

#### **10A NCAC 28C .0308 SEARCH OF UNIT/WARD**

(a) The entire unit, ward or parts of the unit, ward and building may be searched by state facility employees if there is good, substantial and reliable cause to believe that a threatening situation exists that may be dangerous to the client or state facility employee. At the forensic unit at Dorothea Dix Hospital, routine searches may be conducted periodically in accordance with the provisions of Paragraphs (b) through (f) of this Rule.

(b) The appropriate unit or ward director or designated supervisory staff on duty shall give written authorization (based on facts of justification and what they expect to find from the search) for a search to be conducted. Written authorization will include scope of search.

(c) Clients affected by a proposed search shall be notified at the time of search and shall be given the opportunity to be present during the search of the immediate area, unless this is not practical due to the dangerousness of the situation or because the client is not on the state facility premises. Individual locked storage spaces shall only be searched when the client is present unless there is an immediate danger of personal injury. Clients not present when a search is conducted shall be informed that a search took place when they return to their unit or ward.

(d) The search must be conducted by no less than two state facility employees. Reasonable efforts shall be made to notify an internal client advocate prior to the search unless there exists an imminent danger which does not permit time for such notification. In all cases, an internal client advocate shall be notified of the search.

(e) When confiscated items can be attributed to a particular client, written justification and authorization for the search shall be entered in an incident report filed with the State Facility Director's office. The search and findings shall be documented in the client record.

(f) An inventory of confiscated items shall be made and kept on file with a copy of the inventory given to the client or his legally responsible person if ownership is determined.

*History Note: Authority G.S. 122C-58; 122C-62; 131E-67; 143B-147;  
Eff. October 1, 1984;  
Amended Eff. April 1, 1990; July 1, 1989;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,  
2018.*