10A NCAC 14J.0101 DEFINITIONS

The following definitions shall apply in 10A NCAC 14J.0101 through .1300:

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 except a dormitory.
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 jail because it is a violation of law or a violation of rules.
10. "Dayroom" is an area accessible to a single cell or a multiple occupancy cell, with controlled access from the cell and to which inmates may be admitted for activities such as dining, showers, physical exercise and recreation.
11. "Department", unless otherwise specified, is the North Carolina Department of Health and Human Services.
12. "Division", unless otherwise specified, is the Division of Health Service Regulation of the North Carolina Department of Health and Human Services.
13. "Dormitory" is an area designed to house up to 40 inmates and that combines dayroom space with sleeping space.
14. "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.
15. "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.
16. "Governing body" refers to the governing body of a county or the policy-making body for a district confinement facility.
17. "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.
18. "Holding area" is a place where inmates are temporarily held while awaiting processing, booking, court appearance, discharge, or transfer to a regular confinement unit.
19. "Holdover facility" is a facility as defined in G.S. 7A-517(16) which is hereby adopted by reference pursuant to G.S. 150B-14(c).
20. "Inmate" is any person, whether pretrial, unsentenced, or sentenced, who is confined in a jail or a county satellite jail/work release unit.
21. "Inmate processing area" is a secure area through which inmates enter and exit, and it may be combined with the booking area.
22. "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.
23. "Jail" is a building or part of a building operated by a county or group of counties for the confinement of inmates, including county jails, district confinement facilities and jail annexes. 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.
"Jail annex" is a building or a designated portion of a building designed, staffed and used primarily to house inmates who do not present reasonably identifiable security risks.

"Medical record" is a record of medical problems, examinations, diagnoses and treatments.

"Multiple occupancy cell" is a cell designed to house up to four inmates.

"Officer" is a person, whether sworn or unsworn, who is involved in the supervision, control, or custody of inmates.

"Operations manual" is a set of written policies and procedures for the operation of a jail in compliance with state and federal law and the minimum standards for the operation of jails.

"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.

"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.

"Repair" is reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

"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.

"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.

"Satellite jail/work release unit" is a unit as defined in G.S. 153A-230.1.

"Secretary", unless otherwise specified, is the Secretary of the Department of Health and Human Services.

"Security perimeter" is the outer portion of a jail that provides for the secure confinement of inmates and that prevents the entry of unauthorized persons or contraband.

"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.

"Single cell" is a cell designed to house one inmate.

"Single segregation cell" is a cell designed to house one inmate who has been removed from the general inmate population for administrative segregation, disciplinary segregation, or protective custody.

"Tamper resistant" means designed to prevent damage, destruction or interference by inmates.

"View panel" is a transparent panel.

"Visitation area" is a designated area where inmates are permitted to receive visitors according to the policies and procedures that govern visitation.

"Work release" refers to the release of a convicted inmate for employment in the community, returning to custody during nonworking hours.

**History Note:**  
Authority G.S. 153A-221; Eff. June 1, 1990.

### 10A NCAC 14J .0102 APPLICABILITY - OPERATIONS AND ENFORCEMENT

The operations and enforcement standards established in Section .0100 through .1100 and Section .1300 shall apply to all jails.

**History Note:**  
Authority G.S. 153A-221; Eff. June 1, 1990.

### 10A NCAC 14J .0103 APPLICABILITY - CONSTRUCTION

(a) North Carolina State Building Code - Jails must meet the requirements of the North Carolina State Building Code in effect at the time of construction, additions, alterations or repairs.

(b) New Jails - The construction standards established in Section .1200 shall apply to all jail construction for which the final working drawings are approved by the Section after the effective date of this Rule.

(c) Existing Jails - Existing jails shall continue to be governed by the existing construction standards which are now in Section .1500, and the same standards shall apply to new jails which have had final working drawings approved.
by the Section prior to the effective date of this Rule. Existing jails or new jails which have had final working
drawings approved by the Section prior to the effective date of this Rule may choose to comply with any of the new
construction standards in Section .1200 as a substitute for existing standards on the same subject in Section .3700.
(d) Additions - The construction standards established in Section .1200 shall apply to any construction that adds
square footage to the building and for which the final working drawings are approved after the effective date of this
Rule.
(e) Alterations or Repairs - When alterations or repairs are made to an existing jail building which affect its
structural strength, exits, fire hazards, electrical systems, mechanical systems, or sanitary conditions, such alterations
or repairs shall comply with the standards for new construction established in Section .1200. Unaltered portions of
the building shall only be required to comply with the new construction standards indicated in Section .1200 under
the circumstances specified in Paragraphs (f)-(h) of this Rule.
(f) Extensive Annual Alterations or Repairs - If, within any 12 month period, alterations or repairs costing in excess
of 50 percent of the then physical value of the building are made to an existing jail, the entire jail shall conform to
the construction standards for new jails established in Section .1200.
(g) Reconstruction After Damage - If an existing jail is damaged by fire or otherwise in excess of 50 percent of the
then physical value of the building at the time of damage, the jail shall be reconstructed in conformance with the
construction standards for new jails established in Section .1200.
(h) Physical Value - For the purpose of this Rule, the physical value of the jail building shall be determined by the
local building inspection department.

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

SECTION .0200 - OPERATIONS MANUAL FOR JAILS

10A NCAC 14J .0201   REQUIREMENT FOR OPERATIONS MANUAL
Effective January 1, 1992, the sheriff or the administrator of a regional jail shall develop an operations manual that
meets the requirements of this Section.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .0202   PURPOSE OF OPERATIONS MANUAL
The purpose of the operations manual is to ensure the smooth and efficient operation of the jail, and therefore it shall
be detailed enough to guide officers in completing their assigned duties. The operations manual shall be available to
all officers, and each officer shall be familiar with the manual.

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.

10A NCAC 14J .0203   CONTENTS OF OPERATIONS MANUAL
(a) The operations manual shall include written policies and procedures that address the following areas:
   (1) administration and management;
   (2) admissions, transportation and release;
   (3) classification;
   (4) security and supervision;
   (5) inmate rules and discipline;
   (6) management of special inmates;
   (7) legal rights of inmates;
   (8) health, mental health, mental retardation and substance abuse services;
   (9) food services;
   (10) program services;
   (11) work release;
opportunities for exercise;  
access to legal assistance or legal materials;  
grievance procedures;  
visitation and mail policies;  
religious activities;  
sanitation;  
emergency plans.  

(b) The most recent editions of the following references are available as guides for developing policies and procedures:  
(1) Appalachian State University, Model Policies and Procedures Manual for North Carolina Jails;  
(2) American Correctional Association, Standards for Adult Local Detention Facilities;  
(3) American Correctional Association, Standards for Small Jails;  
(4) National Commission on Correctional Health Care, Standards for Health Services in Jails.  
These references shall be available for inspection or loan from the Section. Consultation and technical assistance shall be available from the Section. The Section can also provide information regarding outside agencies with additional resources for developing policies and procedures.  

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

10A NCAC 14J .0204  REVIEW OF MANUAL  
The operations manual shall be reviewed and updated at least once each year by the sheriff or the administrator of a regional jail.  

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

SECTION .0300 - CLASSIFICATION AND HOUSING  

10A NCAC 14J .0301  CLASSIFICATION SYSTEM  
Each jail shall have a written classification procedure for the placement and housing of inmates. Within the limitations imposed by the design and capacity of the jail, the procedure shall assign inmates to confinement units that best meet their individual needs and that reasonably protect the inmate, other inmates, the jail staff, and the public.  

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

10A NCAC 14J .0302  FEMALE INMATES  
Male and female inmates shall not be placed in the same confinement unit, dayroom or other living area and, in addition, female inmates shall be housed out of sight of male inmates.  

History Note:  
Authority G.S. 153A-221;  
Eff. June 1, 1990;  

10A NCAC 14J .0303  CONFINEMENT OF MALES UNDER 18 YEARS OF AGE  
Male inmates under 18 years of age shall be confined in separate cells from adult inmates during sleeping hours.  

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

10A NCAC 14J .0304  CONFINEMENT OF JUVENILES UNDER AGE 16  
Any juvenile under age 16 who is transferred to superior court for trial as an adult and who is ordered held in the jail pursuant to G.S. 7A-611 shall be confined in a holdover facility where the juvenile cannot converse with, see, or be seen by the adult inmates.
10A NCAC 14J .0305  DISCRIMINATION IN HOUSING ASSIGNMENTS
Housing assignments shall not be made on the basis of race, color, creed, national origin, or political belief.

10A NCAC 14J .0400 - FIRE SAFETY

SECTION .0401  EXITS
Each jail shall have readily accessible emergency exits in compliance with the North Carolina State Building Code in order to permit the prompt evacuation of inmates and staff during an emergency. Egress doors in jails which are classified as "Residential Occupancy" by the North Carolina State Building Code shall remain unlocked at all times thereby permitting free movement to the building exterior from occupied areas.

10A NCAC 14J .0402  FIRE EQUIPMENT
Each jail shall provide the following emergency fire equipment:
(1) fire extinguishers that meet all of the requirements in National Fire Protection Association pamphlet number 10 which is hereby incorporated by reference including subsequent amendments and editions of the referenced materials [a copy can be obtained from the National Fire Protection Association, 1 Battery March Park, Post Office Box 9101, Quincy, Massachusetts 02269-9959 at a cost of seventeen dollars and fifty cents ($17.50)]; and
(2) smoke detection equipment that meets the requirements of the North Carolina State Building Code.

10A NCAC 14J .0403  FIRE PLAN
(a) Each jail shall have a written plan for the evacuation and control of inmates in the event of a fire. The plan shall include at least quarterly fire drills, and records shall be made of the fire drills and retained. The actual movement of inmates to other areas or outside the building is not required.
(b) Evacuation routes shall be posted or otherwise clearly marked throughout the jail.
(c) The sheriff or the regional jail administrator shall request in writing that the local fire department or fire marshall inspect the jail and review the fire plan at least once each year.

10A NCAC 14J .0404  MATTRESSES
Mattresses shall be of fire resistive and nontoxic construction.
10A NCAC 14J .0405 KEYS
Each jail that is required to meet the "Institutional Occupancy - Restrainted" requirements of the North Carolina State Building Code shall have a key control system that includes the following elements:

(1) a key control center that is secure and inaccessible to unauthorized persons at all times;
(2) a set of duplicate keys to be stored in a safe place that is inaccessible to unauthorized persons at all times;
(3) an accounting procedure for issuing and returning keys; and
(4) a system of keys and matching locks that are color-coded and marked for identification by touch.

History Note: Authority G.S. 153A-221; Eff. June 1, 1990.

SECTION .0500 - SECURITY

10A NCAC 14J .0501 GENERAL SECURITY REQUIREMENTS
Each jail shall meet the following security requirements:

(1) provide for the secure confinement of inmates from the time of their passage through the security perimeter until release;
(2) provide for the locked storage of firearms before persons enter the security perimeter;
(3) prevent the passage of contraband;
(4) prevent unauthorized contact between inmates and persons from outside the jail;
(5) provide a ground-level perimeter exterior that is well lighted; and
(6) provide a communications link with outside agencies for use in emergencies.


SECTION .0600 - SUPERVISION

10A NCAC 14J .0601 SUPERVISION
(a) Officers shall make supervision rounds and directly observe each inmate in person at least twice per hour on an irregular basis. The supervision rounds shall be documented. If remote electronic monitoring is used to supplement supervision, it shall not be substituted for supervision rounds and direct visual observation.
(b) In addition to the supervision rounds required in Paragraphs (a) and (c) of this Rule, each jail shall utilize one or both of the following methods of supervision:

(1) Direct or remote two-way voice communication with all confinement units.
(2) Visual contact either through direct observation or by means of electronic surveillance with all confinement units.

(c) Officers shall directly observe, at least four times per hour, inmates who display the following behavior:

(1) physically hitting or trying to hit an officer; or
(2) being verbally abusive; or
(3) stating he will do harm to himself; or
(4) intoxicated, as determined by a score of .15 on a breathalyzer or displaying slurred speech or smelling of alcohol or inability to control body movement; or
(5) displaying erratic behavior such as screaming, crying, laughing uncontrollably, or refusing to talk at all.

In addition to displayed behavior, a previous record of a suicide attempt or a previous record of mental illness shall warrant observation at least four times per hour.
(d) Officers shall remain awake at all times.
(e) Officers shall not be assigned other duties that would interfere with the continuous supervision, custody or control of inmates.
(f) Female officers shall be on duty when female inmates are confined.
(g) The sheriff or the administrator of the regional jail shall develop a contingency plan for the supervision and control of inmates during an emergency, and that plan shall provide for the ready availability of extra personnel.

