
	2520	4	Male	MD-Flex	Single	
	2530	4	Male	MD-Flex	Single	
	2550	10	Male	MD-MAX/DDU	Dorm	
	2570	10	Male	MD-Flex	Dorm	
	2580	8	Male	MD-Flex	Dorm	
	2590	8	Male	MD-Flex	Dorm	
	2700	28	Male	MIN/MED	Single	
	3100	48	Male	ORIENT-Flex	Single	
	3200	48	Male	ORIENT-Flex	Single	
	3300	56	Male	MED 4	Single	
	3500	56	Male	MED 4	Single	
	3625	23	Male	DDU	Single	
	3630	9	Male	PC	Single	
	3640	14	Male	MAX 2	Single	
	3700	56	Male	MED 4	Single	
	3800	54	Male	MED 3	Single	
	3900	48	Male	MED 3	Single	
	4100	48	Male	ORIENT-Flex/WE	Single	
	4200	48	Male	ORI-FED-Flex	Single	
	4300	56	Male	MED 4	Single	
	4500	56	Female	MIN/MED Flex	Single	
	4625	23	Female	DDU/Level 2	Single	
	4630	9	Female	PC/MAX	Single	
	4640	14	Female	YO	Single	
	4700	56	Female	MINMED-Flex	Single	
	4800	54	Female	ORIENT-Flex/WE	Single	
	4900	48	Female	Flex / PGR	Single	
	5120	16	Male	ADU/Level 2	Single	
	5130	30	Male	DDU	Single	
	5300	56	Male	MIN/MED/PGR	Single	
	5500	56	Male	MIN/MED PGR	Single	
	5625	23	Male	DDU	Single	
	5630	9	Male	PC	Single	
	5640	14	Male	MAX 2	Single	
	5700	56	Male	MIN/MED PGR	Single	
	5800	54	Male	MED 3	Single	

5900	48	Male	MED 3	Single
6120	15	Male	MAX/Level 2	Single
6130	30	Male	DDU	Single
6300	56	Male	MED 4	Single
6500	56	Male	MIN/MED IW	Single
6700	56	Male	MED 4	Single
6800	54	Male	MED 3	Single
6900	48	Male	MED 3	Single

Facility	Housing Assignment	Rated Capacity	Sex	Unit Classification	Cell Type	Notes
Jail Central Con't.						
	G8-15	50	Male	MIN	Dorm	
	G8-30	50	Male	MIN	Dorm	
	G8-45	10	Male	MIN	Dorm	
	1904					

WRRC						
	WRRC-1	30	Female	WRRC	Dorm	
	WRRC-2	60	Male	WRRC	Dorm	
	WRRC-3	60	Male	WRRC	Dorm	
	150					

Total Beds: 2779

Pink = Single Cell Confinement PODs

MD = Medical
 YO = Youthful Offenders
 MIN = Minimum
 MED = Medium
 MAX = Maximum
 Flex = MIN & MED inmates housed in same POD.
 DDU = Disciplinary Detention Unit
 ADU = Administrative Detention Unit
 IW = Inmate Worker
 ORIENT = Orientation/Classification POD
 PGR = Programs

# of PODs	
MAX	6
MED	19
MED/Min Flex	23
MIN	5
DDU	9
ADU	2
PC	3
MD	9
YO-Male	9
YO-Female	1
Class/Orientation	5
PGRM	14
WRRC	3

AUTHORITY: This policy and procedure shall remain in effect until amended or repealed by the Sheriff,

Chief Deputy, or Detention Director.

DRAFT

Subject: Contract Assurance

1.07

Effective: 11/09/04

Revised: 7/20/13

Applicable Standard: ACA 4-ALDF-7D-06

PREA 115.12; 115.112; 115.212

- I. Purpose: To ensure that delivery of any contract service provided to the Mecklenburg County Sheriff's Office meets all applicable agency, county and state requirements.
- II. Policy: When the services of a private contractor are used by the Sheriff's Office for the provision of specific services, it is the policy of the Sheriff's Office to verify through established procedures that all contracted services are provided as agreed.
- III. Procedures:
 - A. Any contractor providing a management or service contract will operate in compliance with agency policy and procedures. In addition, contractors will certify that they will comply with all ACA standards applicable to the relevant performance areas of the contract, to ensure that those operations are in accord with the agency's accreditation goals.
 - B. The Sheriff's Business Manager will oversee the negotiation and execution of all agency contracts in accordance with the applicable county regulations and state law. The Chief Deputy will administer all contracts specifically oriented toward the operation of the detention facilities. A Sheriff's Captain, under the supervision of the Chief Deputy, shall be designated to act as compliance officer for the agency. This Captain shall have full authority to act on behalf of the agency with regard to enforcement of executed contracts, with exception to those contract terms that specifically require action by the Sheriff or Business Manager.
 - C. Possible or apparent contract requirement violations will immediately be referred to the compliance officer in writing upon discovery of the violation, and through the staff member's chain of command.
 - D. The compliance officer shall review the roles and functions of external contractual employees providing a service to the facility on an annual basis. This annual review will be documented in accordance with requirements set forth by the Chief Deputy.
- IV. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Subject: Fiscal Control And Cash Management
PREA 115.12; 115.112; 115.212

1.14

Effective: 11/09/04

Revised: 7/20/13

Applicable Standards: ACA 4-ALDF-7D-11

- I. **PURPOSE:** To establish a system of internal fiscal controls that ensures the integrity of all accounting and monetary systems.
- II. **POLICY:** It is the policy of the Mecklenburg County Sheriff's Office (MCSO) to have in place a system of internal controls that ensures the integrity of all financial transactions and accounting systems.
- III. **PROCEDURAL GUIDELINES:**
This policy is intended to ensure the safekeeping and proper management of all institutional funds and to require a system of ongoing fiscal monitoring through internal control of petty cash and monthly monitoring and reporting to the Sheriff and executive staff of the MCSO's fiscal activities. All fiscal and accounting procedures are in compliance with the Mecklenburg County Administrative Policy and Procedure.
- IV. **CONTROL SYSTEMS:**
The MCSO Business Manager or designee is responsible for administering policy related to collecting, maintaining, expending and monitoring the use of budgeted funds. These duties include ensuring the security of cash and negotiable funds collected through prompt deposit to financial institutions. Proper documentation will be maintained ensuring accuracy in all recorded transactions. The Business Manager or designee will maintain all other record-keeping systems required to fully document all financial activity within the MCSO.
- A. **Business Management**
1. All monies received are verified and recorded on a spreadsheet, designating the amount, type of payment and date received.
 2. Funds are promptly prepared for deposit and secured at the designated location by someone other than the person receiving the deposit.
 3. A courier makes the deposit returning verified deposit slips.
 4. A cash receipt (CR) document is entered into the Advantage financial system. Once this document is approved the pink copy of the deposit slip is forwarded to County Finance.
 5. The deposit and CR information are then recorded on the spreadsheet. Copies of all documentation are maintained.
- B. **Inmate Finance**
1. Money orders and checks are received on business days, Monday - Friday.
 2. Each individual piece of mail is recorded on a log.
 3. Another employee verifies status and processes each money order or check for proper distribution, processes the deposit, and secures the instruments at the designated location.
 4. Productivity reports are given daily to the accounting supervisor for verification

and balancing of receipts.

V. SIGNATURE AUTHORITY:

The Sheriff, Chief Deputy, Business Manager and Financial Services Manager are the only persons authorized to sign checks.

VI. REPORTS:

A monthly report listing revenue, disbursements, expenses and balances for each department and budget account will be generated by the County Finance Department. Copies of this report will be distributed to each member of the executive staff. It will be reviewed in detail by the members and if necessary corrective action will be taken. The Business Manager or Financial Services Manager will generate specific budget reports when necessary.

VII. AUDITS:

An annual audit of fiscal activity will be conducted by auditors from the Mecklenburg County's Internal Audit Department, consistent with county and state law. This audit will examine the MCSO's level of compliance with standard financial management and accounting procedures and its level of compliance with MCSO, county and institutional regulations. A detailed report of the audit will be provided to the Business Manager and the Sheriff.

VIII. This policy and procedure will remain in effect until altered, modified, or changed by the Sheriff, Chief Deputy or Business Manager.

DRAFT

Applicable Standards: PREA 115.18; 115.118; 115.218

- I. **PURPOSE:** To establish a process for the Detention Commander to review space and equipment needs of the Sheriff's Office on an annual basis and to report those needs to the County Commissioners.
- II. **POLICY:** It is the policy of the Sheriff's Office to have the Detention Commander, on an annual basis, make a determination of space and equipment needs and report deficiencies to the County Commissioners.
- III. **PROCEDURAL GUIDELINES:**
This policy is intended to insure that space and equipment resources are reviewed on a periodic basis to determine if the present level and mix of fixed assets are adequate to operate the Sheriff's Office in the upcoming year.
- A. **Space and equipment review:**
1. The Facility Commander will report his assessment of the present condition of occupied space and overall state of their equipment. The Facility Manager will additionally identify space and equipment needs for the upcoming fiscal year.
 2. The Detention Commander will consolidate the space and equipment assessment and needs list from the divisional Managers. The Detention Commander will consult with the Sheriff, or his designee, to prioritize space and equipment requests. In setting these priorities, the Detention Commander will utilize the existing long range space plan, and identify material differences in that plan with the new upcoming fiscal year request.
 3. Deficiencies in space and equipment and summarized plans to address deficiencies will be presented to the County Commissioners during the budget process each year.
 4. The Sheriff's presentation to the County Commissioners will focus on the effective use of space and equipment on order to optimize Sheriff's Office resources. A major component of the presentation should include a prioritization of new requests. In addition, the Business Manager should prepare a cost analysis of requested expenditures. The risks of not acquiring new assets should be addressed as well.
- B. **Long range planning:**
1. At least every other year, the Detention Commander should coordinate a long range capital asset planning process. The intent of the process is to identify long-term space and equipment needs and associated costs.
 2. The Detention Commander should report the results to the Sheriff and solicit approval. The long-range plan should serve as the benchmark in the evaluation of future fiscal years budget requests.
- IV. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Commander.

