

NC Jail Administrators' Association

E-News – August 2022



Message From the President

I hope this newsletter finds all of you well. The 4th of July has come and gone, and we are certainly in the “dog days of summer”. Since our last newsletter we had our jail symposium. If you were not able to attend, you missed some outstanding training and presenters! As always, we encourage you to make any comments or suggestions on how we can make it better.

We are a couple months out from our 2022 Conference- September 26th-29th. Please mark your calendars and get your reservations made. We are very excited about the slate of presenters this year; everyone should leave with more than you came with. As always, our intent is to provide training that is beneficial in your everyday job. I would like to highlight the presentation of “Bulletproof Mind” by Lt. Col. Dave Grossman.

Thanks to all of you for the incredible job you do every day. Stay safe and take care of each other and I hope to see you at the conference.

Greg Huntley, President NCJAA

Sheriff Richard Frye Scholarship – Deadline September 1, 2022

If you know of NCJAA members who have children, or if they are attending college themselves, now is the time to start sending your resumes and short essays about them to be considered for the Sheriff Richard Frye Scholarship.

The scholarship is named after the late Sheriff Richard Frye of Alamance County. Sheriff Frye was instrumental in establishing the NCJAA, and he remained one of our bigger supporters until his death.

It is a great honor for someone to be awarded this scholarship.

If you would like more information about the scholarship, or need an application, please click [here](#). Deadline—September 1, 2022. Please be sure to review both the scholarship application and the scholarship information letter.

NCJAA 2022 Annual Conference

September 26-29, 2022 / Embassy Suites, Greensboro NC

336-668-4535

Reservation Deadline: September 11, 2022 | Hotel Rate: \$119/Night

To make your reservations online please click [here](#).

For an agenda and registration, please visit the website at NCJAA.org.

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2022 Legislation That Impacts Jails

The 2022 “Short Session” of the North Carolina General Assembly convened on May 18, 2022 and “adjourned” on July 1, 2022. While the General Assembly is technically adjourned, they are scheduled to reconvene the “Short Session” several times throughout the remainder of this year.

However, upon doing so the matters that can be considered by the General Assembly are limited in scope. Such matters include, but are not limited to, bills vetoed by the Governor, bills providing for the selection, appointment, or confirmation of individuals recommended by the General Assembly to fill certain vacancies, bills related to election laws, and organizational resolutions for further adjournment of the 2022 “Short Session.”

There is not any action by the General Assembly anticipated for later this year that will involve criminal justice related legislation.

For specific details about the legislative bills summarized below, please review the actual legislation. Any of the legislation introduced or considered by this year’s General Assembly is available on the General Assembly’s website: www.ncleg.gov.

[HOUSE BILL 103, 2022 Appropriations Act](#), makes various changes to the 2021 State Budget for the 2021 – 2023 fiscal biennium and also makes other changes to the budget operations of the State and to State law. Of interest to jail administrators and detention officers, the bill:

1. Appropriates \$6 million in nonrecurring funds to the North Carolina Department of Health and Human Services (DHHS) for the 2022-2023 fiscal year to be allocated equally to local management entities/managed care organizations (LME/MCOs) to purchase medications approved by the federal Food and Drug Administration for the treatment of opioid use disorder and to distribute them free of charge to jails located in the LME/MCOs operational areas.

Effective: July 1, 2022

2. Amends G.S. 153A-222 to allow a governing body (such as a board of county commissioners), sheriff or administrator of a local confinement facility to request a hearing before an administrative law judge to contest any or all findings within a written inspection report related to a local confinement facility that has been issued by the Division of Health Service Regulation of the North Carolina Department of Health and Human Services. G.S. 153A-222, as amended, requires the request for a hearing to be filed with the North Carolina Office of Administrative Hearings within 30 days of receiving the written inspection report.

Effective: October 1, 2022 and applies to actions taken by a governing body, sheriff, or other administrator of a local confinement facility related to inspection reports received on or after that date.

3. Amends G.S. 153A-221 to require the Secretary of the North Carolina Department of Health and Human Services (DHHS) to develop and publish minimum standards for compliance with the requirements of Part 2B of Article 10 of Chapter 153A of the General Statutes, “Dignity for Women Incarcerated in Local Confinement Facilities.”

Sheriffs are required to comply with the State law that sets out in detail the required care for pregnant women that are incarcerated but, previously, the Secretary of DHHS was not required to develop and publish minimum standards for such compliance.

Effective: July 11, 2022

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4. Amends G.S. 153A-229.2 to require a local confinement facility's physician, a physician staff member, or a local confinement facility nutritionist to plan the food and dietary supplements provided to pregnant women who are incarcerated in accordance with the guidelines set out in the most recent edition of "Dietary Guidelines for Americans," published by the United States Department of Health and Human Services and the United States Department of Agriculture.

Amended G.S. 153A-229.2 specifies that orders by a physician or physician staff regarding dietary needs or restrictions for any pregnant woman who is incarcerated take precedence over the Dietary Guidelines for Americans described above.

Previously, local confinement facility medical personnel were not required to consult with or adhere to the Dietary Guidelines for Americans published by the United States Department of Health and Human Services and the United States Department of Agriculture when planning for the dietary needs of any pregnant woman who is incarcerated.