(h) Inmates shall not be allowed to supervise or assume any control over other inmates.

**History Note:** Authority G.S. 153A-221;
Eff. October 1, 1990;

### SECTION .0700 - SANITATION AND PERSONAL HYGIENE

#### 10A NCAC 14J .0701 SANITATION

Each jail shall comply with the North Carolina Commission for Public Health rules governing sanitation as codified in Title 15A Chapter 18A Section .1500 and which are hereby adopted by reference pursuant to G.S. 150B-14(c).

**History Note:** Authority G.S. 153A-221;
Eff. June 1, 1990;

#### 10A NCAC 14J .0702 MATTRESSES AND BEDDING

Mattresses, sheets, and blankets that are clean and in good repair shall be supplied to all inmates except those not housed overnight. Clean sheets shall be issued at least once a week. Mattresses shall meet the following requirements:

1. Mattresses shall comply with Commission for Public Health rules on sanitation, Title 15A Chapter 18B .0201 - .0215 and G.S. Chapter 130A-273 which are adopted by reference pursuant to G.S. 150B-14(c).
2. Mattresses shall not be less than four inches thick and shall be the same length and width as the jail bunks.
3. Mattresses shall not have any metal, plastic, or other rigid framing component.
4. Mattress ticking shall be durable and water repellent.

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

#### 10A NCAC 14J .0703 SHAVING

Each inmate detained over 24 hours shall be provided with individual shaving supplies, except when security considerations dictate otherwise, and inmates shall not be allowed to share razors.

**History Note:** Authority G.S. 153A-221;
Eff. June 1, 1990;

#### 10A NCAC 14J .0704 SHOWERS AND TOILETS

Inmates shall have access to showers a minimum of three times per week. Inmates on work release shall have daily access to showers. Bath towels and soap shall be provided. Inmates shall have unrestricted access to toilets while confined.

**History Note:** Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. March 1, 1992; December 1, 1991;

#### 10A NCAC 14J .0705 PERSONAL HYGIENE ITEMS

Every inmate detained over 24 hours shall be issued without charge the following items as appropriate:
(1) Toothbrush;
(2) Toothpaste or powder;
(3) Comb; and
(4) Feminine hygiene products.

After a newly admitted inmate has exhausted his or her initial supply of personal hygiene items, each jail shall make the listed items available either for purchase or without charge.

History Note:  Authority G.S. 153A-221;
Eff. June 1, 1990;

SECTION .0800 - COMMISSARY OR CANTEEN SERVICES

10A NCAC 14J .0801 AVAILABILITY OF SERVICES
Each jail shall make commissary or canteen items, including snacks and personal care products, available for purchase by inmates. The items shall be available either directly from officers or through contract vending. The price of these items shall be no higher than local retail prices. Snacks and personal care products do not have to be made available for purchase if they are provided without charge.

History Note:  Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. December 1, 1991;

SECTION .0900 - FOOD

10A NCAC 14J .0901 FOOD SERVICE
(a) In jails that purchase meals from an outside provider, a written contract shall require the provider to meet the applicable standards in this Section.
(b) Inmates who assist with the preparation or service of any meal shall be supervised at all times.

History Note:  Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .0902 MEAL SERVICE
(a) Each jail shall provide at least three meals for inmates, two of which must be hot, at regular times during each 24-hour period. There shall be not more than 14 hours between the evening meal and breakfast.
(b) Food shall be served to inmates on individual serving trays. Eating utensils, consistent with security considerations, and condiments shall be provided.
(c) While food is being transported, either from inside or outside the jail it shall be covered to prevent contamination. Food must be maintained at appropriate serving temperatures as specified in Commission for Public Health Rule 15 NCAC 18A .1522.
(d) Food shall never be used as a reward or punishment.
(e) Each jail shall keep a daily record of the number of meals served.

History Note:  Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. December 1, 1991;

10A NCAC 14J .0903 FOOD AND NUTRIENT REQUIREMENTS
(a) The average nutrient content of weekly menus shall meet the Recommended Dietary Allowances of the National Academy of Sciences which are hereby adopted by reference pursuant to G.S. 150B-14(c).

(b) Daily menus shall include the following:
   (1) Milk Group: Two servings;
   (2) Fruit Group: Two servings, one of which shall be citrus;
   (3) Vegetable Group: Three servings;
   (4) Meat or Protein Group: Two servings;
   (5) Cereal or Bread Group: Four servings of whole grain or enriched products; and
   (6) Calories: 2,100 - 2,500.

(c) For all pregnant women and inmates under age 18, the milk group shall include four servings per day.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .0904 MENUS
(a) Menus shall be prepared in consultation with a registered dietitian.
(b) Menus shall be written and portion sizes shall be specified.
(c) Menus shall be dated and posted one week in advance.
(d) Menus shall be served as written to inmates in the jail. Any necessary substitutions shall be of comparable nutritional value, and a written record of substitutions shall be kept.
(e) The same menu shall not be served at lunch and dinner on the same day.
(f) Dated menus and records of any substitutions shall be retained for three years.

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

10A NCAC 14J .0905 MODIFIED DIETS
(a) Modified diets shall be provided if prescribed by appropriate medical or dental personnel.
(b) Modified diets shall be provided when reasonably possible to accommodate the sincerely held religious beliefs of an inmate.
(c) Written menus for modified diets shall be prepared in consultation with a registered dietitian.
(d) Modified diets shall be served as written. Any necessary substitutions shall be of comparable nutritional value, and a written record of substitutions shall be kept. Dated menus of modified diets and records of any substitutions shall be retained for three years.
(e) Each jail shall maintain a current list of inmates requiring modified diets, and it shall be posted for use by staff.
(f) Each jail shall record the number of modified diets served at each meal, along with the name of each inmate and the type of modified diet that he or she received.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

SECTION .1000 - HEALTH CARE OF INMATES AND EXERCISE

10A NCAC 14J .1001 MEDICAL PLAN
(a) A written medical plan shall be developed in compliance with G.S. 153A-225 and it shall be available for ready reference by jail personnel. The medical plan shall include a description of the health services available to inmates.
(b) The written plan shall include policies and procedures that address the following areas:
   (1) Health screening of inmates upon admission;
   (2) Handling routine medical care;
   (3) The handling of inmates with chronic illnesses or known communicable diseases or conditions;
   (4) Administration, dispensing and control of prescription and non-prescription medications;
Handling emergency medical problems, including but not limited to emergencies involving dental care, chemical dependency, pregnancy and mental health;

Maintenance and confidentiality of medical records; and

Privacy during medical examinations and conferences with qualified medical personnel.

(c) Inmates must be provided an opportunity each day to communicate their health complaints to a health professional or to an officer. Qualified medical personnel shall be available to evaluate the medical needs of inmates. A written record shall be maintained of the request for medical care and the action taken.

(d) Inmates shall not perform any medical functions in the jail.

(e) The medical plan shall be reviewed annually.

10A NCAC 14J .1002 HEALTH SCREENING FORM
The health screening form completed upon admission by an officer shall be available to jail officers, and a copy of the form shall be kept in any medical file that is maintained for inmates. The form shall be reviewed for the presence of confidential information which can not be made available to jail officers.

10A NCAC 14J .1003 MEDICAL ISOLATION
Each jail shall separate inmates who require medical isolation from other inmates, either by housing them in a separate area of the jail or by transferring them to another facility.

10A NCAC 14J .1004 EXERCISE
After the fourteenth consecutive day of confinement, each inmate shall be provided opportunities for physical exercise at least three days weekly for a period of one hour each of the days. Physical exercise shall take place either in the confinement unit if it provides adequate space or in a separate area of the jail that provides adequate space. The opportunity for physical exercise shall be documented.

10A NCAC 14J .1100 REPORTS

10A NCAC 14J .1101 MONTHLY REPORT FOR JAILS
The sheriff or the administrator of a regional jail shall complete a monthly report on Form DHR-JDS-1 and send it to the Section no later than the tenth day of the following month.

10A NCAC 14J .1102 REPORT OF DEATH
The report of an inmate death required by G.S. 153A-225 shall be submitted to the Section within five days.


SECTION .1200 - STANDARDS FOR NEW JAIL DESIGN AND CONSTRUCTION

10A NCAC 14J .1201 APPLICABILITY - CONSTRUCTION
(a) North Carolina State Building Code - Jails must meet the requirements of the North Carolina State Building Code in effect at the time of construction, additions, alterations or repairs.
(b) New Jails - The construction standards established in Section .1200 shall apply to all jail construction for which the final working drawings have been approved by the Branch after the effective date of this Rule. The operational standards in Sections .0100 through .1000 of this Subchapter will affect design options and shall be reviewed prior to submittal of working drawings.
(c) Existing Jails - Existing jails shall continue to be governed by the existing construction standards which are now in Section .1500 and the same standards shall apply to new jails which have had final working drawings approved by the Section prior to the effective date of this Rule. Existing jails or new jails which have had final working drawings approved by the Section prior to the effective date of this Rule may choose to comply with any of the new construction standards in Section .1200 as a substitute for existing standards on the same subject in Section .1500.
(d) Additions - The construction standards established in Section .1200 shall apply to any construction that adds square footage to the building and for which the final working drawings are approved after the effective date of this Rule.
(e) Alterations or Repairs - When alterations or repairs are made to an existing jail building such alterations or repairs shall comply with the standards for new construction established in Section .1200. Unaltered portions of the building shall be required to comply with the new construction standards indicated in Section .1200 only under the circumstances specified in Paragraphs (f)-(h) of this Rule.
(f) Extensive Annual Alterations or Repairs - If, within any 12 month period, alterations or repairs costing in excess of 50 percent of the then physical value of the building are made to an existing jail, the entire jail shall conform to the construction standards for new jails established in Section .1200.
(g) Reconstruction After Damage - If an existing jail is damaged by fire or otherwise in excess of 50 percent of the then physical value of the building at the time of damage, the jail shall be reconstructed in conformance with the construction standards for new jails established in Section .1200.
(h) Physical Value - For the purpose of this Rule, the physical value of the jail building shall be determined by the local building inspection department.


10A NCAC 14J .1202 CONSULTATION AND TECHNICAL ASSISTANCE
Consultation and technical assistance in planning a new jail shall be available through the Section.

History Note: Authority G.S. 153A-221; Eff. June 1, 1990.

10A NCAC 14J .1203 COMPLIANCE REVIEW AND APPROVAL
(a) The governing body shall submit copies of the following to the Branch before it begins construction of a new jail and before it makes additions or alterations to an existing jail as defined by the North Carolina State Building Code:
   (1) three sets of schematic drawings and outline specifications;
   (2) three sets of preliminary working drawings or design development drawings and outline specifications; and
   (3) three sets of completed final working drawings and specifications.
(b) Upon receipt of the drawings and specifications at each stage, the Section shall send one set each to the following for their review and approval: the Department of Insurance to insure compliance with the North Carolina State Building Code, and the Division of Environmental Health in the Department of Environment and Natural Resources to insure compliance with the rules governing sanitation as codified in 15A NCAC 18A, Section .1500 and which are hereby incorporated by reference including subsequent amendments and editions of the referenced materials. A copy of this material can be obtained free of charge from the State Division of Health Services, Environmental Health Section, Post Office Box 27687, Raleigh, North Carolina 27611-7687. The Section shall keep one set for its own review and approval to insure compliance with the minimum standards for the operation and construction of jails as contained in this Subchapter. Review and comment on the drawings and specifications at each stage shall be made no later than 30 days after their receipt by the Section.


10A NCAC 14J .1204 SPECIFIC CONSTRUCTION REQUIREMENTS
(a) Jails that restrain inmates under lock and key within a building shall meet the requirements of the North Carolina State Building Code for "Institutional Occupancy - Restrained" and the additional security requirements imposed by Rule .1220.
(b) Jails that do not restrain inmates within a building by lock and key shall meet the requirements of the North Carolina State Building Code for "Residential Occupancy".
(c) The construction materials in all jails shall be sufficient to provide the degree of security required for the area in which they are used.


10A NCAC 14J .1205 RESERVED FOR FUTURE CODIFICATION

10A NCAC 14J .1206 ELEVATORS
Elevators that open into the jail shall be secure and shall be under the control and observation of officers.


10A NCAC 14J .1207 INMATE PROCESSING AREA
Each jail that performs a booking and release function shall have an inmate processing area that includes the following:

(1) a separate inmate entrance;
(2) a holding area with seating and access to a commode, lavatory, drinking fountain, and a shower;
(3) a booking area that includes space for photographing and fingerprinting inmates and a telephone for making local and collect long-distance calls; and
(4) a sobriety testing area.