Subject: Position Control

1.21

Revised: 07/20/13

Effective: 07/20/13

Applicable Standards: 4-ALDF-2A-14, 7D-13
PREA 115.13; 115.113; 115.213

- I. **PURPOSE:** To describe the system that will be used to control the allocation and actual deployment of positions.
- II. **POLICY:** It is the policy of the Sheriff's Office to have in place a position control system ensuring that all employees are deployed effectively to meet the needs and that proper review steps are taken when program or security needs require the redeployment of a position.
- III. **PROCEDURAL GUIDELINES:**
- A. A comprehensive staffing analysis is conducted annually. The staffing analysis is used to determine staffing needs and plans. Relief factors are calculated for each classification of staff that is assigned to relieved posts or positions. Essential posts and positions, as determined in the staffing plan, are consistently filled with qualified personnel.
- B. The Business Manager insures that adequate controls cover the allocation of staff positions and staff related portions of the budget.
- C. Within applicable county regulations and Sheriff's Office policy, the Business Manager is responsible for maintaining systems that reconcile personnel and business office records and settling or resolving any variation between the two sets of records.
- D. The Business Manager will oversee a system that provides regular, consistent evaluation of the staffing requirements of the Sheriff's Office and all its components. With the concurrence of the Sheriff and the County Commissioners, the Business Manager may reallocate authorized positions.
- E. **Personnel Planning**
1. All Division managers will participate in personnel planning that include reviewing position allocations, staff-related budget allocations, personnel records, and payroll functions. These responsibilities include insuring the effective use of all positions assigned to their area of responsibility and coordinating staffing with the efficient use of contract personnel.
 2. Individual managers will be responsible for monitoring position allocations and budget authorizations within their individual area.
 3. Managers may identify funds for the purchase of community services to supplement existing programs and staff.

F. Payroll Disbursements

1. Each supervisor or designated employee will prepare or have prepared time sheets for all employees under their direction showing dates, times in and out, and total hours worked.
2. The supervisor will attest by signature to the accuracy of the time sheet. The supervisor will then be responsible for submitting all time sheets to Business Management by the specified time.
3. Business Management staff will verify each time sheet and process according to the guidelines established by the Mecklenburg County Finance Department.

G. Reporting

1. The Business Manager will regularly monitor the coordination between the Personnel Records Section and the Payroll function.
2. At the end of each month, the Personnel Officer will submit to the Business Manager a complete list of employee positions, which can be compared to the budget. This list will include the total number and type of positions filled, the total number of vacancies, and the total number of positions authorized.
3. The Business Manager and the Personnel Officer will conduct a complete reconciliation of all positions at least twice a year. One of those occasions should be before the annual budget meeting with the Sheriff.

H. Position Control

1. Each position authorized for the Sheriff's Office will have a unique identifier to enable the tracking of that position throughout its existence, independent of incumbents.
2. A permanent record of every position will be maintained at the Sheriff's Office level.
3. Positions will be allocated for specific purposes and may not be interchanged without the Sheriff and County Commissioners' approval.
4. With the Sheriff's approval, the Business Manager may redeploy positions from one specialty to another. A written justification of such action must be forwarded to the county Director of Personnel Services.

- IV. This policy and procedure will remain in effect until altered, modified, or changed by the Sheriff or Chief Deputy.

Subject: Promotional Process

1.25

Effective: 11/09/04

Applicable Standards: PREA 115.17; 115.117; 115.217

- I. **PURPOSE:** To outline the procedures for promoting to the ranks of Sergeant and Captain, and for appointing the position of Detention Field Training Officer.
- II. **POLICY:** The selection, retention and promotion of personnel working within the Detention Division will be based on merit and specified qualifications.
- III. **PROCEDURE:**
- A. The Sheriff=s Captain assigned to the Training Academy (Training Commander) will conduct an annual promotional assessment process for the following ranks and positions within the agency:
1. Corporal
 2. Sheriff's Sergeant
 3. Sheriff's Captain.
- B. Eligibility to participate in these processes will be determined by the Training Commander and approved by the Chief Deputies. Eligibility factors will include, at minimum, the following criteria:
1. Minimum employment history of two years experience in the grade from which promotion is sought. This period may be modified or increased for sworn officers seeking promotion to sworn supervisory positions.
 2. No sustained Class A violations within the past twelve months of the promotional process date set by the Training Commander.
- C. Interested candidates must submit current resumes and attend an orientation session conducted by the Training Commander on the promotional process. The orientation session will educate candidates about the exercises used to assess their abilities as they relate to specific job dimensions identified as most important in each rank/position.
- D. The promotional assessment process will consist of two phases.
1. The first phase is designed to create a promotional eligibility list of staff who most satisfactorily complete a series of assessment tools designed to evaluate the employee=s strengths and weaknesses in specific job dimensions identified for the position being sought. Cut-off points will be determined by the Training Commander based on the anticipated number of positions being available in the coming year. These assessment tools may include:
 - a. Written Examination
 - b. Structured Interview
 - c. Role Play Exercise

2. The second phase will incorporate additional skill assessment tools designed to further evaluate the employee=s strengths and weaknesses in the specific job dimensions identified for the position being sought. These tools may include:
 - a. Peer Evaluations
 - b. Leaderless Group Exercise
 - c. In-Basket Exercise
 - d. Optional Physical Assessment (Bonus Credit)

- E. Scoring and tabulation of the final results will be weighted in accordance with provisions explained to the candidates in their initial orientation process.
- F. A final ranked listing will be forwarded to the Sheriff and Chief Deputies by the Training Commander.
- G. Candidates who participate in the promotional process will have the opportunity to meet with the Training Commander in order to critique their performance in the process. Candidates will be informed of their areas of strengths and weaknesses, and will be counseled on how to improve deficiencies. However, actual scores and final rankings will not be released to candidates.

- IV. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Subject: Facility and Equipment

1.31

Effective: 03/22/05

Applicable Standards: ACA 4-ALDF-7D-23, 24

PREA 115.18; 115.118; 115.218

6

- I. Purpose: To ensure sufficient space is provided to all employees for professional and personal duties.
- II. Policy: The Division will make available to all staff adequate space to perform their jobs, as well as provide space for various personal functions.
- III. Procedures:
- A. Adequate space is provided for administrative, security, professional, and clerical staff. This space includes conference rooms, storage room for records, public lobby, and toilet facilities.
- B. Staff needs are met through providing adequate space in locations that are convenient for use. Staff are provided with the following:
1. An area to change clothes and shower
 2. An area, room, and/or employee lounge that offers privacy from inmates and provides space for meals
 3. Access to exercise/physical training facilities and equipment
 4. Space for training
 5. Space for shift-change briefings
 6. Toilets and washbasins that are not used by inmates
- IV. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Applicable Standards: ACA 4-ALDF-2A-27, 29; 4C-01; 6B-03
Title VI Civil Rights Act of 1964 (42 U.S.C. §2000d et seq.)
PREA 115.15, 115.115, 115.215

- I. Purpose: To establish procedures to be used to minimize language barriers between Limited English Proficient (LEP) inmates and staff so that LEP inmates have access to services and an understanding of their rights and obligations.
- II. Policy: The Mecklenburg County Sheriff's Office will observe the rights of all inmates, without discrimination or denial of any inmate access to services or programs on the bases of national origin due to their inability to speak, read, or understand the English language.
- III. Definitions:
- A. Limited English Proficiency (LEP): Term used to describe individuals whose primary language is other than English and who have a limited ability to read, write, speak, or understand the English language.
 - B. Bilingual: The ability to communicate in two languages fluently.
 - C. Interpretation: The act of listening to a communication in one language and orally converting it to another language. Interpretation can be oral or signed speech.
 - D. Translation: The replacement of one written text into an equivalent text of another language.
- IV. Procedures:
- A. Inmates with Limited English Proficiency
 1. Inmates identified with LEP will also have access to, but not limited to the following:
 - a. Inmate Programs and Services
 - b. Adequate medical care
 - c. Bilingual staff or interpreters to assist with critical or frequently used forms by inmates in the jail

Note Written forms that are critical or most frequently used by inmates in the jail are translated.

in the language of the most significant non-English speaking inmates—Spanish.

B. Types of Communication

1. Bilingual staff will be utilized to assist in communicating with inmates who have limited English proficiency (LEP). Such assistance includes, but is not limited to:
 - a. Interpreting Spanish or other written language to assist with the need of communication with the inmate and the agency.
 - b. Interpret an inmate's oral speech
 - c. Interpret certain customary gestures.

