

SECTION .1700 - MUNICIPAL LOCKUPS

10A NCAC 14J .1701 DEFINITIONS

The following definitions shall apply in 10A NCAC 14J .1700:

- (1) "Addition" is an extension or increase in floor area or height of a building or structure.
- (2) "Alteration" is any change or modification in construction or use.
- (3) "Booking area" is a secure 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) "Section" is the Jail and Detention Section of the Division of Health Service Regulation, Department of Health and Human Services.
- (5) "Cell" is any confinement unit.
- (6) "Cellblock" is a separate and identifiable grouping of cells.
- (7) "Communicable disease or condition" is an illness or condition as defined in G.S. 130A-133 which is hereby adopted by reference pursuant to G.S. 150B-14(c).
- (8) "Confinement unit" is a single segregation cell, a single cell, a multiple occupancy cell or a dormitory.
- (9) "Contraband" is any item that a person is not authorized to possess in the lockup because it is a violation of law or a violation of rules.
- (10) "Department", unless otherwise specified, is the North Carolina Department of Health and Human Services.
- (11) "Division", unless otherwise specified, is the Division of Health Service Regulation of the North Carolina Department of Health and Human Services.
- (12) "Emergency medical problem" is a serious medical need, including severe bleeding, unconsciousness, serious breathing difficulties, head injury, severe pain, suicidal behavior or severe burns, that requires immediate medical attention and that cannot be deferred until the next scheduled sick call or clinic.
- (13) "Footcandle" is 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.
- (14) "Governing body" refers to the governing body of a municipal government.
- (15) "Health screening" is a procedure for each newly-admitted inmate that combines visual observation with an interview to obtain relevant information about the inmate's physical and mental health.
- (16) "Inmate" is any person, whether pretrial, unsentenced, or sentenced, who is confined in a lockup.
- (17) "Inmate processing area" is a secure area through which inmates enter and exit, and it may be combined with the booking area.
- (18) "Institutional-Restrained" is a Building Code occupancy classification used for buildings in which persons are restrained under lock and key or other security measures which render them incapable of self-preservation due to the security measures not being under their direct control.
- (19) "Medical record" is a record of medical problems, examinations, diagnoses and treatments.
- (20) "Multiple occupancy cell" is a cell designed to house up to four inmates.
- (21) "Municipal lockup" is a facility designated for the confinement of persons for periods not to exceed 24 hours, pending release or transfer to the county jail. The facility is authorized, maintained, and administered by municipal officials.
- (22) "Officer" is a person, whether sworn or unsworn, who is involved in the supervision, control, or custody of inmates.
- (23) "Operations manual" is a set of written policies and procedures for the operation of a lockup in compliance with state and federal law and the minimum standards for the operation of municipal lockups.
- (24) "Qualified medical personnel" are persons who provide medical services to inmates and who are licensed, certified, registered, or approved, in accordance with state law. It includes persons who provide limited medical services under supervision as permitted by law.
- (25) "Registered dietitian" is a specialist in the field of nutrition, dietetics and food system management who maintains current registration with the Commission on Dietetic Registration of the American Dietetic Association.

- (26) "Repair" is reconstruction or renewal of any part of an existing building for the purpose of its maintenance.
- (27) "Residential" is a Building Code occupancy classification used for buildings which provide sleeping accommodations for the occupants and in which the egress doors are unlocked at all times thereby providing free movement to the building exterior from occupied areas.
- (28) "Sally port" is 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.
- (29) "Secretary", unless otherwise specified, is the Secretary of Department of Health and Human Services.
- (30) "Security perimeter" is the outer portion of a lockup that provides for the secure confinement of inmates and that prevents the entry of unauthorized persons or contraband.
- (31) "Security vestibule" is a defined 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.
- (32) "Single cell" is a cell designed to house one inmate.
- (33) "Tamper resistant" means designed to prevent damage, destruction or interference by inmates.
- (34) "View panel" is a transparent panel.

*History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 5, 2016.*