

Office of the Sheriff

Ernie Coleman
SHERIFF



Office: 252-946-7111

Fax: 252-946-0993

Cell: 252-944-7368

December 7, 2017

TO: Chief Deputy Rose
FROM: Lieutenant Bryan
RE: State of the Detention Center 2017

As the Jail Administrator, it is my responsibility to continue to assess jail operations, policies, practices and inmate management to ensure we are functioning properly. The primary purpose of this annual report is to keep you informed about unsafe conditions; noncompliance with laws, administrative codes and/or best practices; potential exposure to liability, and general working conditions for county employees.

Prior to covering current issues, I will briefly review the results of the Grand Jury inspections from the previous 4 years, to include the most recent inspection conducted this month.

Grand Jury

§ 15A-628. Functions of grand jury; record to be kept by clerk.

(a) *A grand jury:*

- (1) *Must return a bill submitted to it by the prosecutor as a true bill of indictment if it finds from the evidence probable cause for the charge made.*
- (2) *Must return a bill submitted to it by the prosecutor as not a true bill of indictment if it fails to find probable cause for the charge made. Upon returning a bill of indictment as not a true bill, the grand jury may request the prosecutor to submit a bill of indictment as to a lesser included or related offense.*
- (3) *May return the bill to the court with an indication that the grand jury has not been able to act upon it because of the unavailability of witnesses.*
- (4) *May investigate any offense as to which no bill of indictment has been submitted to it by the prosecutor and issue a presentment accusing a named person or named persons with one or more criminal offenses if it has found probable cause for the charges made. An investigation may be initiated upon the concurrence of 12 members of the grand jury itself or upon the request of the presiding or convening judge or the prosecutor.*

Office of the Sheriff

Ernie Coleman
SHERIFF



Office: 252-946-7111

Fax: 252-946-0993

Cell: 252-944-7368

(5) *Must inspect the jail and may inspect other county offices or agencies and must report the results of its inspections to the court.*

Grand Jury Report 2014

The main concerns were:

1. Safety issues - Blind spots in surveillance, danger to public-visitors, etc.
2. The control officer taking attention away from cameras to answer phone, intercom, access paperwork, etc.
3. Environmental-Flooding, mold, lack of ventilation, etc.

Grand Jury Report 2015

The main concerns were:

1. Safety issues- Lack of safe evacuation plan
2. The lack of inmate programs/ministry

Grand Jury Report 2016

The main concerns were:

1. Lack of adequate ventilation
2. No sprinkler system
3. The control officer taking attention away from cameras to answer phone, intercom, access paperwork, etc.
4. Blind spots in surveillance
5. Overall inadequate space
6. No outdoor recreation
7. Their recommendation was, "...extreme upgrading needed or bond referendum for a new jail."

Grand Jury Report 2017

The main concerns were:

1. Lack of adequate lighting and ventilation, few windows
2. Food maintained at inadequate temperatures due to lack of refrigerated storage
3. General safety concerns: insufficient cameras, facility is small and outdated, no place to house sick inmates

Office of the Sheriff

Ernie Coleman
SHERIFF



Office: 252-946-7111

Fax: 252-946-0993

Cell: 252-944-7368

1. Budget Requests not approved for Life-Safety Issues

§ 162-38. Where jail unfit or insecure, courts may commit to jail of adjoining county.

Whenever there is an unfit or insecure jail in any county, the judicial officers of such county may commit any persons brought before them, whether in a criminal or civil proceeding, to the jail of any adjoining county, for the same causes and under the like regulations that they might have ordered commitments to the usual jail; and the sheriffs and other officers of such county in which there is an unfit or insecure jail, and the sheriffs or keepers of the jails of the adjoining counties, shall obey any order of commitment so made. (1835, c. 2, s. 2; R.C., c. 87, s. 3; Code, s. 3458; Rev., s. 1350; C.S., s. 1354; 1973, c. 57, s. 2; c. 822, s. 3; 1983, c. 670, s. 17.)

A. Security Doors

1. The security doors in this facility are obsolete and replacement parts are no longer manufactured. The nearest reputable service contractor willing to come to this facility is in Georgia. They now perform quarterly preventive maintenance (none was done prior to two years ago), however they must fabricate all parts. Additionally, we must pay for an overnight hotel for the two workers as well as their travel.
2. We have had several instances where the doors completely failed (one was an access point for the secure perimeter) and it took 4 days for the contractor to get here.
3. Currently, some of the door's security features can be defeated by the inmates, and we are not able to permanently rectify this with the doors we have.
4. The budget request for the replacement of 35 obsolete sliding doors (approximately \$240,000) was denied.
5. Some of the doors do not have food passes, requiring officers to open doors to segregation cells, etc. to pass medications, food, etc. The budget request to add food passes (approximately \$10,000) was denied.

B. Sprinkler System

Although we are grandfathered under the 1967 (original construction) and the 1978 (jail expansion) North Carolina State Building Codes for sprinklers, we still submitted a budget request for this system (approximately \$ 125,000) and it was denied.

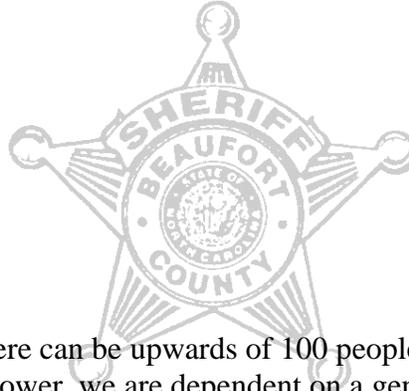
Office of the Sheriff

Ernie Coleman
SHERIFF

Office: 252-946-7111

Fax: 252-946-0993

Cell: 252-944-7368



At any time, there can be upwards of 100 people in this facility. If a fire were to knock out the power, we are dependent on a generator and often still must reboot the computer system that controls the door access. If that fails, we must manually key the doors open one at a time to release the inmates. There is no air evacuation or recirculation system here, and no secure place outside the facility (neither a secure recreation area, nor sally port) to put the inmates until the smoke and/or fire is abated.

There was a fire in this facility in 2013 and inmates were evacuated for 95 days. Many of the associated costs were unmeasured, but some costs were, making the total expenditure for this event at approximately \$300,000. Fortunately, there was no loss of life. Our facility has been compared to the Mitchell County Jail, which had a fire in 2002 where 8 inmates died of smoke inhalation before the doors could be opened. That jail was never rebuilt.

2. **PREA Compliance (Prison Rape Elimination Act)**

As discussed in the 2016 State of the Detention Center Report, we are required to comply with PREA standards. We had a PREA Audit in September, at a cost of \$10,000 and we were found noncompliant in two standards. Here are some excerpts from the Audit:

“The facility is a linear design located in the basement of the County Courthouse. The configuration does not generally support effective supervision...”

“The two standards that are not met are dealing with youthful offenders and inmate education. The current physical plant does not allow for separation of youthful offenders as defined by the standard. In order to become compliant the agency will need to look at looking at how the youthful offenders are housed or house them outside the facility at a PREA compliant facility.

The second standard involved inmate education. Though there is information about PREA available to the residents, a more in-depth orientation with a signed acknowledgment by the residents is recommended. This orientation should be done daily either by video or led by trained officer.”

Due to the physical plant limitations, we will not be able to comply with these two standards, leaving a potential exposure to liability.

Office of the Sheriff

Ernie Coleman
SHERIFF



Office: 252-946-7111

Fax: 252-946-0993

Cell: 252-944-7368