Note Use of LEP inmate's family or friends as interpreter/translators will not be permitted except for extreme exigent and urgent circumstances.

2. Translational services will be utilized when Bilingual staff is unable to translate or if the need for confidentiality exists. Availability can be done by:
 - a. Telephonic Interpretation (an over-the-phone interpretation service through conference call with an LEP inmate, staff, and an offsite interpreter)
 - b. On scene Interpreter (one that has been called and has arrived)
 - c. Translation of written documents
3. Audio/Visual Recordings for Pod Orientations are provided to Spanish Inmates who have LEP.
4. Translated Spanish texts has been included on English written documents such as Pod Cell Search forms, Inmate Handbooks, Inmate Requests, Sick Call forms, and etc., to assist Spanish inmates who are LEP.

V. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Applicable Standards: ACA 4-ALDF-2C-01, 03, 05
10A NCAC 14J .0601(f)
NCGS 15A-231; 148-18.1; 153A-221
PREA 115.15; 115.115; 115.215

- I. Purpose: To establish guidelines for conducting searches of buildings, persons, and property.
- II. Policy: The Division will ensure frequent, unannounced, thorough searches are conducted to detect and deter the introduction, fabrication, possession, and conveyance of contraband. All areas of the facility, staff, visitors, inmates, and their property within the facility are subject to search and seizure.
- III. Definitions:
- A. Visual Body Cavity Search: A visual inspection of an inmate's body cavities and orifices are conducted.
 - B. Contraband: Any item found within the facility or possessed by anyone, that is illegal by law or is not issued by the facility, or purchased from the commissary or not specifically authorized for inmates possession. Contraband will also include possession of excessive amount of authorized items. The officer can articulate those facts.
 - C. Shakedown: Frisk and search of inmates, their property, and assigned cell.
 - D. Frisk/pat search: To search a clothed person for contraband by running the hand(s) over the outer clothing.
 - E. Cell Search: A thorough inspection of an entire housing unit or room.
 - F. K-9 search: Any search conducted with the assistance of trained K-9 staff and dogs.
 - G. Search team: Officers designated by the supervisor to conduct searches.
 - H. Strip search: A visual examination of an inmate's naked body for weapons or contraband. This also includes a thorough search of all of the individual's clothing while it is not being worn.

- I. Probable cause: An observation of facts or circumstances that would warrant a person of reasonable caution to believe that an offense was or is being committed.
- J. Reasonable belief: The officer believes that a given fact or combination of facts exists, and the circumstances which he knows, or should know, are such as to cause a reasonable person to so believe.
- K. Cross Gender Searches: Searches conducted by the opposite sex.

IV. Procedures:

A. Basic Requirements for Searches:

1. Searches will be conducted in a manner which will avoid embarrassment or indignity to those being searched.
2. Searches will never be used as a means of punishment.
3. Staff of the opposite gender will announce themselves when entering a housing unit of the opposite gender.

B. Conducting Frisk/Pat Searches:

1. Frisk searches will be conducted at the following times:
 - a. When an inmate enters or leaves any post area (i.e. medical, classrooms, hearing rooms, regular/attorney/clerical visitation, inmate workers, work release and furlough returns, etc.)
 - b. Upon arrival of new inmates
 - c. Prior to and after transporting any inmate
 - d. Any other time deemed necessary
2. Female subjects are to be frisk searched by female officers only. Female officers may frisk search male subjects. All cross gender pat down/frisk searches of females shall be documented.
3. Frisk searches will be conducted in the following manner:
 - a. Everything is to be removed from all pockets. Items are to be placed out of the subjects reach and remain in the officer's view.
 - b. Shoes, socks, hats, jackets, belts, watches, etc., are to be removed and placed aside.
 - c. Pins, rubber bands, wigs or clamps are to be removed from the hair or head. Officers should instruct inmates to run their fingers through their hair (concealed items may fall out).
 - d. Officers will advise the subject to place their hands on the wall, step back and spread their feet apart. If the search is conducted in an area where

placing their hands on a wall is not practical, officers will have them stand erect (facing away) with their arms fully extended to the side.

- e. Officers will start with either hand, checking the palm and between the fingers. If they are wearing long sleeves, the cuff area will be carefully checked. Officers will then check the arm and under the arm pit. If they are wearing short sleeves, officers will inspect the arm thoroughly to the point where the sleeve begins, checking the seam area carefully.
 - f. Officers will check the collar area; along the tops of both shoulders; under the arm pits to the collarbone area and down over the chest area to the waist. The waistband should be checked very carefully all the way around.
 - g. Officers will then check the back area, including the small of the back.
 - h. Officers will check the leg by placing one hand high inside the groin area and the other high on the outside hip area. The groin area will be checked carefully and thoroughly. Officers will check the seams and cuffs of the pants legs carefully.
 - i. Officers will inspect the bottom of the foot and between the toes.
 - j. Officers will inspect the mouth, looking inside and checking under the tongue. Inside and behind each ear will be checked thoroughly. (Note: Officers will never reach in to remove anything. If something is detected in the mouth or ear, the subject will be asked to remove it. If they refuse, the Area Supervisor will be notified immediately.)
 - k. Officers will inspect and search any items set aside.
- C. Inmates will be subject to strip searches when there is reasonable belief that the inmate is carrying contraband or when returning from contact with the general public or from outside the facilities. (i.e. Work release (furloughs), work brigade, court appearances, etc).
- D. Strip searches must be conducted by an officer of the **same sex as the inmate**, and the officer must take all reasonable steps to protect the inmate's privacy, such as conducting the search out of the view of other inmates and opposite-sex employees.
- 1. Strip searches will be conducted in the following manner:
 - a. If the inmate is wearing any bandages, they will be removed by the inmate or by medical staff if necessary prior to beginning the search and replaced with clean ones after the search.
 - b. Any pins, rubber bands, wigs or clamps are to be removed from the hair/head. Officers will instruct the inmate to run their fingers through their hair (concealed items may fall out).
 - c. ALL clothing will be removed and placed out of the inmate's reach.
 - d. Officers will check the mouth and under the tongue; inside and behind each ear. Officers will not reach in to remove anything. If something is detected in the mouth or ear, the subject will be asked to remove it. If

they refuse, a supervisor will be notified immediately.

- e. The arms and arm pits will be inspected.
- f. The neck and trunk area will be inspected thoroughly.
- g. A visual inspection of the pubic area will be done. Officers WILL NOT conduct any body cavity searches. If the inmate has contraband concealed in a body cavity, the Shift Commander and the medical staff will be contacted. Males will lift the penis and scrotum for inspection.
- h. Females will be told to lift the breasts for inspection.
- i. Officers will inspect the entire back area, head to foot.
- j. Officers will have the inmate squat and cough.
- k. Officers will have the inmate bend over and spread his/her buttocks for inspection.
- l. Officers will not attempt to remove anything. If something is detected in the anus or vagina, the subject will be asked to remove it. If they refuse, the Zone Commander and medical staff will be contacted.
- m. All clothing will be searched and the inmate instructed to redress.
- n. OFFICERS WILL REMEMBER THAT STRIP SEARCHES ARE PERFORMED BY OBSERVATION, NOT BY TOUCHING.
- o. At no time will a body cavity search be conducted without probable cause, or for the purpose of humiliating, embarrassing, or punishing an inmate.

E. Body Cavity Search:

1. Body cavity searches must be conducted by trained medical personnel.
2. The Shift Commander will obtain a search warrant from the appropriate judicial official before authorizing the search.
3. Once probable cause is established, the inmate will remain under constant observation, to detect the attempted removal or disposal of the suspected contraband.
4. The search will be conducted by medical staff, or by a licensed physician inside the facility, at the option of the Shift Commander.
5. Division medical staff or a physician will determine that the search should be conducted at an area hospital, and upon such determination the inmate will be transferred to such hospital where the search will be conducted by a licensed physician.
6. Officers and staff will not make any disrespectful remarks to the inmate subjected to the search, nor use any language or conduct intended to harass, embarrass, or humiliate the inmate.
7. **At no time will a body cavity search be conducted without probable cause, or for the purpose of humiliating, embarrassing, or punishing an inmate.**

F. Cell Searches (Shakedown):

1. Cell searches will be conducted often, and at unannounced times.
2. Each Pod Supervisor will randomly select a minimum of 4 cells per tour of duty for daily cell searches.

3. The inmate will be notified immediately prior to the search of his/her cell and will not be allowed out of sight of the officer until the search is completed.
4. The inmate will be frisk searched. If probable cause exists for a strip search or body cavity search refer to section D and E of this policy.
5. A room search will be conducted on the inmate's assigned cell.
6. A complete cell search log will indicate:

- a. The inmate's name and assigned area.
- b. The officer(s) name(s) conducting the search(es).
- c. The results of the search(es).

7. Incident Report:

- a. If contraband is found which compromises security or anything more than the frisk and room search becomes necessary, an incident report will be completed by the officer conducting the search.
- b. The report will include:

- (1) The date, time & location of the search.
- (2) The officer(s) involved
- (3) The inmate's name and P.I.D. number
- (4) A description of any contraband located or violations of the inmate handbook noted.
- (5) The disposition of any contraband.
- (6) Any disciplinary action taken as a result of the search.
- (7) The officer conducting the search will notify their Zone Commander
- (8) Classification will receive a copy of the incident report.