History Note: Authority G.S. 153A-221; Eff. June 1, 1990.

10A NCAC 14J .1208 VISITATION AREAS
(a) Each jail shall provide an area for visitation.
(b) If provided, noncontact visitation areas shall:

(1) provide seating for the inmate and visitors;
(2) provide a view panel with minimum dimensions of 1’ x 1’ between the inmate and visitors;
(3) provide a telephone communication system or equivalent audio link between the inmate and visitors;
(4) permit visual and auditory observation by officers; and
(5) prevent the passage of contraband.

(c) If provided, contact visitation areas shall:
   (1) provide seating for the inmate and visitors; and
   (2) permit visual and auditory observation by officers.

(d) Confidential attorney visitation areas shall:
   (1) permit contact between the inmate and attorney;
   (2) be separate and distinct from the general visitation area;
   (3) provide seating and a writing table for the inmate and attorney;
   (4) permit only visual monitoring by the officers;
   (5) provide a way for the attorney to contact officers if needed; and
   (6) provide a minimum of 30 footcandles of artificial light.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1209 MEDICAL AREA
(a) Each jail shall have a medical area that provides the following:
   (1) a door that may be locked;
   (2) locked storage for equipment, supplies, medications and medical records;
   (3) an examination table and a handicapped-accessible sink, toilet and shower;
   (4) a work station for the doctor and nurse;
   (5) a telephone; and
   (6) direct voice contact with officers.

(b) If a county or a region has more than one jail, it shall be required to provide only one medical area if that area meets the medical needs of the inmates in all of the jails.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1210 OTHER AREAS
(a) Each jail that does not contract for meals shall have a kitchen. If a county or a region has more than one jail, it shall be required to provide only one kitchen if it meets the needs of the inmates in all of the jails.
(b) Each jail that does not contract for laundry services shall have a laundry. If a county or a regional jail has more than one jail, it shall be required to provide only one laundry if it meets the needs of the inmates in all of the jails.
(c) Each jail shall have an area or areas specifically designated for physical exercise.
(d) Each jail shall provide areas with shelves that meet its storage needs. Each jail shall provide a separate area for the secure storage of inmate personal property.
(e) Each jail shall have a cleaning area that is equipped with a sink and that provides for the secure storage of cleaning supplies and equipment.
(f) Each jail shall provide adequate secure storage for those inmates who are placed on work release.

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

10A NCAC 14J .1211 ADMINISTRATIVE FACILITIES
Each jail shall provide space at some location for the following administrative activities:
   (1) Secretarial support;
   (2) Record storage;
   (3) Training materials and resources;
Mailboxes and bulletin boards for officers;
In-service training;
Office space for jail supervisors.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1212  **FLOORS, CEILINGS, AND WALLS**
All ceilings, walls, and floors in confinement units shall have a finished surface that is easily cleaned, nontoxic, and predominantly of light colors.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1213  **SHOWERS AND PLUMBING FIXTURES**
(a) Each jail shall provide at least one shower for every eight inmates.
(b) Showers shall have drains that prevent water from draining outside the shower, and the shower fixtures and drains shall be tamper-resistant if necessary for security.
(c) Plumbing fixtures shall be made of stainless steel or other materials as necessary for security.
(d) Drinking fountains shall be equipped with mouth guards.
(e) All privacy partitions in showers and bathrooms shall be high enough to allow limited privacy for the inmates while still allowing adequate supervision by officers.

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

10A NCAC 14J .1214  **WINDOWS AND GLAZING**
(a) Windows and window framing, including glazing, shall be made of materials necessary to provide the degree of security required for the area in which they are used.
(b) Glazing shall be diffused or obscured if it affords a view into confinement units from outside the jail.
(c) View panels shall be made of materials necessary to provide the degree of security required for the area in which they are used, and those used for confinement units shall have an area that permits observation of the entire unit.
(d) Natural light shall be admitted into all confinement units either directly or indirectly.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1215  **DOORS, BUNKS AND LOCKS**
(a) Doors, locks and detention hardware shall be made of materials necessary to provide the degree of security required for the area in which they are used.
(b) Doors to all confinement units shall have view panels.
(c) Doors shall operate independently of each other, and the cell doors in a cellblock shall be capable of simultaneous release during an emergency.
(d) Doors and locks that are electronically controlled shall be equipped with manual override.
(e) Food passes, if used, shall have openings large enough to permit the passage of a food tray.
(f) Bunks shall have dimensions necessary to accommodate a standard detention mattress and they shall be securely anchored at least 15 inches above the floor. When one bunk is placed above another, the lower bunk shall be approximately 15 inches and the upper bunk approximately 50 inches above the floor.
(g) Doors, locks, detention hardware and bunks shall be designed to inhibit their use for an attempted suicide.

History Note: Authority G.S. 153A-221;
10A NCAC 14J  .1216  SAFETY EQUIPMENT
In each jail the safety equipment, including intercoms, fire extinguishers, smoke detectors, and sprinkler heads, shall be tamper-resistant if necessary for security. Two-way voice communications shall comply with Rule .0601 of this Subchapter.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. June 1, 1992;

10A NCAC 14J  .1217  MECHANICAL SYSTEMS
(a) Each jail shall have heating, ventilation, and air conditioning systems that are capable of maintaining temperatures in confinement units at not less than 68 degrees Fahrenheit during the heating season and not more than 85 degrees Fahrenheit during the cooling season.
(b) The master controls for the system shall be located outside the confinement units and shall be accessible to officers during an emergency.
(c) The ducts for the systems shall be designed to prevent the escape of inmates and the passage of contraband, and they shall be designed to inhibit their use for attempted suicide.
(d) The ventilation system shall provide a minimum of ten cubic feet per minute of fresh or purified air for each inmate.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J  .1218  PLUMBING SYSTEMS
(a) Each jail shall have a plumbing system that complies with the Commission for Public Health Rules 15A NCAC 18A, Section .1500 and the North Carolina State Building Code, Plumbing Code, both of which are hereby incorporated by reference including subsequent amendments and editions of the referenced materials. A copy of 15A NCAC 18A, Section .1500 can be obtained free of charge from the State Division of Health Services, Environmental Health Section, Post Office Box 27687, Raleigh, North Carolina 27611-7687. A copy of the North Carolina State Building Code, Plumbing Code (Volume II of the North Carolina State Building Code) can be obtained for twenty-five dollars ($25.00) from the North Carolina Department of Insurance, Post Office Box 26387, Raleigh, North Carolina 27611.
(b) Each jail shall have a hot water supply for lavatories and showers designed to meet the usual needs of the number of inmates confined in the jail.
(c) The master control valves for the plumbing system shall be located outside the confinement units and shall be accessible to officers during an emergency.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J  .1219  ELECTRICAL SYSTEMS
(a) Each jail shall have an electrical system that provides artificial lighting in the confinement units of at least 30 footcandles and that can be reduced during sleeping hours.
(b) Artificial lighting in the corridors shall be at least 20 footcandles.
(c) Lighting fixtures shall be made of materials necessary to provide the degree of security required for the area in which they are used.
(d) Each jail shall provide electrical and antenna or cable connections for a television in its dayroom areas.
(e) The master controls and circuit breakers shall be located outside the confinement units and shall be accessible to officers during an emergency.
(f) Each jail shall have an auxiliary emergency power supply for each electrical system.
10A NCAC 14J .1220 ADDITIONAL SECURITY REQ/ "INSTITUTIONAL OCCUPANCY-RESTRAINED" JAILS
Each jail that is required to meet the "Institutional Occupancy - Restrained" requirements of the North Carolina State Building Code shall also meet the following security requirements:

1. Each jail shall have a separate entrance for inmates, and all entrances to the jail shall be controlled and visually and audibly monitored.
2. Each jail shall have security perimeter walls that are provided with a separate and complete security vestibule, sally port, security window, security door, or other security device at each wall opening.
3. Clothing or towel hooks shall not be used.

10A NCAC 14J .1221 CONFINEMENT UNITS
The governing body shall decide what confinement unit or combination of confinement units it will include in its jail: single segregation cells, single cells, multiple occupancy cells, or dormitories provided each county or region has the means to protect or isolate an inmate, when necessary, in a cell with a toilet, a sink, a drinking fountain and a security mirror.

10A NCAC 14J .1222 STANDARDS FOR SINGLE SEGREGATION CELLS
Each single cell used for segregation shall have:

1. a shower or access to a shower;
2. a telephone jack or other telephone arrangement;
3. a food pass;
4. a minimum floor space of 70 square feet, a minimum floor dimension of 7 feet, a toilet, a sink, a drinking fountain and a security mirror.

10A NCAC 14J .1223 STANDARDS FOR SINGLE CELLS
Each single cell shall have:

1. a minimum floor space of 50 square feet;
2. a minimum floor dimension of 7 feet;
3. a toilet, a sink, a drinking fountain and a security mirror; and
4. access to a dayroom.

The requirements of Paragraph (3) of this Rule shall be satisfied if inmates have unrestricted access, except during emergencies, to a dayroom that includes one toilet per eight inmates, one sink with a security mirror per eight inmates and one water fountain.
10A NCAC 14J .1224 STANDARDS FOR MULTIPLE OCCUPANCY CELLS
Each multiple occupancy cell shall house no more than four inmates and shall have:

1. a minimum floor space of 50 square feet for the first inmate and 35 square feet of floor space for each additional inmate;
2. a minimum floor dimension of seven feet;
3. a toilet, a sink, a drinking fountain and a security mirror; and
4. access to a dayroom.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. December 1, 1991;

10A NCAC 14J .1225 STANDARDS FOR DAYROOMS
Each dayroom shall have:

1. a separate and complete security vestibule at its entrance;
2. a minimum floor space of 105 square feet or 35 square feet per inmate, whichever is greater;
3. sufficient seating for the capacity of the unit;
4. sufficient table space for the capacity of the unit unless each inmate has unrestricted access to a cell with a table and chair, in which case the dayroom shall have sufficient table space for 70 percent of the capacity of the unit;
5. a telephone jack or other telephone arrangement provided within the dayroom;
6. a way for officers to observe the entire area; and
7. one toilet per eight inmates unless the inmates have unrestricted access to a cell with a toilet, sink, drinking fountain and security mirror.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. June 1, 1993; December 1, 1991.

10A NCAC 14J .1226 STANDARDS FOR DORMITORIES
Each dormitory shall house no more than 40 inmates and shall have:

1. a minimum floor space of 70 square feet per inmate including both the sleeping and dayroom area;
2. one shower per eight inmates, one toilet per eight inmates, one sink with a security mirror per eight inmates, and one water fountain;
3. a telephone jack or other telephone arrangement provided within the dormitory;
4. space designed to allow a variety of activities;
5. sufficient seating and tables for all inmates; and
6. a way for officers to observe the entire area from the entrance.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

SECTION .1300 - INSPECTION AND ENFORCEMENT OF MINIMUM STANDARDS

10A NCAC 14J .1301 INSPECTIONS
All jails shall be visited and inspected at least twice each year, but a jail shall be inspected more frequently if the Department considers it necessary or if it is required by an agreement of correction pursuant to 10A NCAC 14 .1304.
10A NCAC 14J .1302 REPORT OF INSPECTION

(a) The procedures contained in G.S. 153A-222 shall govern all inspections except those that find noncompliance with one or more of the provisions listed in Paragraph (b) of this Rule.

(b) The inspector shall forward a copy of the inspection report to the Secretary within ten days after the inspection if there are findings of noncompliance with any of the following standards contained in 10A NCAC 14J or the following statutes:

1. Classification; Section .0300;
2. Fire Safety; Section .0400;
3. Supervision; Section .0600;
4. Sanitation and Personal Hygiene; Section .0700;
5. Food; Section .0900;
6. Medical Care of Inmates; Section .1000;
7. G.S. 153A-224, Supervision of Jails; or

(c) The inspector at the same time shall submit to the Secretary a written description of the conditions that caused noncompliance and a preliminary determination of whether those conditions jeopardize the safe custody, safety, health or welfare of the inmates confined in the jail.

(d) The inspection report shall be submitted to the local officials responsible for the jail within 30 days after the inspection as required by G.S. 153A-222, and it shall include a notice that the facility was not in compliance with one or more of the provisions listed in Paragraph (b) of this Rule. The notice shall state that the report has been submitted to the Secretary on a designated date for a final determination of whether conditions at the jail jeopardize the safe custody, safety, health or welfare of its inmates. The notice shall state that local officials will be mailed a final determination within 45 days of the designated date.

