

SUBCHAPTER 14J – JAILS, LOCAL CONFINEMENT FACILITIES

SECTION .0100 - DEFINITIONS AND APPLICABILITY FOR JAILS

10A NCAC 14J .0101 DEFINITIONS

In addition to the definitions of G.S. 153A-217, the following definitions shall apply throughout Sections .0100 through .1300 of this Subchapter:

- (1) "Addition" means an extension or increase in floor area or height of a building or structure.
- (2) "Alteration" means any change or modification in construction or use.
- (3) "Booking area" means an area where a person is admitted to a jail and procedures such as searching, fingerprinting, photographing, health screening, and collecting personal history data occur.
- (4) "Cell" means any confinement unit, except a dormitory.
- (5) "Cellblock" means a separate and identifiable grouping of cells.
- (6) "Communicable disease or condition" means an illness or condition as defined in G.S. 130A-2.
- (7) "Control center" means a room where jail personnel control the safety and security functions of the jail through the monitoring and operation of equipment that includes the communication systems, security systems, electronic surveillance systems, fire alarm system, and electronic door locking systems.
- (8) "Confinement unit" means a single segregation cell, a single cell, a multiple occupancy cell, or a dormitory, but shall not include a padded cell.
- (9) "Construction Section" means the Construction Section of the Division of Health Service Regulation.
- (10) "Contraband" means any item that a person is not authorized to possess in the jail because it is a violation of G.S. 14-258.1 and G.S. 14-258.2 or it is not allowed by the sheriff or regional jail administrator.
- (11) "Dayroom" means an area accessible to a single cell or a multiple occupancy cell with access from the cell and space for activities such as dining, showers, physical exercise, and recreation.
- (12) "Department" means as defined in G.S. 153A-217.
- (13) "Direct two-way voice communication" means the monitoring of inmate activity by an officer who is located within a cellblock, dayroom, or dormitory and who has oral communications with inmates without the use of a remote two-way voice communication system.
- (14) "Direct visual observation" means the monitoring of inmate activity by an officer who has a direct visual view of the inmates without the use of video surveillance. A jail shall locate an officer either within the cellblock, dayroom, and dormitory or outside of the cellblock, dayroom, and dormitory separated by barriers with view panels. If the officer is separated by barriers from the cell block, dayroom, or dormitory, the view panels in the barriers shall be sized and located to provide the officer with a view into the interior of the cells. The front of these cells shall have bars or doors with view panels.
- (15) "Disaster plan" means an individual jail's plan with written policies and procedures that states what, how, and when actions shall be taken by a jail to maintain the security, welfare, and safety of inmates, staff, officers, and the public before and after the occurrence of an emergency event at the jail. This plan is created and written by the sheriff, regional jail administrator, or their designees.
- (16) "District confinement facility" means a building operated by two or more units of local government for the confinement of inmates as provided in G.S. 153A-219.
- (17) "Division" means the Division of Health Service Regulation of the North Carolina Department of Health and Human Services.
- (18) "Dormitory" means an area designed to house inmates that combines dayroom space with sleeping space.
- (19) "Emergency event" means an event caused by the occurrence of an emergency as defined by G.S. 166A-19.3(6) or the loss of a jail's utility service that includes electricity, water, gas, or communications.
- (20) "Emergency medical need" means a medical condition that requires medical treatment as soon as noticed and that may not be deferred until the next scheduled sick call or clinic.