8. Cell searches will be done in an orderly fashion, preventing damage to the inmate's property.

G. Housing Unit Search:

1. Shift Commanders and Pod Supervisors will randomly select housing units to be searched.
2. The unit will be placed in lock-down.
3. An officer along with additional staff will enter the unit and conduct frisk and room searches of each inmate and their assigned area.
4. Inmates will remain in lock-down while the search team searches all common areas of the unit.
5. The Pod Supervisor will release the unit from lock-down upon the completion of the search.

H. K-9 Searches:

1. Random searches are to be conducted at all Detention Facilities.
2. A K-9 handler and their dog will respond to any facility requesting a k-9 search and will respond expeditiously if the officer from the facility has either located or

suspects narcotics.

3. The search will be conducted with as little disruption to the on duty shift personnel as soon as possible.
4. Upon arrival at the facility, shift personnel will be advised to secure the area to be searched.
5. All inmates will be removed from the area and search by shift personnel.
6. Upon completion of the search, the handler will advise shift personnel of any responses. Officers will conduct secondary searches as needed.

I. Visitor Searches:

1. A large sign will prominently be posted in the lobby stating all visitors/their possessions will be subject to search before being allowed entry into the secure areas of the facility.
2. Searches of incoming visitors will include the use of detection equipment and visual inspection of bags, purses, briefcases, and clothing.
3. Visitors will be required to deposit purses and other packages in secure lockers located in the front lobby.
4. If contraband is found, staff will respond immediately.
5. If a visitor refuses to consent to a search by metal detector, hand-held detector or pat and frisk, the visitor will be denied entrance into the facility. If a visitor refuses to leave will be treated as trespassers and will, be removed using only such reasonable force that is necessary to do so.

J. Transport Searches:

1. Transport officers will be responsible for searching the transport vehicle before and after transporting inmates.
2. Officers will thoroughly search all inmates prior to transport

V. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Subject: Inmate Hygiene

3.05

Revised: 7/18/2013
Effective: Immediately

Applicable Standards: ACA 4-ALDF-4B-06, 07
ACA 4-ALDF-5B-10
10A NCAC 14J.0705
NCGS 153A-221(6)
PREA 115.42, 115.242

- I. Purpose: To describe personal hygiene standards for inmates confined in all facilities.
- II. Policy: The Division will provide all inmates with the resources and facilities to maintain proper daily hygiene.
- III. Definitions:
- A. Indigent: An individual with no funds or source of income. The individual maintains a trust account balance of \$3.00 or less in ten consecutive days.
- IV. Procedures:
- A. Personal hygiene items will be issued to inmates upon admission. These items will include the following:
1. Toothbrush
 2. Toothpaste
 3. Comb
 4. Feminine hygiene items (upon request)
 5. Soap
- B. Indigent Inmates may request a hygiene kit via Commissary as stated above to include deodorant. However, their trust accounts are debited for the cost of the kit. Any future deposits to the inmate's PID number are used to satisfy these costs.
- C. Inmates will be permitted freedom in personal grooming as long as their appearance does not conflict with the facility's requirements for maintaining safety, security, identification and hygiene.
- D. The facilities' requirements for maintaining proper daily hygiene are:
1. Groomed hair: Inmates may groom their hair at their own discretion.
 2. Bathing: Inmates are expected to bathe on a daily basis.
 3. Brushing teeth: Inmates are expected to brush their teeth on a daily basis.
 4. Clean underclothes: Inmates are expected to maintain clean underclothes.
- E. Hair clippers will be available for inmates, provided on the Master Schedule and disinfected after each inmate use.

F. Transgender and Intersex inmates shall be allowed the shower separately from other inmates should they request to do so.

V. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

DRAFT

Applicable Standards: ACA 2A-22, 27, 28, 34
NCGS 153A-221
PREA 115.33; 115.233

- I. Purpose: To describe the orientation program for all inmates committed to Mecklenburg County Detention Facilities.
- II. Policy: The Division will provide each inmate with an orientation, advising them of facility programs, services, rules and regulations.
- III. Definitions: None
- IV. Procedures:
 - A. Initial Orientation:
 - 1. The arrest processing deputies will provide general information on:
 - a. Processing procedures
 - b. Expected behavior
 - 2. The initial orientation is given to each inmate through an electronic form of the Inmate Handbook that is available in English and Spanish languages once an inmate is admitted into the jail and housed in a Classification pod.
 - 3. An inmate's acknowledgement of receiving and reviewing the Electronic Inmate Handbook will be maintained through electronic files.
 - *Note* Hardcopies of the Inmate Handbook are available in every housing unit, including the Classification housing units.
 - B. Prior to being placed in the general population, each inmate is provided with an orientation to the facility, which includes at a minimum:
 - 1. Written information describing facility rules and sanctions
 - 2. Mail and visitation procedures
 - 3. Transportation options for visitors
 - 4. The inmate grievance procedures
 - 5. Explanation of all fees, charges, or co-payments that may apply
 - 6. Description of services, programs, and eligibility requirements
 - 7. Access to medical care
 - 8. Available pretrial release options
 - C. Main Orientation:

1. An orientation will be conducted while the inmate is housed in the Classification pod. The Classification Pod Supervisor will:
 - a. Read and provide an orientation that covers programs, services, and regulations listed in the inmate handbook.
 - b. Be available to answer any questions or concerns that an inmate may have.
 - c. Ensure inmates are Pat/Fisk searched and showered when they arrive in the Classification Pods. The showers are not to interfere with shift change, roll call, breakfast, lunch or dinner. The inmates will be required to shower as they arrive in the pod. Inmates will transfer from Arrest Processing to the Classification Pods between the hours of 0001-0330, 0830-1100, 1300-1730, and 2000-2300. Showers will be open "Bottom Level Only" from 0001-0400 hours and 0530-0615 hours.
2. This orientation will be repeated at each shift change to ensure newly admitted inmates receive the information.

D. Assignment after Orientation:

1. The information gathered in the Classification housing pod will be used by Classification staff to compile a case summary.
2. After the inmate is assigned to a general housing unit, the classification pod staff will:
 - a. Provide the receiving Pod Supervisor (s) with any relevant information regarding each inmates conduct, attitude, or other factors having an impact on Classification or housing decisions made.

E. Single Occupancy Cells in General Housing Pods

1. Inmates with special needs and requiring a single occupancy cell within the regular housing unit will be properly assigned.
2. Single occupancy cells will be available when indicated by medical or classification staff for:
 - a. Maximum and close custody
 - b. Inmates with severe medical disabilities
 - c. Inmates suffering from serious mental illness
 - d. Sexual predators
 - e. Inmates likely to be exploited or victimized by others
 - f. Inmates who have other special needs for single housing.

F. On-Going Orientation:

1. Pod Supervisors will conduct an orientation review at each shift change which

includes:

- a. Facility rules and regulations
- b. Emergency/Fire plan(s)
- c. Discuss schedule for the tour of duty

G. Video Orientation (Spanish):

1. A Spanish speaking video orientation will be given for Hispanic inmates who do not speak and/or understand English.
2. The video will translate the same information given to English speaking inmates and last approximately 20 minutes.
3. Questions that Spanish Speaking inmates may have regarding the orientation will be translated by Spanish speaking staff or translator.

V. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

DRAFT

Applicable Standards: ACA 4-ALDF-2A-44, 46, 48, 49, 52-54, 56-58, 60-66
10A NCAC 14J .0301; .0305; 0601 (c); 0501(1); .0601(c); 0902(d); 1004
NCGS 148-13(a); 148-46(a); 153A-221(4,5)
PREA 115.43

- I. Purpose: To provide specific information regarding Special Housing operations and to provide guidelines for the care and housing of inmates kept separate from general population.
- II. Policy: The Division will provide safe and secure housing for those inmates housed separately from general population for disciplinary, protective or administrative reasons, or those individuals who require a greater degree of physical control.
- III. Definitions:
- A. Disciplinary Detention: The confinement of an inmate who has been found negligent of rule violations by the Disciplinary Hearing Committee.
- B. Protective Custody: The confinement of those inmates requesting or requiring protection from others.
- C. Administrative Detention: The confinement of those whose continued presence in the general population poses a serious threat to life, property, self, staff or other inmates.
- D. Pre-Hearing Detainee: Temporary confinement to single cell confinement for inmates who have been charged with committing rule violations and are awaiting a disciplinary hearing.
- E. Hearing Panel: A committee composed of line or supervisory staff empanelled to hear and make a decision on alleged inmate rule violations.
- F. Hearing: A due process action in which an inmate may or may not be found negligent of rule violations by the Disciplinary Hearing Committee.
- G. Disciplinary Hearing Committee: A committee composed of line and/or supervisory staff empanelled to hear and make a decision on alleged inmate rule violations.
- H. Special Management Inmate: An inmate who, because of behavioral or other factors, constitutes a threat to institutional security, staff, or general population inmates.
- I. Segregation: A generic term used to encompass Administrative Detention, Protective Custody and Disciplinary Detention.