10A NCAC 14J .1303 DETERMINATION THAT CONDITIONS JEOPARDIZE INMATES

(a) The Secretary shall determine whether conditions in the jail jeopardize the safe custody, safety, health or welfare of its inmates within 30 days after receipt of the inspection report and the supporting materials.

(b) The Secretary may determine that noncompliance with any of the provisions listed in 10A NCAC 14J.1302(b) jeopardizes the safe custody, safety, health or welfare of inmates confined in the jail.

(c) Although noncompliance with other specific standards or statutes may be found to jeopardize inmate or staff safe custody, safety, health or welfare, the Secretary shall determine that noncompliance with any of the following provisions contained in 10A NCAC 14J jeopardizes the safe custody, safety, health or welfare of inmates confined in the jail:

1. Mattress flame retardant requirements; Rule .0404;
2. Emergency exits; Rule .0401;
3. Fire plan; Rule .0403;
4. Fire equipment; Rule .0402;
5. Separation of male and female inmates; Rule .0302;
6. Separation of males under age 18; Rule .0303;
7. Medical plan; Rule .1001;

(d) The Secretary shall notify the local officials responsible for the jail within 15 days of his final determination if he concludes that the conditions in the jail jeopardize the safe custody, safety, health or welfare of the inmates. The
Secretary shall order corrective action, order the jail closed, or enter into an agreement of correction with local officials pursuant to 10A NCAC 14J .1304.

(e) The Secretary shall notify the local officials responsible for the jail within 15 days of his final determination if he concludes that the conditions in the jail do not jeopardize the safe custody, safety, health or welfare of the inmates. The notice shall direct local officials to consider the inspection report and initiate corrective action pursuant to the provisions of G.S. 153A-222.

History Note:  
Authority G.S. 153A-220; 153A-221;  
Eff. June 1, 1990;  

10A NCAC 14J .1304 AGREEMENT OF CORRECTION

(a) Before ordering corrective action or ordering the jail closed, the Secretary may direct the governing body to enter into an agreement of correction. If the Secretary chooses this option, he shall require the governing body to enter into a written agreement within 30 days after it receives notice that conditions in the jail jeopardize the safe custody, safety, health or welfare of the inmates.

(b) The agreement of correction at a minimum shall indicate the specific areas of noncompliance with the standards or statutes, the governing body's intent to remedy noncompliance, a plan for remediing the noncompliance, a definite and reasonable number of days within which the jail will be brought into compliance, and a schedule of inspections to monitor compliance.

(c) The agreement of correction may be extended once for a period not to exceed 60 days if the time period in the initial agreement expires before the jail is brought into compliance, but only if the governing body is making a good faith effort to achieve compliance.

(d) If the jail is not brought into compliance within the time period required by Paragraph (c) of this Rule, the Secretary shall order corrective action or order the jail closed.

History Note:  
Authority G.S. 153A-220; 153A-221;  
Eff. June 1, 1990;  

10A NCAC 14J .1305 ORDER OF CORRECTIVE ACTION OR ORDER OF CLOSURE

If the Secretary determines that an agreement of correction is not appropriate, or if he determines that a jail is not brought into compliance within the time period required by an agreement of correction, the Secretary shall order corrective action or order the jail closed. Notice of the action taken shall be given to local officials responsible for the jail as provided by G.S. 153A-223(1). Local officials may contest the Secretary's order according to the procedures outlined in G.S. 153A-223.

History Note:  
Authority G.S. 153A-220; 153A-221;  
Eff. June 1, 1990;  

10A NCAC 14J .1306 DESIGNATION BY SECRETARY

The Secretary may designate a person to act for him with respect to matters covered by this Section. The designation shall be in writing and it shall be on file with the Section.

History Note:  
Authority G.S. 153A-220; 153A-221;  
Eff. June 1, 1990;  

SECTION .1400 - SATELLITE JAIL/WORK RELEASE UNITS

10A NCAC 14J .1401 APPLICABILITY
The standards for definitions, operations, construction and enforcement contained in Sections .0100 - .1300 that apply to jails shall also apply to satellite jail/work release units.


SECTION .1500 - CONSTRUCTION STANDARDS FOR EXISTING FACILITIES

10A NCAC 14J .1501 DEFINITIONS
The following definitions shall apply in 10A NCAC 14J .1500:

(1) "County jail" is a detention facility designated for the confinement of persons for varying periods of time including persons awaiting adjudication and short-term sentences as well as persons serving sentences while on work release. The facility is authorized, maintained and administered by officials at the county level.

(2) "Municipal jail" is a facility designated for the confinement of persons for periods not to exceed 24 hours, pending release or transfer to county jail. The facility is authorized, maintained and administered by officials at the municipal level.

(3) "Local lock-up" is a facility designated for the temporary confinement of persons not to exceed six hours pending either release or transfer to a county jail. The facility is authorized, maintained and administered by officials at the municipal level.

(4) "Regional or district jail" is a facility designated for the identical purpose as a county jail except authorization, maintenance and administration is under the control of a joint governing body comprised of authorized representatives for the participating counties.

(5) Because of current changes from the traditional in terminology associated with the confinement setting, the following comparison of a limited number of terms is included:

(a) "Terminology used in standards" is the same as "traditional or approximate synonym".

(b) "Single sleeping room" is the same as "single cell".

(c) "Multiple sleeping room" is the same as "multiple (four-man) cell".

(d) "Isolation room" is the same as "solitary cell".

(e) "Dayroom" is the same as "cell run-around".

(f) "Confinement unit" is the same as "cell-block".

(g) "Holding area" is the same as "bull pen".

(h) "Sally port" is the same as "yard gate" (for vehicles).


10A NCAC 14J .1502 BUILDING MATERIALS AND CONSTRUCTION REQUIREMENTS

(a) The walls and roof shall be made of:

(1) reinforced concrete that complies with the North Carolina State Building Code, or

(2) masonry that complies with approved plans and specifications, or

(3) other materials that comply with the North Carolina State Building Code.

(b) The interior walls in security areas shall be made of:

(1) reinforced concrete that is at least four inches thick and finished smooth, or

(2) cement masonry (CMU) and brick that is at least eight inches thick, or

(3) approved steel as specified in Rule .1513 of this Section.

(c) Interior floors shall be made of concrete that is finished smooth, terrazzo, quarry tile, or other approved material.

(d) Interior ceilings shall be made of:

(1) reinforced concrete that is finished smooth, or

(2) approved steel as specified in Rule .1513 of this Section, or

(3) other approved material.
(e) Grating fronts and grating doors for single and multiple rooms shall be made of tool-resisting steel, as specified in Rule .1513(1)(a) of this Section, unless enclosed in a tool resisting perimeter.

(f) Safety vestibule grating and interior grating doors shall be made of tool-resisting steel, as specified in Rule .1513(1)(a) of this Section.

(g) Materials shall be non-combustible and shall have fire-resistive ratings if required by the North Carolina State Building Code.

(h) A local confinement facility shall not be located in or attached to buildings with less than fire-resistive construction, unless the confinement area is separated by an approved masonry firewall.

**History Note:** Authority G.S. 153A-220; 153A-221; Eff. June 1, 1990; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 5, 2016.

**10A NCAC 14J .1503 DOORS**

(a) All doors that open into booking or control areas of jails shall be security doors as specified in Rules .1514 and .1515 of this Section, unless other exterior security is provided, including either a sally port, a controlled gate, or fencing.

(b) Exit doors shall be security type doors and they shall be keyed to both sides.

(c) The number of exits, the width and location of exit doors, and the swing of exit doors shall comply with North Carolina State Building Code.

(d) Sally port doors shall be of the security type and shall be installed in accordance with approved plans and specifications.

(e) Swinging plate doors of approved type as specified in Rule .1515(a) to (c) of this Section shall be provided with a speaking panel and an observation port when employed on safety vestibules and in other locations as may be approved in plans and specifications.

(f) Swinging plate doors with a prison type lock or hollow metal doors of approved types with an observation port shall be used at entrances to inspection corridors. Hollow metal doors shall have heavy-duty lock with multiple tumblers.

(g) An approved grill, a hollow metal security door, or a plate security door shall be used at all entrances to security areas (see Rule .1515 of this Section).

(h) Grill doors to individual rooms shall be made of open hearth steel only if it is enclosed in a tool-resisting perimeter.

(i) Pipe chase access doors or plates shall be made of approved security-type plate or hollow metal (Rule .1516 of this Section) according to approved plans and specifications.

(j) Access doors in all inmate occupied areas shall be equipped with observation ports and food passes according to approved plans and specifications.

(k) In all areas occupied by female inmates, observation ports shall be equipped with an operating hatch that may be closed from the outside and secured to provide privacy.

(l) If electro-mechanical capability is used in a security door installation within the confinement area, the control box shall provide a mechanical over-ride in the event of power failure.

(m) All door-locking mechanisms shall be of the approved type (see Rule .1517 of this Section) and installed according to approved plans and specifications.

(n) Elevator doors opening into jail areas shall be secure and located so as to be under observation and control of officers.

(o) The controls for sally port doors shall be located within the booking control area to provide constant surveillance by supervisory personnel.

**History Note:** Authority G.S. 153A-220; 153A-221; Eff. June 1, 1990; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 5, 2016.

**10A NCAC 14J .1504 WINDOWS AND SECURITY SCREENING**

(a) All windows shall open and close to provide ventilation unless mechanical cooling or forced air circulation is provided.
(b) Windows shall be constructed of such material to contain persons within the enclosed area and to provide security from without.

(c) Windows in inspection corridors shall be designed to maximum security specifications using tool-resistant steel bars or members (equivalent to Bayley AN-1, SG-1, or SN-1, or Southern Steel Co. Type AST or SST) unless the confinement unit has a tool-resisting steel grating enclosure.

(d) Windows in the inspection corridor shall be designed to moderate security detention using mild steel bars and members (equivalent to Bayley SG-1, AN-2 or SN-2) if the confinement unit has a tool-resisting grating enclosure.

(e) Local lockups are the only exception to (c) and (d) if the windows are fixed, inaccessible, or they otherwise present no threat to safety or security.

(f) Windows shall have protective or security screening to prevent the passing of contraband except where approved exterior fencing is provided.

(g) Security screening shall be of a type to protect glass from damage and prevent the passage of contraband if inmates have access to windows (see Rule .1529 and .1530 of this Section).

(h) Windows shall be glazed with diffused or obscured glass or an approved synthetic material which admits light to all confinement areas if they afford a view into the confinement area from outside.

(i) Skylights shall meet the same requirements for light transmission and security windows, except that skylights need not be ventilating units.

(j) Windows in the booking area shall be of an approved type and construction to provide security and protection for the area.


10A NCAC 14J .1505 SINGLE ROOM REQUIREMENTS

(a) Single room areas shall be a minimum of five feet by seven feet by eight feet.

(b) The room shall have a combination lavatory, commode and drinking fountain (see Rule .1534 of this Section).

(c) Isolation rooms shall have hot and cold water.

(d) Except for local lockups, a shower with hot water shall be provided for each area of isolation rooms.

(e) An approved mirror shall be installed (see Rule .1521 of this Section).

(f) No more than one approved stationary steel bunk shall be installed in the room (see Rule .1522 of this Section).

(g) Natural light shall be admitted to the room in compliance with the North Carolina State Building Code.


10A NCAC 14J .1506 MULTIPLE ROOM REQUIREMENTS

(a) The capacity of multi-room units shall not exceed four inmates.

(b) The minimum room area shall be nine feet by seven feet by eight feet.

(c) The room shall have a combination lavatory, commode and drinking fountain (see Rule .1534 of this Section).

(d) The room shall have hot and cold water unless it is contained in a confinement unit with a dayroom that has hot and cold water.

(e) Except for local lockups, each room shall have a shower with hot and cold water.

(f) An approved mirror shall be installed (see Rule .1521 of this Section).

(g) No more than four approved stationary steel bunks shall be installed within each room.

(h) Natural light shall be admitted to the room in compliance with the North Carolina State Building Code.