- (21) "Fire evacuation training" means instructing officers and jail staff in procedures related to the evacuation or relocation of building occupants when there is a fire in the jail. The instruction shall simulate an actual fire and a rehearsal of actions needed by officers and jail staff for the evacuation or relocation of building occupants but may not require the actual relocation of inmates within the jail or to the outdoors. The local fire marshal and the sheriff or regional jail administrator shall determine whether the rehearsal shall include the actual relocation of inmates within the jail or to the outdoors.
- (22) "Footcandle" means the amount of light thrown on a surface one foot away from the light source. It is a unit for measuring the intensity of illumination.
- (23) "Flushing rim floor drain" means a plumbing fixture that uses water activated by a flushometer valve to flush sanitary waste from the fixture to a sanitary drainage system. It shall be mounted flush to the floor.
- (24) "Glazing" means any infill material in a window or view panel that includes transparent or translucent glass, polycarbonate, or a combination of glass and polycarbonate.
- (25) "Governing body" means as defined in G.S. 153A-217.
- (26) "Holding area" means a place where inmates are held while awaiting processing, booking, court appearance, discharge, or transfer to a confinement unit.
- (27) "Holdover facility" means a facility as defined in G.S. 7B-1501.
- (28) "Inmate" means any person, whether pretrial, unsentenced, or sentenced, who is confined in a jail, a district confinement facility, or a county satellite jail/work release unit.
- (29) "Inmate processing area" means a location in a jail where the booking area and release functions for persons committed to the jail are performed.
- (30) "Interlocking security feature" means an electronic locking interface between two or more doors in a security vestibule that unlocks and opens one door while at the same time locking the other doors.
- (31) "Jail" means a building or part of a building operated by a county or group of counties for the confinement of inmates that includes county jails and district confinement facilities. It shall not include a county satellite jail/work release unit governed by Part 3 of Article 10 of Chapter 153A of the General Statutes.
- (32) "Means of egress" means an unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to the outside of the building.
- (33) "Medical personnel" means persons who provide medical care to inmates. Medical personnel shall include a physician, Registered Nurse, and Licensed Practical Nurse.
- (34) "Medical record" means a record of medical problems, examinations, diagnoses, and treatments.
- (35) "Mental health personnel" means persons who provide mental health services to inmates. Mental health personnel shall include a psychiatrist, psychologist, Registered Nurse, and social worker.
- (36) "Multiple occupancy cell" means a cell designed to house more than one inmate.
- (37) "Officer" means a person, whether sworn or unsworn, who is involved in the supervision, control, or custody of inmates.
- (38) "Operations manual" means a set of written policies and procedures for the operation of a jail in compliance with the standards set forth in Sections .0100 through .1100 and Section .1300 of this Subchapter.
- (39) "Program area" means a common area or room of a jail used by inmates, officers, or visitors for religious, education, training, or recreation activities.
- (40) "Program services" means activities provided to inmates by the jail that includes jail orientation, academic and vocational training, problem solving and recreational skills, and life skills in parenting and maintaining employment after release from jail.
- (41) "Regional jail administrator" means a person who manages a local district confinement facility on behalf of two or more units of local government as provided in G.S. 153A-219.
- (42) "Remote two-way voice communication" means the monitoring of inmate activity with a two-way voice intercom system installed between a confinement unit and a 24-hour officer staffed location away from the confinement unit.
- (43) "Repair" means reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

- (44) "Routine care" means medical care that includes physical examinations, health screenings, diagnostic testing, and treatment for an illness, a medical condition, or a mental health condition that is not an emergency medical need.
- (45) "Sally port" means an enclosed entry and exit area used either for vehicular or pedestrian traffic with gates or doors at both ends, only one of which opens at a time.
- (46) "Satellite jail/work release unit" means a unit as defined in G.S. 153A-230.1.
- (47) "Screenings of inmates" means a procedure for each newly-admitted inmate that combines visual observation with an interview to obtain information about the inmate prior to the inmate's placement in the general population of the jail. The procedure is set forth in Rule .1002 of this Subchapter.
- (48) "Secretary" means as defined in G.S. 153A-217.
- (49) "Security perimeter" means the outer portion of a jail that provides for the confinement of inmates and that prevents the entry of persons not authorized by the sheriff or regional jail administrator.
- (50) "Security-type" means a designation by a manufacturer that indicates the product is designed to withstand damage and destruction by inmates.
- (51) "Security vestibule" means a space that provides security by using two or more doors, with each door able to operate independently, and that permits an officer to observe those who pass through the space.
- (52) "Single cell" means a cell designed to house one inmate.
- (53) "Single segregation cell" means a cell designed to house one inmate who has been removed from the general inmate population for administrative segregation, disciplinary segregation, or protective custody.
- (54) "Special inmates" means an inmate that includes a geriatric inmate, an inmate with a mental health disorder, developmental disability, intellectual disability, or substance use disorder, and an inmate with a physical disability.
- (55) "Special watch rounds" means an in-person check of an inmate by an officer at time intervals set forth in Rule .0601(c) of this Subchapter.
- (56) "Supervision rounds" means an in-person check of inmates by an officer entering and walking through a cellblock, dayroom, or dormitory. For a cellblock or dayroom, the officer shall walk past and view into each cell and observe the inmate within the cell. If during the supervision rounds inmates are located in the dayroom and not in their cells, the officer shall observe each of the inmates located in the dayroom. For a dormitory, the officer shall walk through the dormitory and observe each inmate. An officer shall conduct the in-person check at time intervals specified in Rule .0601(a) of this Subchapter.
- (57) "Tamper-resistant" means a designation by a manufacturer that indicates the product is designed to withstand dismantling of the product, removal of the product, or interference with the operation of the product by inmates.
- (58) "Total design capacity" means the maximum number of inmates that can be housed in the confinement units of the jail based on the standards contained in Rule .0103 of this Section and Section .1200 of this Subchapter.
- (59) "Unit of local government" means as defined in G.S. 153A-217.
- (60) "Video surveillance" means the monitoring of inmate activity by a video camera installed in a cell block, dayroom, or dormitory with views of the confinement units. An officer in a location remote from the cell block, dayroom, or dormitory shall observe a live video image created by the video camera on a television monitor or computer monitor.
- (61) "View panel" means a transparent panel.
- (62) "Visitation area" means an area where inmates are permitted to receive visitors according to the jail's policies and procedures that govern visitation.
- (63) "Work release" means the release of a convicted inmate for employment in the community and the return to custody of the convicted inmate during nonworking hours.

*History Note: Authority G.S. 153A-217; 153A-221;
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