IV. Procedures:

A. Admission to Special Housing:

1. Special Housing consists of:
 - a. Disciplinary Detention
 - b. Protective Custody
 - c. Administrative Detention
2. An inmate may be admitted to any of the above Special Housing units by:
 - a. Facility Commander
 - b. Shift Commander
3. Recommendations or requests for an inmate's admission to a Special Housing unit may be made in writing by:
 - a. All security staff
 - b. Classification Section
 - c. Outside agencies, such as: US Marshals

B. Disciplinary Detention Unit:

1. Commitment to Disciplinary Detention;
 - a. An inmate may be confined to DDU if:
 - (1) They have been found negligent of a rule violation by the Hearing Panel.
 - (2) The inmate may appeal their confinement within twenty-four hours (24) to the Facility Commander.
 - (3) The confinement period is not to exceed seventy-two (72) hours while awaiting the hearing (excluding weekends, holidays and court appearances).
 - (4) The inmate may waive their appearance at the hearing by signing a waiver form acknowledging the sanctions imposed.
 - (5) If the inmate waives their appearance at the hearing, they also waive any future appeals resulting from the incident.
2. **The decision for an inmate to be sent to Single Cell Confinement pending a hearing is at the discretion of the Pod Supervisor.** (Note: Pod Supervisor will notify their immediate supervisor once a decision has been made to place an inmate in Disciplinary Confinement.)
 - a. In the event an inmate is removed from their existing housing unit for disciplinary reasons:
 - (1) Have the inmate place all items in property bin.
 - (2) Have the inmate escorted to single cell confinement (SCC).
 - (3) Send the property bin to the property room.
 - (a) Movement Control staff will inspect items in bin and

issue only those items permitted in SCC. The remaining items will be put in the inmate's property until released from SCC. While in SCC, inmates may possess:

- i) Legal and religious materials
- ii) Hygiene items
- iii) Writing materials
- iv). Commissary items already in possession at time of confinement in SCC.

(b) Ensure all paperwork and/or documentation is completed.

3. Conditions of Confinement:

a. DDU inmates will be subject to more restrictive property limitations and will be restricted from certain privileges and other activities as sanctioned by the Disciplinary Committee.

- (1) Inmates confined in DDU will be restricted from general visitation, classes, games, and television.
- (2) Inmates confined in DDU will be allowed commissary only for the purchase of hygiene items, writing materials and stamps.
- (3) Inmates confined in DDU will be allowed access to telephones only for calls to bondsmen and access to the judicial process.
- (4) Inmates in DDU will be eligible to use the phone in cases of family emergencies as determined by the Facility Commander or designee. The Pod Supervisor must dial the telephone number.
- (5) Mail will not be restricted to inmates in the DDU.
- (6) Each DDU inmate will be allowed one hour, 5 times a week, outside of his cell for the purposes of exercise and/or recreation unless security and/or safety considerations dictate otherwise.
- (7) Inmates confined to ADU/DDU will be allowed to use pencils and writing instruments on Sundays, Tuesdays, and Thursdays nights. Pencils and writing instruments will be returned at the same time razors are.

4. Release from the DDU:

- a. Time served from DDU when: Inmate's confinement period has been served as mandated by the disciplinary committee at the conclusion of his hearing.
- b. Upon release from DDU inmates will be reassessed based on sustained violations and housed accordingly to a new custody level.
- c. Upon completion of ADU and no rule violations the inmate will be reassessed if necessary and housed accordingly.

5. Records:

a. Staff operating special management units maintains a permanent log that contains at a minimum the following information for each inmate admitted to segregation:

- (1) Name
- (2) PID Number

- (3) Prior housing assignment
- (4) Date admitted
- (5) Reason for commitment (type of violation)
- (6) Tentative release date
- (7) Special medical or psychiatric or needs
- b. All releases will be recorded in the same manner as above.
- c. Any incidents of misbehavior or unusual activity within the unit will be noted in the log as well.
- d. If an inmate is deprived of any usually authorized item or activity, a report of the action is made and forwarded to the facility Major.

6. Cell Checks:

- a. Individual cells containing inmates are to be checked at a minimum of four (4) times per hour on an irregular schedule.
- b. Officers shall observe inmates who display the following behaviors at least four (4) times per hour.
 - (1) Physically hitting or attempting to strike an officer.
 - (2) Being verbally abusive.
 - (3) Stating they will harm themselves.
 - (4) Displays erratic behavior such as screaming, crying, laughing uncontrollable or refusing to talk at all.
- c. Inmates in segregation will receive daily visits from a shift supervisor.
- d. Inmates may receive visits from members of the program staff on request.
- e. Inmates in segregation will receive a visit from a qualified health care official daily unless medical attention is needed more frequently.

7. Supervision

- a. All detention officers will be trained to work in special housing units.
- b. Staff rotation will be at the discretion of the shift supervisors.

C. Protective Custody:

- 1. An inmate may be confined to protective custody if:
 - a. They request segregation for self-protection.
 - b. Classification staff determines protection is required to ensure the inmate's safety.
- 2. All requests for protective custody by the inmate or classification staff must be approved by the Shift Commander and will include, but may not be limited to the following criteria:
 - a. There is sufficient evidence that the inmate's continued presence in general housing is detrimental to their safety. Reasons for commitment include, but not limited to:
 - (1) A confinement history of a significant number of assaults toward or by other inmates.
 - (2) Information obtained from other inmates
 - b. The findings of the classification section will be made a part of the

inmate's classification file and he/she will be placed in protective custody, if necessary.

3. An inmate may be involuntarily placed in protective custody if he/she is:
 - a. Current or former law enforcement or detention officer
 - b. An informant for a law enforcement agency
 - c. A witness in a criminal trial
 - d. An inmate who has been charged with or convicted of an offense which is likely to cause retaliation from other inmates, examples:
 - (1) Sexual assaults
 - (2) Child molestation, abuse, neglect
 - e. The Pod Supervisor has reasonable suspicion the inmate is in danger.
 - f. Upon approval of the Facility Commander and receipt of a written request by a law enforcement agency
 - g. Other reasons as deemed necessary by supervisory staff
4. An inmate may appeal an involuntary commitment to protective custody within 3 days to the Facility Commander following standard inmate grievance procedures.
5. Protective custody is to be used when no other acceptable alternative is available; examples include, but not limited to:
 - a. Transfer to another housing unit or institutions
 - b. Rescheduling of program activities
 - c. Rescheduling of work details
 - d. Transfer to another jurisdiction
6. Documentation:
 - a. All findings of the classification section with respect to voluntary commitments for protective custody will be placed in the inmates classification file.
 - b. Involuntary commitments for protective custody will also be documented in the inmates classification file along with, the reasons for confinement and the signature of the authorizing official.
 - (1) Notice of appeals
 - c. The results of review hearings for protective custody inmates will be documented in classification files.
7. Review of Inmates in Protective Custody:
 - a. Classification staff will review the status of inmates confined in protective custody, every seven days for the first two months and every 30 days thereafter.
 - b. The review of an inmate involuntarily committed to protective custody will include any changes in factors which caused the initial placement of the inmate in protective custody: examples include but are not limited to:
 - (1) Inmate's behavior while in protective custody

- (2) Inmate's apparent mental/psychological state
- (3) Inmate's attitude
- (4) Any relevant information provided by the inmate
- c. The results of the classification review for protective custody inmates will be documented in the inmate's classification file.

8. Release from Protective custody:

- a. An inmate may be released from protective custody:
 - (1) By decision of classification after an inmate review
 - (2) If the original committing condition is alleviated, removed or corrected
 - (3) If the inmate is released from custody for time served or court order
 - (4) If the inmate is released per bond or pre-trial
 - (5) Other reasons as deemed necessary by supervisory staff

D. Administrative Detention:

1. The reasons an inmate may be confined to Administrative Detention include, but are not limited to:

- a. Extensive history of violence while incarcerated
- b. Poses a threat to the safety and security of the facility and/or it's occupants
- c. Elderly and/or weak
- d. Mildly retarded or vulnerable to others

2. Documentation:

- a. All admissions and release from Special Housing are to be documented in each unit's shift activity log. The documentation should include:
 - (1) Inmate's name
 - (2) Inmate's identification number
 - (3) Date and time of admission or release
 - (4) Type of custody required (protective custody, disciplinary, administrative, etc.)
- b. All admissions and releases of special housing will be made a part of the respective inmates' classification file.

3. Review of Administrative Detention Confinement:

- a. Classification staff will review the status of inmates confined in Administrative Detention every seven days for the first two months and every 30 days thereafter.
- b. If the decision is made to continue confinement, the classification staff will provide the inmate with a written copy of the reasons for the continuation.

- (1) An inmate may appeal this decision to the Facility Commander within three (3) working days, excluding weekends and holidays.
 - (2) If the review is for an inmate confined in the DDU and they waive their disciplinary hearing, appeals will not be accepted.
- c. The classification staff will review:
- (1) Original reasons for confinement
 - (2) Behavior during confinement
 - (3) Any available alternatives to confinement
- d. The classification staff will document the findings of their review including the following information:
- (1) Appearance
 - (2) Inmate's input, if relevant
 - (3) Any behavioral changes
 - (4) Conditions of confinement (any restrictions imposed)
4. All review findings will be made a part of the inmate's classification file.
5. Release from Detention and Protective Custody:
- a. An inmate may be released from Detention if:
- (1) The original committing condition is alleviated, removed or corrected.
 - (2) The inmate is transferred to another facility.
 - (3) The classification staff deems appropriate after a review of the inmate's status.
 - (4) Released from custody, for time served, court order, bond or pretrial.