10A NCAC 14J .1507 DORMITORY AREA REQUIREMENTS IN JAILS
(a) The capacity of dormitories shall not exceed 16.
(b) The minimum room area for each inmate shall be 50 square feet and 400 cubic feet per inmate.
(c) Each dormitory shall have one combination commode, drinking fountain, and lavatory with hot and cold water for every eight inmates.
(d) Each dormitory shall have one shower.
(e) Each dormitory shall have an approved mirror for every eight inmates (see Rule .1521 of this Section).
(f) Each dormitory shall have a table and bench (see Rule .1523 of this Section).
(g) Natural light shall be admitted to the dormitory in compliance with North Carolina State Building Code.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1508 DORMITORY AREA REQUIREMENTS IN COUNTY JAIL ANNEXES
Dormitory areas in county jail annexes must not exceed the rated capacity as approved by the Section.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1509 DAYROOM AND SAFETY VESTIBULE REQUIREMENTS: COUNTY JAIL
(a) Confinement units with a capacity of over four persons, except for dormitories, shall provide a dayroom of equal area to the sleeping areas.
(b) The dayroom area shall have an approved shower with hot and cold water for every 16 inmates (see Rule .1524 of this Section), and it shall have a commode, drinking fountain, and lavatory with hot and cold water.
(c) Each dayroom shall have an approved steel bench and table (see Rule .1523 of this Section) that will accommodate all of the inmates in the confinement unit.
(d) Confinement units with a capacity of over four persons, except for dormitories, shall have a safety vestibule that permits one door to be locked before the other is opened.
(e) A combination of single rooms and four-man rooms may share a common dayroom, but the capacity of a dayroom shall not exceed 24 inmates.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1510 HOLDING AREAS
(a) Each facility with a capacity of 30 or more inmates shall have a secure holding area adjacent to the booking area where inmates can be held pending their commitment.
(b) The holding area shall be under observation by administrative jail personnel.
(c) The holding area shall be constructed of approved grill steel.
(d) The holding area shall have an approved bench and combination lavatory, commode, and drinking fountain.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1511 OTHER AREAS
(a) Each facility shall have sufficient storage space.
(b) Each county jail shall have a medical examining room that at least is equipped with an examining table and a lavatory.
(c) Each jail with a capacity of more than 20 inmates shall have secure conference areas, and the areas shall not have recording or listening devices.
(d) All confinement areas shall have adequate floor drains in accordance with approved plans and specifications (see Rule .1535 of this Section).

History Note: Authority G.S. 153A-220; 153A-221; 
Eff. June 1, 1990; 

10A NCAC 14J .1512 LIGHTING AND VENTILATION

(a) Lighting fixtures in sleeping rooms and dayrooms shall provide at least 30 footcandles of artificial light, and they shall have diffusers designed to illuminate a horizontal area from a ceiling or wall position.
(b) Artificial lighting in the inspection and control corridors shall be at least 20 footcandles.
(c) The artificial lighting at night in the sleeping rooms shall not exceed two footcandles.
(d) The lighting levels in the non-domiciliary portions of the jail shall be within ranges recommended by the I.E.S. (Illumination Engineering Society) for the particular activity.
(e) Lighting fixtures in the inmate-occupied areas shall be of the security type, and the wiring controls and fixtures shall be inaccessible to inmates (see Rule .1527 of this Section).
(f) Confinement areas shall be heated within a range of not less than 70 degrees nor more than 75 degrees. Confinement areas shall not have a heater or furnace that burns liquid or solid fuel.
(g) Wiring, temperature controls, and heat distribution equipment shall be inaccessible to inmates.

(i) Confinement areas shall be cooled within a range of not less than 75 degrees nor more than 85 degrees.

History Note: Authority G.S. 153A-220; 153A-221; 
Eff. June 1, 1990; 

10A NCAC 14J .1513 WALLS

Walls and partitions shall be made of either reinforced concrete or masonry or the following materials:

(1) Steel grating of either tool-resisting steel or open hearth steel as specified in the plans:
(a) Tool-resisting steel grating shall meet the following construction requirements:
   (i) Seven-eighths of an inch or one inch diameter vertical double-ribbed round bars spaced not over four inches on center, passing through and interlocking at each intersection with 3/8 inch x 2-1/4 inches or 3/8 inch x 2-1/2 inches tool-resisting flat bars spaced on 12 inch centers for 7/8 inch bars and on 18 inch centers for one inch bars;
   (ii) Vertical framing bars shall be 3/8 inch x 2-1/4 inches or 3/8 inch x 2-1/2 inches tool-resisting flat bars.

(b) Open hearth steel grating shall meet the following construction requirements:
(i) Seven-eighths of an inch or one inch diameter vertical double-ribbed round bars spaced not over four inches on center, passing through and interlocking at each intersection with 3/8 inch x 2-1/4 inches or 3/8 inch x 2-1/2 inches horizontal flat bars spaced on 12 inch centers for 7/8 inch bars and on 18 inch centers for one inch bars;
(ii) Vertical framing bars shall be 3/8 inch x 2-1/4 inches or 3/8 inch x 2-1/2 inches open hearth flat bars.

(2) Steel plate used in a wall or ceiling shall meet the following construction requirements:
(a) not less than 3/16 inch open hearth steel, or
(b) not less than 1/4 inch tool-resisting steel.

History Note: Authority G.S. 153A-220; 153A-221; 
Eff. June 1, 1990;

10A NCAC 14J .1514  SLIDING DOORS
(a) Sliding doors shall be made of the same weight and quality of grating or plate as the confinement area fronts or wall in which they are installed.
(b) Sliding doors shall be approximately two feet x six feet, three inches, and shall be hung from the top by a plate door carriage.
(c) The door carriage shall have two hardened steel spindles on which will be mounted two needle-bearing or two S.K.F. or approved equal ball-bearing solid steel machined wheels.
(d) The door carriage shall be enclosed in a covered box of the prescribed type.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1515  SWINGING DOORS
(a) Plate doors installed in plate walls shall be made of steel that is at least the same quality and thickness as specified for the wall in which the door opening is installed.
(b) Plate doors installed in concrete or masonry walls shall be made of material not lighter than 3/16 inch thick open hearth steel plate framed and stiffened with angles, bars, or other shapes and securely hung to door frames made of structural or bent plate channel at least 3/16 inch thick.
(c) The depth of plate door frame shall equal the thickness of the wall.
(d) Grating doors installed either in grating, plate walls, or concrete or masonry walls shall be constructed of tool-resisting steel or open-hearth steel as specified by the plans.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1516  ACCESS DOORS AND PANELS
(a) Swinging access doors to pipe and utility spaces shall be at least one foot, eight inches x four feet in size and made of 3/16 inch steel plate.
(b) Removable access panels shall be made of 3/16 inch open-hearth steel plate and shall be large enough to permit entrance.
(c) Access panels shall be secured to the wall either by 3/8 inch hex-head screws tapped into the panel opening frame and spaced not more than eight inches on center, or they shall be secured by metal lugs at the bottom of the panel and a deadlock at the top, both of which shall be mounted at the back side of the panel to provide further security.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1517  PRISON KEY-OPERATED LOCKS
(a) Locking swinging doors shall use prison deadlocks with heavy multiple tumblers. The lock mechanism shall be housed in a lock case made of forged steel not less than 5-1/2 inches x 1-3/8 inches in size.
(b) Manually-operated sliding doors shall be locked by a heavy multiple tumbler that uses a snap and automatic deadlock. The lock mechanism shall be housed in a lock case made either of strong steel or malleable iron or steel not less than 10 inches x 3-1/2 inches x 1-3/8 inches in size.
(c) Food passes and shutters, where specified, shall be locked by a heavy multiple tumbler that uses a prison type snap or spring. The food pass lock shall be mounted to prevent food or other matter from coming in contact with the lock.
10A NCAC 14J .1518 HINGES
Swinging doors shall be hung on hinges designed for jail use.

10A NCAC 14J .1519 OBSERVATION AND SPEAKING PANELS
(a) Observation and speaking panels shall be mounted in plate or masonry walls where shown on plans, and they shall be designed to prevent the passage of contraband.
(b) Observation and speaking panels shall be made either of polished stainless steel, chromium plated steel, brass, or aluminum.
(c) Glass in observation panels shall be bullet-proof and at least 7/8 inch thick.

10A NCAC 14J .1520 FOOD PASSES
(a) The food pass in plate walls shall be approximately 12 inches wide x 4-1/2 inches high. Hinged food pass shutters shall be about 13 inches wide and six inches high and they shall be made of 3/16 inch open-hearth steel plate. The shutter shall form a shelf when in open position and it shall overlap the opening around the edges.
(b) The food pass in grating walls shall be approximately 12 inches wide x 4-1/2 inches high, and a shelf 5 inches x 12 inches shall be riveted or welded to the bottom of the opening to facilitate the passage of food.

10A NCAC 14J .1521 MIRRORS
(a) Mirrors shall be approximately 8 inches x 9-1/2 inches in size when provided.
(b) Mirrors shall be highly polished stainless steel or chrome plated steel, and they shall be attached securely to the wall.

10A NCAC 14J .1522 BUNKS
(a) Bunks shall be six feet, three inches long and not less than two feet, one inch nor more than two feet, three inches wide.
(b) The bottoms of bunks shall be 16-gauge sheet steel perforated with one inch to two inch holes for ventilation.
(c) Bunks shall be framed on the long side by angles not less than 1-1/2 inches x 2 inches x 3/16 inch in size and on the ends by 3/16 inch bent plate brackets.
(d) The required parts shall be welded together to form a one-piece bunk assembly with end brackets.
(e) The bunk brackets shall be securely fastened to cell walls.
(f) When one bunk is placed above another, the lower bunk shall be approximately 15 inches and the upper bunk approximately 50 inches above the floor.

(g) In dormitories, double bunks with approved bottoms and frames shall be securely attached either to the floor or the wall.


10A NCAC 14J .1523 TABLES, BENCHES AND SEATS
(a) One-piece bench and table units shall be installed as shown on the plans, and they shall be welded securely to an adjacent steel wall and anchored securely to the floor.
(b) The tops of tables and benches shall be made of at least 10-gauge sheet steel neatly flanged around the edges.
(c) Table legs and other supports shall be made of properly designed and reinforced materials.


10A NCAC 14J .1524 SHOWER STALLS
(a) The dimensions of showers shall be at least 30 inches x 30 inches x 7 feet.
(b) Shower stalls shall be constructed of either concrete, masonry, at least 1/8 inch galvanized steel plate, heavy gauge aluminum plate, or heavy gauge stainless steel according to approved plans and specifications.
(c) The shower stall shall be attached to the wall of the dayroom.
(d) The floor of the shower stall shall be approximately eight inches above floor level and it shall slope to the floor shower drain.
(e) A curb that is approximately four inches above the shower floor shall extend across the front of the shower stall. The top of the curb shall have a smooth edge.
(f) The shower head and the push-button valve assembly shall be vandal proof, and the metering valve and temperature balance mechanism shall be concealed.


10A NCAC 14J .1525 REMOTE CONTROL LOCKING MECHANISMS
(a) Remote control locking and operating mechanisms for fully selective sliding doors shall be electric, electrical-mechanical, mechanical, or gang locking.
(b) Remote control locking mechanisms shall be designed and manufactured specifically for corrections use and shall be installed according to plans.


10A NCAC 14J .1526 MATERIAL TESTS
(a) Tool-resisting materials that are included in jail equipment shall withstand the following tests:

   (1) A load test of not less than 6,000 lbs. applied at the midpoint of heat-treated 7/8 inch or one inch diameter double-ribbed round tool-resisting bar resting horizontally on two supports spaced 12 inches apart. The load shall be applied with a blunt-end rounded to a radius of approximately 1/4 inch on the edge which is in contact with the tested bar. The bar shall not assume a permanent set in excess of 1/4 inch and it shall not break under the load.
Tool-resisting 7/8 inch or one inch steel bars shall not be severed within six hours by using six hacksaw blades, and it shall not be pierced by using six 1/8 inch bits, used either in a hand-operated or motor-driven drill. The hacksaw blades and bits in this test shall be the standard type found in institutions.

(b) Open-hearth steel shall be the type produced for corrections use and it shall have a chemical composition that is within the limits adopted by the Association of American Steel Manufacturers for open-hearth bars and shapes.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1527 PROTECTION EQUIPMENT FOR ELECTRICAL LIGHTS
(a) Each facility shall adequately protect electric lights in cells from damage by inmates.
(b) Fittings shall be either covered with 3/8 inch tempered lenses for diffusing light or protected with steel wire.
(c) Steel plate brackets shall be provided for mounting light receptacles.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1528 DOOR PULLS
(a) Swinging plate security doors shall have at least six inch loop pulls of polished aluminum alloy, polished bronze or chrome plated bronze.
(b) Door pulls shall be secured to doors by security-type patch head screws, spanner screws, or hexagon nuts.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1529 WIRE WINDOW GUARDS
(a) Wire window guards shall cover windows as called for in the plans.
(b) Window guards shall be made of 11-gauge steel mesh, woven three mesh to the inch, and they shall be framed with flat steel bars.
(c) Hinges, padlocks, hasps, and staples shall be furnished for window guards.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1530 SECURITY SCREENS
Security screens shall be installed as indicated on the construction plans, and they shall be made of steel, stainless steel, or extruded aluminum.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1531 INSECT SCREENS AND DOORS
Insect screens and doors shall be provided as indicated on the plans, and they shall be made of extruded aluminum, stainless steel, bronze, or steel.
10A NCAC 14J .1532  KEY CABINET
(a) A secure key cabinet shall be provided as shown on the plans, and it shall be made of not less than 10-gauge open-hearth steel plate.
(b) The door to the key cabinet shall be hung securely on two steel pin hinges and locked with a heavy multiple tumbler security-type deadlock.
(c) The key cabinet shall have shelves, gun racks, and key hooks as required.

10A NCAC 14J .1533  PLUMBING
All plumbing shall be in accordance with the North Carolina State Plumbing Code and the approved plans in effect at time of construction.

10A NCAC 14J .1534  PLUMBING FIXTURES
(a) Plumbing fixtures shall be furnished and installed as specified on the approved plans.
(b) The plumbing construction shall withstand damage attempted without tools, and the plumbing materials shall offer maximum resistance to wear while providing sanitation in the area used.
(c) Vitreous china lavatories shall have an integral spout and drinking nozzle with a mouth guard.
(d) Lavatories shall have an integral soap dish and outlet.
(e) Lavatories shall have self-closing operating buttons.
(f) Vitreous china water closets shall be floor mounted and shall have an integral seat and base with a 1-1/2 inch back spud.
(g) The flush valve shall be tamper proof and self-closing, and siphon jet action shall be used.
(h) Commode, lavatory and drinking fountain combination units shall be made of welded stainless steel or cast aluminum except that galvanized steel shall be allowed for cabinet reinforcement.
(i) The fixture shall have tamper-proof, chrome-plated self-closing valves and a combination filler, drinking bubbler with a mouth guard and vacuum flow control.
(j) The water closet bowl shall have an integral seat and back outlet.
(k) The lavatory top, bowl, and closet bowl in the stainless steel fixture shall be 16-gauge or heavier with an 11-gauge or heavier liner.
(l) Surfaces in the stainless steel unit shall be satin finish, except the bowl shall have a high luster finish.
(m) The fixture shall be anchored through the wall with concealed bolts.
(n) A vacuum breaker shall be incorporated and a water shutoff shall be installed outside the room or dayroom.
(o) The fountain bubbler shall produce a water flow on a jet angle and the protector shall be above the water outlet to prevent the mouth from touching it. The protector shall be strong enough that the average person cannot change its configuration without tools.

10A NCAC 14J .1535  FLOOR DRAINS
Floor drains that are accessible to inmates shall be fitted with tamper-resistant covers.

**History Note:**
Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

### 10A NCAC 14J .1536  GENERAL PROVISIONS REGARDING EQUIPMENT INSTALLATION

(a) All steel equipment, except tool-resisting bars embedded in concrete floors and other such parts that are enameled or plated, shall have a prime coat applied in the fabricating shop.

(b) Paint shall be of good metallic grade.

(c) All riveting and welding connected with the installation of security equipment shall meet specifications indicated by the architect.

**History Note:**
Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

### SECTION .1600 - CONSTRUCTION STANDARDS FOR EXISTING STATE-FUNDED SATELLITE JAIL/WORK RELEASE UNITS

### 10A NCAC 14J .1601  APPLICABILITY
Existing state-funded satellite jail/work release units shall continue to be governed by the existing construction standards which are now in this Section. These same standards shall apply to new satellite jail/work release units which have had final working drawings approved by the Section prior to the effective date of this Rule. Existing state-funded satellite jail/work release units or new state-funded satellite jail/work release units which have had final working drawings approved by the Section prior to the effective date of this Rule may choose to comply with any of the new construction standards in Section .1200 as a substitute for existing standards on the same subject in Section .1500.

**History Note:**
Authority G.S. 153A-230.4;
Eff. June 1, 1990;

### 10A NCAC 14J .1602  CONFINEMENT UNIT
Each satellite jail/work release unit shall include:

1. No more than 24 inmates per sleeping area;
2. No less than 35 square feet per inmate devoted to sleeping area only;
3. One shower per 10 inmates, one water closet per six inmates, one sink per six inmates and one water fountain per 10 inmates. Showers and toilet facilities shall be designed to provide maximum privacy (line of sight) while not interfering with the capability of the jail staff to complete supervision rounds;
4. A telephone hookup or other arrangements provided within the area;
5. A dayroom/activity room for each unit separated from the sleeping area and of a size to provide a minimum of 15 square feet per inmate;
6. A dayroom/activity room designed to allow a variety of activities to take place and have:
   a. sufficient seating and tables for each inmate in each confinement unit;
   b. natural light;
   c. artificial lighting at 30 footcandles in reading areas which may be reduced during sleeping hours;
   d. access to toilet, sink with hot and cold water, and drinking fountain;
   e. visual control by staff to observe entire area from point of entrance;
   f. direct voice contact with continuously staffed post or central control center.
Single occupancy sleeping areas when called for in the design. Each single occupancy area shall have:
(a) a minimum of 35 square feet of floor space;
(b) a minimum floor dimension of seven feet;
(c) a toilet, sink, and drinking fountain;
(d) a bed frame;
(e) artificial lighting of 30 footcandles which can be reduced during sleeping hours;
(f) natural light provided by window with exterior exposure;
(g) direct voice contact with staff post or central control center.

History Note: Authority G.S. 153A-230.4;
Eff. June 1, 1990;

10A NCAC 14J .1603 PROGRAMMING AREAS
Each satellite jail/work release unit, when located in a separate facility from a maximum confinement unit shall have:

(1) A general visitation area with:
(a) a public entrance to the facility;
(b) an entry located to permit direct observation and control by staff;
(c) storage facilities for visitors' coats and packages;
(d) a sufficient number of stations to accommodate visitation needs;
(e) seating for both inmates and visitors.

(2) A confidential attorney visitation area that:
(a) is separate and distinct from the general visitation area;
(b) permits passage of papers and documents;
(c) provides seating with a table or desk for writing for visitors and inmates;
(d) provides artificial lighting of 30 footcandles;
(e) permits contact visiting;
(f) provides for visual monitoring, but not hearing by staff;
(g) provides for visitors to contact staff if needed.

(3) If the facility is not a “work release” only facility, a medical area designed:
(a) to prohibit access by unauthorized personnel;
(b) to have locked storage for equipment, supplies, medications, and records;
(c) for equipment approved by the jail physician including a sink, toilet, shower, examining table, nurses and physicians work station, telephone, and direct contact with the central control area.

(4) A food service that meets the sanitation requirements of the Commission for Public Health Title 15A Chapter 18A Section .1500, with adequate storage and food preparation areas.

(5) A laundry service (either contracted for or on premises).

(6) In a facility which is not a “work release” only facility, recreational facilities with:
(a) an area designed for vigorous physical activities, such as volleyball, basketball, etc.;
(b) equipment storage area;
(c) staff observation post for all areas;
(d) access to areas controlled by staff.

(7) A commissary through contract services or built on premises.

History Note: Authority G.S. 153A-230.4;
Eff. June 1, 1990;

10A NCAC 14J .1604 ADMINISTRATION AREA
Each satellite jail/work release unit shall have an administrative area which shall provide:
(1) adequate space for administrative offices accessible to the public;
(2) clerical support areas;
(3) record storage areas;
(4) space for information resources, report writing, and training materials;
(5) conference or training area;
(6) space for unit administrator and support staff personnel.

History Note: Authority G.S. 153A-230.4;
Eff. June 1, 1990;

10A NCAC 14J .1605 CONSTRUCTION MATERIALS FOR SATELLITE JAIL/WORK RELEASE UNITS
Traditional building materials may be used where safety will not be jeopardized, taking into consideration the type and level of security described in the operations program developed by the local authorities.

History Note: Authority G.S. 153A-230.4;
Eff. June 1, 1990;

10A NCAC 14J .1606 MECHANICAL SYSTEMS
Mechanical systems shall:
(1) Provide heating, ventilation, and air conditioning to meet the requirements of the N.C. Building Code;
(2) Have master controls for electrical, plumbing, heating, and air conditioning, that are inaccessible to inmates;
(3) Have master cutoff controls for electrical and water supplies to each confinement area (either single cells or dormitory type areas);
(4) Have capability of maintaining temperatures in the confinement areas within 68 degrees Fahrenheit minimum in the heating season and a maximum of 85 degrees Fahrenheit during the non-heating season.

History Note: Authority G.S. 153A-230.4;
Eff. June 1, 1990;

10A NCAC 14J .1607 GENERAL REQUIREMENTS
In addition to the rules in this Section, the minimum secure unit shall be designed to:
(1) allow access for emergency equipment (e.g., fire hoses, stretchers) provided at appropriate entrances;
(2) have auxiliary power and emergency lighting available;
(3) have vehicle parking for both public and facility staff and be so designed to prevent unauthorized persons from entering the security perimeter.

History Note: Authority G.S. 153A-230.3; 153A-230.4;
Eff. June 1, 1990;

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.
"Alteration" is any change or modification in construction or use.

"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.

"Section" is the Jail and Detention Section of the Division of Health Service Regulation, Department of Health and Human Services.

"Cell" is any confinement unit.

"Cellblock" is a separate and identifiable grouping of cells.

"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).

"Confinement unit" is a single segregation cell, a single cell, a multiple occupancy cell or a dormitory.

"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.

"Department", unless otherwise specified, is the North Carolina Department of Health and Human Services.

"Division", unless otherwise specified, is the Division of Health Service Regulation of the North Carolina Department of Health and Human Services.

"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.

"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.

"Governing body" refers to the governing body of a municipal government.

"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.

"Inmate" is any person, whether pretrial, unsentenced, or sentenced, who is confined in a lockup.

"Inmate processing area" is a secure area through which inmates enter and exit, and it may be combined with the booking area.

"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.

"Medical record" is a record of medical problems, examinations, diagnoses and treatments.

"Multiple occupancy cell" is a cell designed to house up to four inmates.

"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.

"Officer" is a person, whether sworn or unsworn, who is involved in the supervision, control, or custody of inmates.

"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.

"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.

"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.

"Repair" is reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

"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.
"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.

"Secretary", unless otherwise specified, is the Secretary of Department of Health and Human Services.

"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.

"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.

"Single cell" is a cell designed to house one inmate.

"Tamper resistant" means designed to prevent damage, destruction or interference by inmates.

"View panel" is a transparent panel.


10A NCAC 14J .1702 APPLICABILITY - CONSTRUCTION

(a) New Municipal Lockups - The construction standards established in this Section shall apply to all municipal lockup construction for which the final working drawings are approved by the Branch after the effective date of this Rule.

(b) Existing Municipal Lockups - Existing municipal lockups shall continue to be governed by the existing construction standards which are now in Section .1500 of this Subchapter and the same standards shall apply to new municipal lockups which have had final working drawings approved by the Section prior to the effective date of this Rule. Existing municipal lockups or new municipal lockups which have had final drawings approved by the Section prior to the effective date of this Rule may choose to comply with any of the new construction standards in Section .1200 as a substitute for existing standards on the same subject in Section .1500.

(c) Additions - The construction standards established in this Section shall apply to any construction that adds square footage to the building and for which the final working drawings are approved after the effective date of this Rule.

(d) Alterations or Repairs - When alterations or repairs are made to an existing municipal lockup building which affect its structural strength, exits, fire hazards, electrical systems, mechanical systems, or sanitary conditions, such alterations or repairs shall comply with the standards for new construction established in this Section. Unaltered portions of the building shall be required to comply with the new construction standards indicated in this Section only under the circumstances specified in Paragraphs (e) - (g) of this Rule.

(e) Extensive Annual Alterations or Repairs - If, within any 12 month period, alterations or repairs costing in excess of 50 percent of the then physical value of the building are made to an existing municipal lockup, the entire municipal lockup shall conform to the construction standards for new municipal lockups established in this Section.

(f) Reconstruction After Damage - If an existing municipal lockup is damaged by fire or otherwise in excess of 50 percent of the then physical value of the building at the time of damage, the municipal lockup shall be reconstructed in conformance with the construction standards for new municipal lockups established in this Section.

(g) Physical Value - For the purpose of this Rule, the physical value of the municipal lockup building shall be determined by the local building inspection department.


10A NCAC 14J .1703 REQUIREMENT FOR OPERATIONS MANUAL

Within 12 months after the effective date of this Rule, the chief of police or his designee responsible for operating the municipal lockup shall develop written policies and procedures that describe how the lockup will be operated.

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.