E. Conditions of confinement for Special Housing:

1. The conditions of each of the Special Housing units are to be as follows:
 - a. Well lighted and ventilated.
 - b. Maintained in a sanitary condition.
 - c. Cell occupancy is not to exceed design capacity (except in emergency situations).
 - d. Inmates will be given access to the courts/legal materials.
 - e. Inmates will be given access to personal hygiene items.
 - f. Inmates in special Housing units will have the opportunity to shave and shower at least three times per week.
 - g. Inmates in special Housing units will have access to hair care services as dictated by the master schedule.
 - h. All inmates in Special Housing Units will be provided access to medical services consistent with general population. To Include;
 - (1) Sick Call
 - (2) Medications
 - (3) Emergency assistance
 - i. Mail will not be restricted to inmates in the Special Housing.
 - j. Inmates in special housing will have access to the same programs,

services and privileges as general housing units, i.e.:

- (1) Visitation, unless there are substantial reasons for withholding this privilege.
- (2) Commissary
- (3) Telephone access
- (4) Library services / reading materials
- (5) Recreation
- (6) Religious services
- (7) Educational services
- (8) Social & Counseling services

k. Unless:

- (1) Those privileges are restricted as a part of disciplinary action (DDU). DDU inmates will still have the opportunity to receive treatment from professionals such as:
 - (a) Social workers
 - (b) Psychologists & Psychiatrists
 - (c) Counselors
- (2) The shift supervisor deems it necessary to restrict those privileges to ensure the safety of the inmate or the security of the facility. Any restriction of privileges must be documented on an incident report and noted in the log book.

2. Clothing and Bedding:

a. All inmates in Special Housing are to be furnished:

- (1) One mattress
- (2) Two sheets
- (3) One blanket
- (4) Inmates will be allowed access to clothing that is not degrading and linen exchange as dictated by the facility's exchange schedule.
- (5) An inmate will not be deprived of clothing and bedding during sleeping hours, except at the discretion of the medical staff. i.e., suicide, etc. Any order depriving an inmate of these materials will be in writing and signed by a member of the medical staff.

3. Food:

- a. All inmates in Special Housing Units will be provided meals on the same schedule and in the same proportions as general population, unless specified **in writing** by medical staff.
- b. No staff member shall deprive an inmate of food for any reason, disciplinary or otherwise.

V. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Applicable Standards: 4-ALDF-6B-02, 6B-07, 6B-08, 7E-05
PREA 115.16; 115.116; 115.216

- I. Purpose: To provide guidance to the agency in committing itself and its employees to providing quality services to people with disabilities and complying with provisions of the Americans With Disabilities Act.
- II. Policy: It shall be the policy of the Detention Division to ensure that all persons receive access to services offered within the detention facilities.
- III. Definitions:
- A. Disability: A physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.
- B. Reasonable Accommodation: Includes modification of existing facilities to facilities that are readily accessible to and usable by individuals with disabilities; acquisition or modification of equipment; and appropriate alteration of detention policies and procedures.
- IV. Procedures:
- A. Arrest Processing Center (APC):
1. Consideration should be given to the special needs of people with disabilities in the processing center.
 2. Arrestees with mobility disabilities require physical aids (canes, wheel chairs, leg braces) to maintain their mobility. Every effort should be made to allow them to retain the device(s). If for security reasons, the device must be withheld, the arrestee must be closely monitored to ensure that his/her needs are met.
 3. Prescribed medications should be turned over to medical staff immediately upon entry into the APC.
 4. The Shift Captain or Sergeant should determine if assistance (such as sign language interpreter) is needed when the arrestee appears before the Magistrate and should accommodate any request. The arresting agency will be responsible for this service until the magistrate has taken action on their case.
 5. Upon entry into Jail Reception, Housing and Classification should be contacted to determine any special housing assignment.
 6. If any special communication equipment is needed at this point a supervisor should be contacted. Telecommunications Device for the Deaf (TDD) equipment is available at each facility.

B. Telecommunications Device for the Deaf (TDD)

Each facility is equipped with a Telecommunications Device for the Deaf (TDD) for use by hearing impaired inmates.

1. The facilities will make available a Telecommunication Device for the Deaf (TDD) for inmates who meet the following criteria:

- a. Inmates with hearing or speech disabilities
- b. Inmates who wish to communicate with parties that have such disabilities

C. Detention Facilities:

In the performance of our duties, officers and civilian staff are to ensure that people with disabilities are afforded all rights, privileges and access to services and programs afforded to those without disabilities. Inmates with disabilities are provided with the education, equipment, and facilities, and the support necessary to perform self-care and personal hygiene in a reasonably private environment.

1. Facility Captains and Majors may use alternative means to accommodate services such as visitation. Examples include;

- a. Extended or more frequent visitation periods
- b. Use of note pads
- c. Use of other auxiliary devices provided by the facility
- d. Sign language interpreter, if necessary.

V. Staff and inmates have access to an appropriately trained and qualified individual who is educated in the problems and challenges faced by inmates with physical and/or mental impairments, programs designed to educate and assist disabled inmates, and all legal requirements for the protection of inmates with disabilities.

A definitive policy to cover all eventualities cannot be created. This policy and procedure is meant to serve as a guide to personnel so that they have an understanding of their responsibilities and to establish procedures to insure an individuals needs are addressed in the most appropriate manner.

Should circumstances arise where an officer is unsure of procedure, the Shift Captain or Facility Major should be contacted immediately. They will make an assessment of the situation and determine the most appropriate course of action.

VI. This policy and procedure remains in effect until altered, modified or changed by the Sheriff, Chief Deputy or Detention Director.

Subject: Sexual Misconduct (Inmates)

6.18

Effective: 10/04/04

Revised: 7/20/13

Applicable Standards: ACA 4-ALDF-2A-29, 4D-22, 4D-22-2,6,7
PREA 115.1; 115.111; 115.211

- I. Purpose: To establish procedures for prevention and intervention of Sexual Abuse/Assault for inmates who are incarcerated in Mecklenburg County jails.
- II. Policy: To ensure that inmates who have or claim to have been sexually assaulted during incarceration are provided with the appropriate staff care, medical care and psychiatric support.
- III. Definitions:
- A. Inmate-on-Inmate Sexual Abuse/Assault:
One or more inmates engaging in, or attempting to engage in a sexual act with another inmate or the use of threats, intimidation, inappropriate touching, or other actions and/or communications aimed at coercing and/or pressuring another inmate to engage in the sexual act. Sexual acts or contacts between inmates, even when no objections are raised, are prohibited acts.
- B. Staff-on-inmate sexual abuse/assault:
To solicit/engage in sexual acts with inmates or persons in custody. Staff includes contractors, representatives and volunteers. Refer to General Order #13 Ethics and Conduct with inmates. This also includes staff from federal, state and local jurisdictions. Sexual misconduct also includes any solicitation of sexual activity through promises of favors, threats aimed at inmate for refusing sexual advances, and the invasion of privacy beyond that necessary for safety and security of the Facility.
- C. Assailant: A person who attacks another.
- IV. Procedure:
- A. Inmates reporting Sexual Abuse/assault:
Inmates may report a sexual assault/abuse to any staff member they trust or to their pod supervisor, Corporal, Sergeant, Captain, or the Office of Professional Compliance (OPC). The inmate will be taken to medical for treatment and counseling. It is important that the inmate does not shower until after he/she has been seen by medical personnel. An investigation will be conducted and documented. The alleged victim will be separated from the assailant for protection. Information about the assault is confidential and will be given only to those directly involved in the investigation and/or treatment of the victim.
- B. Victim Identification
Jail staff may be made aware of a sexual assault incident in any of the following ways:

1. Staff member witnesses a sexual assault
2. Rumored or suspected sexual assault.
3. Inmate reports or complains of being sexually assaulted.

C. Verifying Alleged Sexual Assault

Occasionally jail staff will hear of an inmate being threatened with sexual assault or rumored to have been assaulted. Victims of sexual assault may be recognized by unexplained injuries, changes in physical behavior such as difficulty walking, or abrupt personality changes such as withdrawal and suicidal behavior.

1. Jail staff will verify an alleged victim without jeopardizing the inmate's safety, identity and confidence.
2. Remove alleged victim from the area for interviewing.
3. Ask the alleged victim open-ended, neutral questions such as:
"How are you doing?"
"Are you being hassled?"
"Would you like to be moved to another housing area?"
4. If there are no indications of any problems, suggest if they ever need help, they may contact any staff member they trust or request to see medical personnel.

D. Staff Intervention

The following procedures will be followed for inmates who have been sexually assaulted or threatened with sexual assault. If the assault is less than 72 hours old inform the victim not to shower, wash, drink, eat or defecate until he/she has been examined by medical staff. Contact with the victim will be sensitive, supportive and non-judgmental.

1. Notify your immediate Supervisor.
2. Zone Commander will notify Facility Commander of the alleged sexual abuse/assault. The Office of Professional Compliance will be notified and forwarded copies of any criminal offenses.
3. Arrange protection for the alleged victim.
4. A brief incident report about the assault will be obtained from the alleged victim. (The victim may be in shock, and unable to give a detailed statement. It is important to be understanding; you can get more details later.)