10A NCAC 14J .1704 PURPOSE OF OPERATIONS MANUAL
The purpose of the operations manual is to ensure the smooth and efficient operation of the municipal lockup, and therefore it shall be detailed enough to guide officers in completing their assigned duties. The operations manual shall be available to all officers, and each officer shall be familiar with the manual.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1705 CONTENTS OF OPERATIONS MANUAL
(a) The operations manual shall include written policies and procedures that address the following areas:
   (1) administration and management;
   (2) admissions, transportation and release;
   (3) classification;
   (4) security and supervision;
   (5) inmate rules and discipline;
   (6) management of special inmates;
   (7) legal rights of inmates;
   (8) health, mental health, mental retardation and substance abuse services;
   (9) food services;
   (10) access to legal representation;
   (11) sanitation; and
   (12) emergency plans.
(b) The most recent editions of the following references are available as guides for developing policies and procedures:
   (1) Appalachian State University, Model Policies and Procedures Manual for North Carolina Jails;
   (2) American Correctional Association, Standards for Adult Local Detention Facilities;
   (3) American Correctional Association, Standards for Small Jails;
   (4) National Commission on Correctional Health Care, Standards for Health Services in Jails.
These references shall be available for inspection or loan from the Section. Consultation and technical assistance shall be available from the Section. The Section can also provide information regarding outside agencies with additional resources for developing policies and procedures.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1706 REVIEW OF MANUAL
The operations manual shall be reviewed and updated at least once each year by the police chief.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1707 CLASSIFICATION SYSTEM
Each municipal lockup shall have a written classification procedure for the placement and housing of inmates. Within the limitations imposed by the design and capacity of the lockup, the procedure shall assign inmates to confinement units that best meet their individual needs and that reasonably protect the inmate, other inmates, the jail staff, and the public.
10A NCAC 14J .1708  FEMALE INMATES
Male and female inmates shall not be placed in the same confinement unit, dayroom or other living area and, in addition, female inmates shall be housed out of sight of male inmates.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1709  CONFINEMENT OF MALES UNDER 18 YEARS OF AGE
Male inmates under 18 years of age shall be confined in separate cells from adult inmates during sleeping hours.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1710  DISCRIMINATION IN HOUSING ASSIGNMENTS
Housing assignments shall not be made on the basis of race, color, creed, national origin, or political belief.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1711  EXITS
Each municipal lockup shall have readily accessible emergency exits in compliance with the North Carolina State Building Code in order to permit the prompt evacuation of inmates and staff during an emergency. Egress doors in jails which are classified as "Residential Occupancy" by the N.C. State Building Code shall remain unlocked at all times thereby permitting free movement to the building exterior from occupied areas.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1712  FIRE EQUIPMENT
Each municipal lockup shall provide the following emergency fire equipment:
(1) fire extinguishers that meet all of the requirements in National Fire Prevention Association pamphlet number 10 which is hereby adopted by reference pursuant to G.S. 150B-14(c), and
(2) smoke detection equipment that meets the requirements of the North Carolina State Building Code.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1713  FIRE PLAN
(a) Each municipal lockup shall have a written plan for the evacuation and control of inmates in the event of a fire. The plan shall include at least quarterly fire drills, and records shall be made of the fire drills and retained. The actual movement of inmates to other areas or outside the building is not required.
(b) Evacuation routes shall be posted or otherwise clearly marked throughout the municipal lockup.
(c) The police chief shall request in writing that the local fire department or fire marshall inspect the municipal lockup and review the fire plan at least once each year.

**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.

### 10A NCAC 14J.1714  MATTRESSES

Mattresses shall be of fire resistive and nontoxic construction.

**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.

### 10A NCAC 14J.1715  KEYS

Each municipal lockup shall have a key control system that includes the following elements:

1. a key control center that is secure and inaccessible to unauthorized persons at all times;
2. a set of duplicate keys to be stored in a safe place that is inaccessible to unauthorized persons at all times;
3. an accounting procedure for issuing and returning keys; and
4. a system of keys and matching locks that are color-coded and marked for identification by touch.

**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.

### 10A NCAC 14J.1716  GENERAL SECURITY REQUIREMENTS

Each municipal lockup shall meet the following security requirements:

1. provide for the secure confinement of inmates from the time of their passage through the security perimeter until release;
2. prevent the passage of contraband;
3. prevent unauthorized contact between inmates and person from outside the lockup;
4. provide a ground-level perimeter exterior that is well lighted; and
5. provide a communications link with outside agencies for use in emergencies.

**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.

### 10A NCAC 14J.1717  SUPERVISION

(a) Officers shall make supervision rounds and directly observe each inmate in person at least twice per hour on an irregular basis. The supervision rounds shall be documented. If remote electronic monitoring is used to supplement supervision, it shall not be substituted for supervision rounds and direct visual observation.
(b) Officers shall maintain voice or visual contact with all inmates at all times, and it shall be through either direct observation or by means of electronic surveillance.
(c) Their shall be more frequent observation of inmates who are assaultive, suicidal, intoxicated, mentally ill or who have other special needs or problems.
(d) Officers shall remain awake at all times.
(e) Officers shall not be assigned other duties that would interfere with the continuous supervision, custody or control of inmates.

(f) Female officers shall be on duty when female inmates are confined.

(g) The police chief shall develop a contingency plan for the supervision and control of inmates during an emergency, and it shall provide for the ready availability of extra personnel.

(h) Inmates shall not be allowed to supervise or assume any control over other inmates.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1718 SANITATION AND TOILETS
Each municipal lockup shall comply with the North Carolina Commission for Public Health rules governing sanitation as codified in Title 15A Chapter 18A Section .1500 and which are hereby adopted incorporated by reference, including subsequent amendments and editions of the reference materials. A copy of this material can be obtained free of charge from the State Division of Health Services, Environmental Health Section, Post Office Box 27687, Raleigh, North Carolina 27611-7687. Inmates shall have unrestricted access to toilets.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. December 1, 1991;

10A NCAC 14J .1719 MATTRESSES AND BEDDING
Mattresses, sheets, and blankets that are clean and in good repair shall be supplied to all inmates except those not housed overnight. Sheets shall be exchanged at least once a week. Mattresses shall meet the following requirements:

1. Mattresses shall comply with Commission for Public Health rules on sanitation, Title 15A Chapter 18B .0201 -.0215 and G.S. Chapter 130A-273 which are hereby adopted by reference pursuant to G.S. 150B-14(c).
2. Mattresses shall not be less than four inches thick and shall be the same length and width as the lockup bunks.
3. Mattresses shall not have any metal, plastic, or other rigid framing component.
4. Mattress ticking shall be durable and water repellent.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1720 FOOD SERVICE
(a) In municipal lockups that purchase meals from an outside provider, a written contract shall require the provider to meet the applicable standards in this Section.
(b) Inmates shall not be used as the sole source of personnel for the preparation or service of any meal.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1721 MEAL SERVICE
(a) Each municipal lockup shall provide at least three meals for inmates, two of which must be hot, at regular times during each 24-hour period. There shall be not more than 14 hours between the evening meal and breakfast. An inmate shall be provided a meal if he is in the municipal lockup during a normal meal hour.
(b) Food shall be served to inmates on individual serving trays. Eating utensils, consistent with security considerations, and condiments shall be provided.

(c) While food is being transported, either from inside or outside the jail, it shall be covered to prevent contamination. Food must be maintained at appropriate serving temperatures as specified in Commission for Health Service Rule 15A NCAC 18A .1522.

(d) Food shall never be used as a reward or punishment.

(e) Each municipal lockup shall keep a daily record of the number of meals served.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. December 1, 1991;

10A NCAC 14J .1722 FOOD AND NUTRIENT REQUIREMENTS

(a) The average nutrient content of weekly menus shall meet the Recommended Dietary Allowances of the National Academy of Sciences which are hereby adopted by reference pursuant to G.S. 150B-14(c).

(b) Daily menus shall include the following:
   (1) Milk Group: Two servings;
   (2) Fruit Group: Two servings, one of which shall be citrus;
   (3) Vegetable Group: Three servings;
   (4) Meat or Protein Group: Two servings;
   (5) Cereal or Bread Group: Four servings of whole grain or enriched products; and
   (6) Calories: 2,100 - 2,500.

(c) For all pregnant women and inmates under age 18, the milk group shall include four servings per day.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1723 MENUS

(a) Menus shall be prepared in consultation with a registered dietitian.

(b) Menus shall be written and portion sizes shall be specified.

(c) Menus shall be dated and posted one week in advance.

(d) Menus shall be served as written to inmates in the municipal lockup. Any necessary substitutions shall be of comparable nutritional value, and a written record of substitutions shall be kept.

(e) The same menu shall not be served at lunch and dinner on the same day.

(f) Dated menus and records of any substitutions shall be retained for three years.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1724 MODIFIED DIETS

(a) Modified diets shall be provided if prescribed by appropriate medical or dental personnel.

(b) Modified diets shall be provided when reasonably possible to accommodate the sincerely held religious beliefs of an inmate.

(c) Written menus for modified diets shall be prepared in consultation with a registered dietitian.

(d) Modified diets shall be served as written. Any necessary substitutions shall be of comparable nutritional value, and a written record of substitutions shall be kept. Dated menus of modified diets and records of any substitutions shall be retained for three years.

(e) Each municipal lockup shall maintain a current list of inmates requiring modified diets, and it shall be posted for use by staff.
(f) Each municipal lockup shall record the number of modified diets served at each meal, along with the name of each inmate and the type of modified diet that he or she received.


10A NCAC 14J.1725 MEDICAL PLAN
(a) A written medical plan shall be developed in compliance with G.S. 153A-225 and it shall be available for ready reference by municipal lockup personnel. The medical plan shall include a description of the health services available to inmates.
(b) The written plan shall include policies and procedures that address the following areas:
   (1) Health screening of inmates upon admission;
   (2) Routine medical care;
   (3) The handling of inmates with chronic illnesses or known communicable diseases or conditions;
   (4) Administration, dispensing and control of prescription and non-prescription medications;
   (5) Handling emergency medical problems, including but not limited to emergencies involving dental care, chemical dependency, pregnancy and mental health;
   (6) Maintenance and confidentiality of medical records; and
   (7) Privacy during medical examinations and conferences with qualified medical personnel.
(c) Inmates must be provided an opportunity each day to communicate their health complaints to a health professional or to an officer. Qualified medical personnel shall be available to evaluate the medical needs of inmates. A written record shall be maintained of the request for medical care and the action taken.
(d) Inmates shall not perform any medical functions in the lockup.
(e) The medical plan shall be reviewed annually.


10A NCAC 14J.1726 HEALTH SCREENING FORM
The health screening form completed upon admission by an officer shall be available to municipal lock-up officers, and a copy of the form shall be kept in any medical file that is maintained for inmates. The form shall be reviewed for the presence of confidential information which cannot be made available to municipal lock-up officers.


10A NCAC 14J.1727 LOGS OF ADMISSIONS AND RELEASES
Municipal lockups shall keep a log that contains at least the following information on each inmate admitted:
   (1) Inmate name,
   (2) Date and time inmate is admitted and released,
   (3) Charge,
   (4) Condition of release, and
   (5) If not released, place to which inmate was transferred.

10A NCAC 14J .1728  MONTHLY REPORT OF MUNICIPAL LOCKUPS
The police chief shall complete a monthly report on Form DHR-JDS-1 and send it to the Section no later than the tenth day of the following month.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1729  REPORT OF DEATH
The report of an inmate death required by G.S. 153A-225 shall be submitted to the Section.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1730  CONSULTATION AND TECHNICAL ASSISTANCE
Consultation and technical assistance in planning a new municipal lockup shall be available through the Section.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1731  COMPLIANCE REVIEW AND APPROVAL
(a) The governing body shall submit copies of the following to the Section before it begins construction of a new municipal lockup and before it makes additions or alterations to an existing municipal lockup as defined by the North Carolina State Building Code:
   (1) three sets of schematic drawings and outline specifications;
   (2) three sets of preliminary working drawings or design development drawings and outline specifications;
   (3) three sets of completed final working drawings and specifications.
(b) Upon receipt of the drawings and specifications at each stage, the Section shall send one set each to the following for their review and approval: the Department of Insurance to insure compliance with the North Carolina State Building Code, and the Division of Environmental Health in the Department of Environment and Natural Resources to insure compliance with the rules governing sanitation as codified in Title 15A Chapter 18A Section .1500 and which are hereby adopted by reference pursuant to G.S. 150B-14(c). The Section shall keep one set for its own review and approval to insure compliance with the minimum standards for the operation and construction of municipal lockups as contained in this Subchapter. Review and comment on the drawings and specifications at each stage shall be made no later than 30 days after receipt by the Section.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1732  SPECIFIC CONSTRUCTION REQUIREMENTS
(a) Municipal lockups restrain inmates under lock and key within a building and therefore shall meet the requirements of the North Carolina State Building Code for "Institutional Occupancy - Restrained".
(b) The construction materials in all municipal lockups shall be sufficient to provide the degree of security required for the area in which they are used.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1733 CENTRAL CONTROL STATION
In municipal lockups that have a central control station, the station shall:
   (1) be strategically located and equipped to regulate and monitor the movement of inmates and officers;
   (2) have a security vestibule at its entrance;
   (3) have direct two-way voice communication with all confinement units;
   (4) have direct two-way voice communication with all officers as needed to maintain safety and security;
   (5) be equipped with a release mechanism to open all confinement unit doors in an emergency;
   (6) have a toilet and sink.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1734 ELEVATORS
Elevators that open into the municipal lockup shall be secure and shall be under the control and observation of officers.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1735 INMATE PROCESSING AREA
Each municipal lockup that performs a booking and release function shall have an inmate processing area with access to the following:
   (1) a booking area that includes space for photographing and fingerprinting inmates and a telephone for making local and collect long-distance calls; and
   (2) a sobriety testing area.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1736 VISITATION AREAS
Each municipal lockup shall provide a confidential attorney visitation area that shall:
   (1) permit contact between the inmate and attorney;
   (2) provide seating and a writing table for the inmate and attorney;
   (3) permit only visual monitoring by the officers;
   (4) provide a way for the attorney to contact officers if needed; and
   (5) provide a minimum of 30 footcandles of artificial light.

History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1737 OTHER AREAS
Each municipal lockup that does not contract for meals shall have a kitchen.
10A NCAC 14J .1738 FLOORS, CEILINGS, AND WALLS
All ceilings, walls, and floors in confinement units shall have a finished surface that is easily cleaned, nontoxic, and predominantly of light colors.

10A NCAC 14J .1739 SHOWERS AND PLUMBING FIXTURES
(a) If provided, each municipal lockup shall have at least one shower for every eight inmates. 
(b) If provided, showers shall have drains that prevent water from draining outside the shower, and the shower fixtures and drains shall be tamper-resistant if necessary for security. 
(c) Plumbing fixtures shall be made of stainless steel or other suitable materials as necessary for security. 
(d) Drinking fountains shall be equipped with mouth guards. 
(e) All privacy partitions in showers and bathrooms shall be high enough to allow limited privacy for the inmates while still allowing adequate supervision by officers.

10A NCAC 14J .1740 WINDOWS AND GLAZING
(a) Windows and window framing, including glazing, shall be made of materials necessary to provide the degree of security required for the area in which they are used. 
(b) Glazing shall be diffused or obscured if it affords a view into confinement units from outside the municipal lockup. 
(c) View panels shall be made of materials necessary to provide the degree of security required for the area in which they are used, and those used for confinement units shall have a minimum area of 180 square inches and permit observation of the entire unit. 
(d) Natural light shall be admitted into all confinement units either directly or indirectly.

10A NCAC 14J .1741 DOORS, BUNKS AND LOCKS
(a) Doors, locks and detention hardware shall be made of materials necessary to provide the degree of security required for the area in which they are used. 
(b) Doors to all confinement units shall have view panels. 
(c) Doors shall operate independently of each other, and the cell doors in a cellblock shall be capable of simultaneous release during an emergency. 
(d) Doors and locks that are electronically controlled shall be equipped with manual override. 
(e) Food passes, if used, shall have openings large enough to permit the passage of a food tray. 
(f) Bunks shall have dimensions necessary to accommodate a standard detention mattress and they shall be securely anchored at least 15 inches above the floor. When one bunk is placed above another, the lower bunk shall be approximately 15 inches and the upper bunk approximately 50 inches above the floor.
(g) Doors, locks, detention hardware and bunks shall be designed to inhibit their use for an attempted suicide.


10A NCAC 14J.1742 SAFETY EQUIPMENT
In each municipal lockup the safety equipment, including intercoms, fire extinguishers, smoke detectors, and sprinkler heads, shall be tamper-resistant if necessary for security.


10A NCAC 14J.1743 MECHANICAL SYSTEMS
(a) Each municipal lockup shall have heating, ventilation, and air conditioning systems that are capable of maintaining temperatures in confinement units not less than 68 degrees Fahrenheit during the heating season and not more than 85 degrees Fahrenheit during the cooling season.
(b) The master controls for the system shall be located outside the confinement units and shall be accessible to officers during an emergency.
(c) The ducts for the systems shall be designed to prevent the escape of inmates and the passage of contraband, and they shall be designed to inhibit their use for attempted suicide.
(d) The ventilation system shall provide a minimum of ten cubic feet per minute of fresh or purified air for each inmate.


10A NCAC 14J.1744 PLUMBING SYSTEMS
(a) Each municipal lockup shall have a plumbing system that complies with the Commission for Public Health Rules Title 15A Chapter 18A and the North Carolina State Plumbing Code, both of which are hereby adopted by reference pursuant to G.S. 150B-14(c).
(b) Each municipal lockup shall have a hot water supply for inmate lavatories, if provided, and showers designed to meet the usual needs of the number of inmates confined in the municipal lockup.
(c) The master control valves for the plumbing system shall be located outside the confinement units and shall be accessible to officers during an emergency.


10A NCAC 14J.1745 ELECTRICAL SYSTEMS
(a) Each municipal lockup shall have an electrical system that provides artificial lighting in the confinement units of at least 30 foot-candles and that can be reduced during sleeping hours.
(b) Artificial lighting in the corridors shall be at least 20 footcandles.
(c) Lighting fixtures shall be made of materials necessary to provide the degree of security required for the area in which they are used.
(d) The master controls and circuit breakers shall be located outside the confinement units and shall be accessible to officers during an emergency.

History Note: Authority G.S. 153A-221;
10A NCAC 14J .1746 CLOTHING AND TOWEL HOOKS
Clothing and towel hooks shall not be used.

History Note: Authority G.S. 153A-221; Eff. June 1, 1990;

10A NCAC 14J .1747 CONFINEMENT UNITS
The governing body shall decide what confinement unit or combination of confinement units it will include in its municipal lockup: single cells and multiple occupancy cells.

History Note: Authority G.S. 153A-221; Eff. June 1, 1990;

10A NCAC 14J .1748 STANDARDS FOR SINGLE CELLS
Each single cell shall have:
(1) a minimum floor space of 50 square feet;
(2) a minimum floor dimension of seven feet;
(3) a toilet, a sink and a drinking fountain.

History Note: Authority G.S. 153A-221; Eff. June 1, 1990;

10A NCAC 14J .1749 STANDARDS FOR MULTIPLE OCCUPANCY CELLS
Each multiple occupancy cell shall house no more than four inmates and shall have:
(1) a minimum floor space of 50 square feet for the first inmate and 35 square feet of floor space for each additional inmate;
(2) a minimum floor dimension of seven feet;
(3) a toilet, a sink and a drinking fountain.

History Note: Authority G.S. 153A-221; Eff. June 1, 1990;

10A NCAC 14J .1750 INSPECTIONS
All municipal lockups shall be visited and inspected at least twice each year, but a lockup shall be inspected more frequently if the Department considers it necessary or if it is required by an agreement of correction pursuant to Rule .1753 of this Subchapter.

History Note: Authority G.S. 153A-220; 153A-221; Eff. June 1, 1990;

10A NCAC 14J .1751 REPORT OF INSPECTION
(a) The procedures contained in G.S. 153A-222 shall govern all inspections except those that find noncompliance with one or more of the provisions listed in Paragraph (b) of this Rule.

(b) The inspector shall forward a copy of the inspection report to the Secretary within ten days after the inspection if there are findings of noncompliance with any of the following standards contained in 10A NCAC 14J or the following statutes:

1. Classification; Rules .1707-.1709;
2. Fire Safety; Rules .1711-.1715;
3. Supervision; Rule .1717;
4. Sanitation and Personal Hygiene; Rules .1718-.1719;
5. Food; Rules .1720-.1724;
6. Medical Care of Inmates; Rules .1725-.1726;
7. G.S. 153A-224, Supervision of Lockups; or

(c) The inspector at the same time shall submit to the Secretary a written description of the conditions that caused noncompliance and a preliminary determination of whether those conditions jeopardize the safe custody, safety, health or welfare of the inmates confined in the municipal lockup.

(d) The inspection report shall be submitted to the local officials responsible for the municipal lockup within 30 days after the inspection as required by G.S. 153A-222, and it shall include a notice that the facility was not in compliance with one or more of the provisions listed in Paragraph (b) of this Rule. The notice shall state that the report has been submitted to the Secretary on a designated date for a final determination of whether conditions at the municipal lockup jeopardize the safe custody, safety, health or welfare of its inmates. The notice shall state that local officials will be mailed a final determination within 45 days of the designated date.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;

10A NCAC 14J .1752 DETERMINATION THAT CONDITIONS JEOPARDIZE INMATES

(a) The Secretary shall determine whether conditions in the municipal lockup jeopardize the safe custody, safety, health or welfare of its inmates within 30 days after receipt of the inspection report and the supporting materials.

(b) The Secretary may determine that noncompliance with any of the provisions listed in 10A NCAC 14J .1751(b) jeopardizes the safe custody, safety, health or welfare of inmates confined in the lockup.

(c) Although noncompliance with other specific standards or statutes may be found to jeopardize inmate or staff safe custody, safety, health or welfare, the Secretary shall determine that noncompliance with any of the following provisions contained in 10A NCAC 14J jeopardizes the safe custody, safety, health or welfare of inmates confined in the lockup:

1. Mattress flame retardant requirements; Rule .1711;
2. Emergency exits; Rule .1713;
3. Fire plan; Rule .1713;
4. Fire equipment; Rule .1712;
5. Separation of male and female inmates; Rule .1708;
6. Separation of males under age 18; Rule .1709;
7. Medical plan; Rule .1725;

(d) The Secretary shall notify the local officials responsible for the municipal lockup within 15 days of his final determination if he concludes that the conditions in the lockup jeopardize the safe custody, safety, health or welfare of the inmates. The Secretary shall order corrective action, order the municipal lockup closed, or enter into an agreement of correction with local officials pursuant to 10A NCAC 14J .1753.

(e) The Secretary shall notify the local officials responsible for the lockup within 15 days of his final determination if he concludes that the conditions in the lockup do not jeopardize the safe custody, safety, health or welfare of the inmates. The notice shall direct local officials to consider the inspection report and initiate corrective action pursuant to the provisions of G.S. 153A-222.

History Note: Authority G.S. 153A-220; 153A-221;
Eff. June 1, 1990;
10A NCAC 14J .1753  AGREEMENT OF CORRECTION
(a) Before ordering corrective action or ordering the lockup closed, the Secretary may direct the governing body to enter into an agreement of correction. If the Secretary chooses this option, he shall require the governing body to enter into a written agreement within 30 days after it receives notice that conditions in the lockup jeopardize the safe custody, safety, health or welfare of the inmates.
(b) The agreement of correction at a minimum shall indicate the specific areas of noncompliance with the standards or statutes, the governing body's intent to remedy noncompliance, a plan for remediing the noncompliance, a definite and reasonable number of days within which the lockup will be brought into compliance, and a schedule of inspections to monitor compliance.
(c) The agreement of correction may be extended once for a period not to exceed 60 days if the time period in the initial agreement expires before the lockup is brought into compliance, but only if the governing body is making a good faith effort to achieve compliance.
(d) If the lockup is not brought into compliance within the time period required by Paragraph (c) of this Rule, the Secretary shall order corrective action or order the lockup closed.

History Note:  Authority G.S. 153A-220; 153A-221;  
Eff. June 1, 1990;  

10A NCAC 14J .1754  ORDER OF CORRECTIVE ACTION OR ORDER OF CLOSURE
If the Secretary determines that an agreement of correction is not appropriate, or if he determines that a lockup is not brought into compliance within the time period required by an agreement of correction, the Secretary shall order corrective action or order the lockup closed. Notice of the action taken shall be given to local officials responsible for the lockup as provided by G.S. 153A-223(1). Local officials may contest the Secretary's order according to the procedures outlined in G.S. 153A-223.

History Note:  Authority G.S. 153A-220; 153A-221;  
Eff. June 1, 1990;  

10A NCAC 14J .1755  DESIGNATION BY SECRETARY
The Secretary may designate a person to act for him with respect to matters covered by this Section. The designation shall be in writing and it shall be on file with the Section.

History Note:  Authority G.S. 153A-220; 153A-221;  
Eff. June 1, 1990;  