5. The victim will be taken to medical for a brief evaluation and examination. The inmate will be transported to Carolina Medical Center for further evaluation and examination
 6. Medical will evaluate the victim for follow-up treatment and/or crisis counseling with mental health personnel.
- E. The assailant, if known, will be taken to single cell confinement pending further investigation.
- F. The following are measures the inmates can take for prevention and self-protection against sexual abuse/assault:
1. Inmates need to carry themselves in a confident manner at all times.
 2. Inmates should not show obvious emotions (fear/anxiety).
 3. Inmates should not accept gifts or favors from others. Most gifts or favors come with strings attached to them.
 4. Inmates should not accept offers from another inmate to be their protector.
 5. Inmates should be direct and firm if others ask them to do something they don't want to do.
 6. Inmates should not give mixed messages to other inmates regarding sexual activity.
 7. Inmates should be in lit areas in the POD and where an officer can observe them.
 8. Inmates should choose associates wisely. Inmates should look for people who are involved in positive activities like educational programs and religious services. Inmates should get involved in activities also.
 9. Inmates are not allowed to enter another inmate's cell.
 10. Inmates should feel comfortable discussing their fears and concerns with staff when dealing with sexual abuse/assault.
- V. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Subject: Supervisor Rounds

8.28

Effective: 11/09/04

Revised: 7/20/13

Applicable Standards: ACA 4-ALDF-2A-06, 12

PREA 115.13; 115.113; 115.213

- I. Purpose: To establish a system to document supervisory visits are made to the inmate living and activity area within the detention facilities.
- II. Policy: The facility supervisors will conduct patrols of the facilities to encourage informal contact with staff and inmates, and to inspect the facility for safety, security and sanitation.
- III. Procedures:
 - A. Facility Administrator: The facility administrator or designee will conduct weekly visits to the living and activity areas of the facility.
 - B. Shift Captains: Captains will conduct daily visits to the inmate living and activity areas of the facility.
 - C. Shift Sergeants:
 - 1. Sergeants will conduct a minimum of two visits each day (including holidays and weekends) of all areas occupied by inmates.
 - 2. Unoccupied areas will be inspected weekly.
 - 3. A written report of observations will be submitted to the Shift Captain on a daily basis.
- IV. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

Applicable Standards: ACA 4-ALDF 5C-20 and 7F-04-06

PREA 115.32; 115.132; 115.232

- I. Purpose: To describe the programs that will utilize volunteers and other non-paid staff resources for the benefit of staff and offenders.
- II. Policy: The Sheriff's Office will make available volunteer and other non-paid staff resources for the benefit of staff and offenders.
- III. Definitions:
- A. Volunteer: Any person who offers to assist or work without the expectation of financial compensation.
- IV. Procedures:
- A. Coordination:
1. Personnel Officer: The Sheriff's designated person responsible for overseeing the screening, selection and identification of all volunteers.
 2. Program Services: The Sheriff's Office Director of Inmate Programs will be responsible for recruitment, orientation, training and supervision of all program volunteer activities.
 3. Religious Services: The Sheriff's Office Chaplain, in cooperation with the facility administrator and/or designee, will be responsible for recruitment, orientation, planning, directing and supervising all aspects of the religious program, including approval and training of both lay and clergy volunteers from faiths represented in the inmate population. All aspects that are needed to be addressed are decided at the Executive Staff meetings. These meetings are held twice a month.
- B. Eligibility:
1. Any person of good character, who is at least eighteen years of age and appears to have demonstrated the level of responsibility for interacting in a detention environment, is eligible to become a volunteer.
 2. Prior offenders may be accepted as volunteers. This is subject to the discretion of the Sheriff's Office. The following restrictions will absolutely

exclude all prior offenders who initiate a volunteer application.

- a. No felony convictions in the past five years.
- b. No Class I or II misdemeanor convictions in the past two years.

C. Recruitment:

1. Recruiting efforts will include civic and religious organizations, appropriate educational institutions, public agencies and private citizens.
2. The Sheriff's Office will ensure that all volunteers are selected on a non-discriminatory basis, and will emphasize cultural and socio-economic diversity in the selection process.

D. Application and Processing:

1. All volunteers will complete an applicant information packet.
2. The personnel officer will conduct a background investigation on the applicant, which includes;
 - a. Local criminal history
 - b. DCI record check
 - c. Interviews with personal references and other persons who may provide relevant information concerning the applicant.
3. Each volunteer will be issued a Sheriff's Office identification card with their level of access that will include the following information;

Level 1 Access – Red ID (Professionals and Clergy)

- a. Name of the volunteer
- b. Photograph
- c. Expiration date
- d. Level of access

Level 2 Access – Yellow ID (Volunteers and Providers)

- a. Name of the volunteer
- b. Photograph
- c. Expiration date
- d. Level of access
- e. Organization
- f. Time
- g. POD
- h. Classroom

i. Facility

Level 3 Access - Green ID with slider access (Chaplain Aides and Contractors)

- a. Name
- b. Photograph
- c. Expiration date
- d. Level of access

4. Volunteers and program practitioners performing professional services will be required to provide proof of their credentials. Copies will be maintained by the personnel officer.
5. Volunteer personnel files will be maintained by the MCSO Human Resource Department and the Program Volunteer Coordinator.
6. The Program Volunteer Coordinator will maintain a list of all approved volunteers, community partners, contractors, and clergies.
7. This master list will be provided to the facility's front lobby officers and updated as needed.

E. Orientation:

1. Volunteers are required to attend facility orientation training conducted by designated MCSO staff and the Program Volunteer Coordinator.
2. The Programs' Volunteer Coordinator will notify all volunteers of all upcoming volunteer training.
3. The orientation will include the following classes:
 - a. Fundamentals of Working in the Jail; which must be taken first
 - b. Facilities Site Training
4. Each volunteer must agree in writing to abide by facility procedures as outlined in the manual, *Department of Inmates Programs: Fundamentals of Working in the Jail*.
5. Documentation of orientation classes and the signed agreement to abide by the manual, *Department of Inmates Programs: Fundamentals of Working in the Jail*, will be maintained in each volunteer's file by the Programs' Volunteer Coordinator.

F. Duties of Volunteers:

1. Volunteers can assist in meeting the needs of the facility and the inmates by providing services.
2. The services of the volunteers may supplement, but never replace the services

of employees.

3. A schedule of religious programs utilizing volunteers will be made available to all inmates and posted in appropriate areas of the detention facilities.
4. Volunteers are encouraged to make suggestions to the Program Coordinator and/or Chaplain regarding the establishment of policy and procedure for the volunteer service program.
5. Volunteers are required to sign in and out at the front lobby desk at each facility.
6. Volunteers and any materials in their possession are subject to search.

G. Recertification

1. The MCSO volunteer identification card expires after two years.
2. Volunteers must complete the entire application process to be recertified.
3. Volunteers should contact the Programs' Volunteer Coordinator one month prior to the expiration date to receive an application for recertification.
4. Upon completion of the application, the volunteer should return it to the Programs' Volunteer Coordinator.
5. Once the application has been accepted, the volunteer will be notified through email or a letter then a date for facility training will be set.
6. Finally, after completing facility training the volunteer will receive a new volunteer identification card.

H. Termination:

1. Volunteers may be removed from the program or prohibited from entering the facilities pending an investigation. In such cases, the volunteer will be advised of the reason for the action. The reasons may include, but are not limited to the following:
 - a. Breach of confidentiality
 - b. Unlawful conduct or contact with an inmate or an inmate's family or associates.
 - c. Unlawful conduct or violation of Sheriff's Office rules.
 - d. Inability to cooperate with staff.
 - e. Erratic or unreliable attendance.
 - f. Any activity that threatens the facility's order, security or safety of an inmate, staff member or volunteer.
 - g. Any arrest or indictment on criminal charges.
 - h. Abuse of volunteer credentials i.e. using clergy credentials to visit a family member
2. In the event a volunteer is removed from the program:

- a. The appropriate notations will be made in the volunteer's file.
- b. The volunteer will be removed from the approved list.
- c. Jail Administration and MCSO Human Resources must be notified
- d. Front Lobby Personnel must be notified

3. Volunteers must surrender their Sheriff's Office identification card at any time upon the request of the Program Coordinator, Chaplain or Sheriff's Office supervisor.

V. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Director.

DRAFT

Applicable Standards: ACA 4-ALDF-6B-01, 6C-18
PREA 115.51, 115.151, 115.251

- I. Purpose: To establish a systematic procedure for resolving inmate grievances for alleged violation of policy, Civil, Constitutional/statutory rights; an alleged criminal or prohibited act by a staff member; or to resolve a condition existing within the Jail that creates an unsafe or unsanitary living conditions; or to appeal a decision other than that of the Disciplinary Hearing Committee.
- II. Policy: The Division will provide inmates with an internal grievance procedure for resolving complaints arising from facility matters.
- III. Definitions:
 - A. Grievance: A complaint or protest against treatment or conditions within the facility.
 - B. Grievance Form: A multi-part form made available to inmates for the purpose of expressing grievances.
 - C. Request: To request information or services from programs, notary, library etc.
 - D. Request form: A form made available to inmates for the purpose of gaining information or receiving approval for services or to appeal a decision of the Disciplinary Hearing Committee.
- IV. Procedures:
 - A. Filing a Grievance:
 - 1. An inmate may voice an informal grievance to the Pod Supervisor. When presented with an informal grievance. The Pod Supervisor will determine the nature of the complaint, attempt to resolve the problem, ensure all Grievances are legitimate before sending to the Shift Sergeant, and ensure inmates are using the appropriate form.
 - 2. If the Pod Supervisor is unable to resolve the problem the inmate will be issued an Inmate Grievance form to make a formal complaint. Inmates will not be denied access to the grievance procedure.
 - 3. After the inmate has completed their statement, the inmate will be responsible for giving the grievance form to the Pod Supervisor.
 - 4. Pod Supervisors will make sure the proper information is completed on grievance forms, such as:
 - a. Inmate name and PID number
 - b. Date
 - c. Housing Assignment

- d. Inmate Date of Birth
 - e. Inmate signature
 - f. Routing information
5. Pod Supervisors will turn in all Grievances to the Floor Sergeant by 1600 hours. The Floor Sergeant will ensure the grievance is written on the correct form. The Floor Sergeant will review and sign all Grievances for completeness and legitimacy before they are given to the Grievance Coordinator. The Floor Sergeant will answer all grievances that pertain to their area and place answered grievances, as well as all other Grievances in the Grievance Coordinator's box. For Jail Central, place grievances on the 3rd Floor answered grievance box. The Administrative staff at Central will place all grievances in the Grievance Coordinator box.
 6. **Emergency grievances** are those involving an immediate threat to the welfare or safety of inmates and staff. Emergency grievances will be immediately given to the Sergeant for disposition. If he/she is unable to answer it, then it will be forwarded to the Shift/Zone Commander or the appropriate facility area.
 7. The Grievance Coordinator will log all grievances on the Grievance Log and place the log number on the form. The grievances will be forwarded to the appropriate personnel. The Grievance Coordinator will keep the yellow copy and send the Pink and Gold copy to the appropriate personnel for an answer. Once the grievance is answered the pink copy will be sent to the inmate and the Gold copy will be sent to the Grievance Coordinator for processing. The Grievance Coordinator will file the yellow and gold copy once the grievances have been answered.
 8. Responses to grievances will be tracked. A due date will be placed on each unanswered grievance. All grievances will be answered within ten days (10), excluding weekends and holidays.
 9. All written responses will be legible. The response given to the inmate must address the complaint in a professional manner. In instances where an inquiry/investigation was conducted, on the Gold copy write **Corrective Action initiated**. In addition, steps providing corrective actions should be adhered to in order to resolve the complaint in a timely manner. These steps include:
 - a) Complete a memo describing the findings
 - b) Interview the inmate that is making the complaint and document his/her statement.
 - c) Interview the alleged person to whom the complaint is about and document his/her statement.
 - d) Briefly provide a conclusion.
 - e) The completed Memo and a copy of the Grievance form will be forwarded to the Facility Administrator for review.
 10. Place a check, by the appropriate box if the grievance is sustained.
 11. The Grievance Log will be forwarded to the Facility Administrator or designee for review on a weekly basis, to determine if any policy changes or operational procedures need to change to improve the operation of the facility.
 12. The Grievances will be identified on the Grievance Log according to sample

categories below to describe the complaint:

Complaints against staff (Use of Force, conduct, discrimination)

Community communications- mail, visits, phone

Disciplinary matters (in pod discipline and segregation)

Institutional operations, food, clothing, sanitation, and personal property, records, recreation yard schedule

Complaints against other inmates (protect from harm, threaten and sexual harassment)

Medical (access to sick call or medical care and quality of service the inmate is receiving)

Legal (mail, access to court, attorney phone calls)

13. On a monthly basis the Grievance Coordinator will be required to send ACA staff statistical data pertaining to the appropriate grievances for Outcome Measures.

B. Appeal Process other than Disciplinary Hearing appeals:

1. The inmate will be allowed to have one level of appeal. The inmate will complete another grievance referencing the original grievance by the Grievance Log number within seventy-two (72) hours, excluding weekends and holidays.
2. The appeal grievance will be forwarded to the proper authority for final resolution.
3. For **disciplinary appeals**, the inmate will have twenty-four (24) hours to file an appeal concerning the outcome of the disciplinary hearing on a Request Form. The facility commander or designee will respond to the disciplinary appeal within fifteen (15) working days.

C. Grievance Coordinator will be responsible for filing all grievances.

D. The inmate should also be provided with a copy of their grievance form once it is completed and answered.

E. No staff member may retaliate against an inmate for filing a grievance.

F. The use of profane language on grievance forms will subject the writer to disciplinary action.

G. An inmate's intentional misuse of the inmate grievance procedure or by continually submitting grievances for matters already addressed by staff will be subject to disciplinary action.

H. If an illiterate inmate wishes to file a written Grievance or Request form, the Pod Supervisor will assist the inmate in completing the appropriate form.

I. Inmates who have pending grievances at the time of release lose all standing with respect to any further internal administrative remedy of the matter under consideration, unless facility commander deems it necessary to continue the investigation.

V. **Inmate Request Forms**

1. To be completed when making a request of facility staff.
2. Once the officer has verified receipt with his/her signature both copies should remain intact and be submitted for a response.
3. After the response is given, **the white copy will be returned to the inmate. The yellow copy will be filed in the appropriate area.**

- VI. This policy and procedure will remain in effect until amended or repealed by the Sheriff, Chief Deputy or Detention Commander.

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MECKLENBURG COUNTY SHERIFF'S OFFICE

Classification Division



Revised: 07/29/2013

CR 4.14 Attachment #1

Sexual Predator / Vulnerability PREA Screening Checklist

Inmate Last Name:		First Name:	
PID#:	JID#:	Staff Name:	
Reason for Screening?	New Admission: <input type="checkbox"/>	Regular Review: <input type="checkbox"/>	Special Referral: <input type="checkbox"/>

Possible Victim Factors		Yes	No	Source
1.	Former victim of prison rape or sexual assault within the past ten years			
2.	Youthful age (under 21)			
3.	Elderly (56 or older)			
4.	Small physical stature (Males only) (5'6" or less and/or 140 lbs or less)			
5.	Developmental disability / mental health history			
6.	First time being incarcerated			
7.	Homosexual/bi-sexual/overtly effeminate			
8.	History of any sexual abuse within the past ten years			
9.	History of correctional facility consensual sex within the past ten years			
10.	Placement in protective custody within the past ten years			

Sexually Vulnerable Designation Process:			
If "yes" to item #1, enter inmate as a "Known Victim" code			
If "yes" to three or more items other than item #1, enter inmate as a "Potential Victim"			
Otherwise designate inmate as a "Non-Victim"			
Scored Designation:	Known Victim:	Potential Victim:	Non-Victim:
Victim Override: <input type="checkbox"/> No <input type="checkbox"/> Yes (Potential Victim to Non-victim)	<input type="checkbox"/> Yes (Non-Victim to Potential Victim)		
(Cannot override a known victim, ONLY a potential Victim)			
Reason for override?			

Possible Predator Factors		Yes	No	Source
1.	Institutional predatory sexual behavior within the past 10 years			
2.	Current or prior convictions for rape, child abuse or neglect within the past ten years			
3.	Sexual abuse or sexual assault toward others or domestic violence within the past ten years (circle behaviors noted)			
4.	Current gang affiliation			
5.	Institutional Strong-arming / assaults within the past 10 years			
6.	Institutional consensual sex within the past ten years			
7.	Institutional sexual taunting toward staff or offenders within the past 10 years			
8.	Overtly masculine (Females Only)			

Sexually Predatory Designation Process:			
If "yes" to item #1, enter inmate as a "Known Predator" code			
If "yes" to three or more items other than item #1, enter inmate as a "Potential Predator"			
Otherwise designate inmate as a "Non-Predator"			
Scored Designation	Known Predator: <input type="checkbox"/>	Potential Predator: <input type="checkbox"/>	Non-Predator: <input type="checkbox"/>
Predator Override: <input type="checkbox"/> No <input type="checkbox"/> Yes (Potential Predator to Non-Predator)	<input type="checkbox"/> Yes (Non-Predator to Potential Predator)		
(Cannot override a Known Predator, ONLY a Potential Predator)			
Reason for Override?			

VICTIM ASSISTANCE

Local

Lesbian and Gay Community Center of Charlotte

P.O. Box 33535

Charlotte, NC 28233

Office: (704) 333-0144

Hours: Tuesday-Thursday, 5-8pm and Saturday, 10am-2pm EST

Safe Alliance

Victim Assistance/Rape Crisis

601 E. Fifth Street, Suite 400

Charlotte, NC 28202

Administrative Line: (704) 332-9034

Crisis Line(s): (704) 375-9900

Website: www.safeallianceservices.org

State

North Carolina Coalition against Sexual Assault

811 Spring Forest Road, Suite 900

Raleigh, NC 27609

Telephone: 919-871-1015

E-mail: infor@nccasa.org

National

National and Local Rape Crisis Services

Rape, Abuse, and Incest

National Network (RAINN)

RAINN can be reached toll-free 24 hours

(800)656-HOPE (4673) www.rainn.org

National Organization for Victim Assistance

510 King Street, Suite 424

Alexandria, VA 22314

800-879-6682 (800-TRY-NOVA) or 703-535-6682

9am-5pm Eastern Time, Monday-Friday