Effective: July 11, 2022

[HOUSE BILL 315](#), [Arson Law Revisions](#), makes various changes to the criminal law regarding arson offenses. Of interest to jail administrators and detention officers, the bill:

Enacts G.S. 14-59.1, which makes it a Class D felony for a person to wantonly and willfully set fire to or burn or cause to be burned, or aid, counsel or procure the burning of a penal institution or its contents.

"Penal institution" is defined in the law as a detention facility operated under the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice, a detention facility operated by another state or the federal government, or a detention facility operated by a local government in this State (such as a sheriff's jail) or another state.

Effective: December 1, 2022 and applies to offenses committed on or after that date.

[HOUSE BILL 607](#), [Various Court Changes](#), makes various changes to the laws regarding expunction of criminal records. Of interest to jail administrators and detention officers, the bill:

1. Suspends, until August 1, 2023 the automatic expunction by operation of law of dismissed charges and not guilty verdicts under the [Second Chance Act](#) (SL 2020-35), and requires the North Carolina Administrative Office of the Courts (AOC) to convene a group of stakeholders, including sheriffs, to make recommendations to resolve the issues that have developed with these automatic expungements, including but not limited to lack of timely notice that a case has been automatically expunged, lack of timely release orders being delivered to confinement facilities because it is unknown that a case has been automatically expunged, seized evidence not being disposed of in a timely manner because it is unknown that a case has been automatically expunged, and agency file retention issues created by automatic expungements that are not accompanied by a court order.

The AOC working group must report its findings and recommendations to the chairs of the House and Senate Appropriations Committees on Justice and Public Safety no later than March 1, 2023.

Effective: August 1, 2022 and expires August 1, 2023.

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2. Requires the AOC, within 180 days of the repeal or expiration of the suspension of automatic expunctions, to expunge all dismissed charges, not guilty verdicts, and findings of not responsible that occurred during the period of suspension and that are eligible for automatic expunction under the [Second Chance Act](#).
3. Amends G.S. 15A-151 to clarify the North Carolina Administrative Office of the Courts (AOC) must release information contained in its confidential file for expungements related to any petition for expungement under Chapter 15A of the General Statutes upon request of State or local law enforcement, the North Carolina Sheriffs' Education and Training Standards Commission, or the North Carolina Criminal Justice Education and Training Standards Commission for employment or certification purposes.

Effective: July 7, 2022 and applies retroactively to requests for disclosure of expunctions made on or after October 1, 2021.

[HOUSE BILL 911, Regulatory Reform Act of 2022](#), amends G.S. 132-1.7 to clarify in our public records laws that specific security information or detailed plans, patterns or practices associated with prison and local confinement facilities operations is not public record.

Effective: July 12, 2022

[SENATE BILL 909, Lexington UDO/Jail Com. Changes](#), enacts a local law which requires the Lexington City Council to appoint one City Council member and one staff member to the Davidson County Jail Committee and allows these members to participate, discuss, and vote on matters related to the façade, exterior, sidewalks, streetscapes, and plantings of the jail. The bill does not allow these members to participate, discuss, or vote on building programming or on the operation of the jail by the sheriff.

This bill applies only to Davidson County.

Effective: June 30, 2022

Eddie Caldwell is Executive Vice President and General Counsel for the North Carolina Sheriffs' Association, Inc. and serves as a member of the Board of Directors of the North Carolina Jail Administrators Association.

The Most Unique Hotel in NC is One You'll Definitely Want to Visit

The Tar Heel State is not without its fair share of historic hotels but you'd be hard-pressed to find another quite like the Old Marshall Jail Hotel in Marshall. The old jail was built in 1905 and was actually in use until 2012. And in 2016, it was purchased by locals, painstakingly renovated over a five-year period, and then, in 2021, it opened as the most unique hotel in North Carolina.

For the complete article and pictures please click [here](#).

NCJAA Directory

Please review the information for your county and let us know of changes. Send updated information to elaine@execman.net

[NCJAA Detention Facility Resource Directory](#)

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4 innovative approaches to inmate suicide prevention

Soft cells and suicide smocks and medical monitoring cannot substitute for a caring, observant correctional officer

Inmate suicide prevention is a huge focus in correctional training and day-to-day jail operations. And for good reason: Suicide makes up 1.7% of all deaths in the U.S., but [30% of all jail deaths](#). Nearly 10% of jails experienced a suicide in 2019 – a figure that doesn't include suicide attempts.

It's not surprising, then, that the issue of inmate suicide was a focus at this year's American Jail Association Conference & Jail Expo. Even in sessions focused on other topics, inmate suicide prevention kept coming up.

“Even when you're doing all the things you're supposed to be doing, people are still dying,” says [Dr. Lisa Boesky](#), a suicide expert in jails and juvenile justice, who presented at the conference. “And if you've been lucky and haven't had a suicide death, it doesn't mean you're doing everything right.” Dr. Boesky and other presenters touched on many new ways to look at suicide prevention. Following are four connecting themes. For the complete article please click [here](#).

Election Time and Nominating Procedures

NCJAA is seeking nominations for Officers and Directors for the 2022/2023 year. Successful candidates will be elected by the NCJAA membership during the September conference. Please see below for nomination procedures.

The North Carolina Jail Administrators' Association is seeking nominations for the Board of Directors. Successful candidates will be elected by the NCJAA membership during the September conference. Basic requirements for Board membership include:

1. Dedication to the detention profession and a sincere desire to move the profession to a higher state of professionalism;
2. A willingness and ability to devote time and exert considerable effort to serve the NCJAA membership;
3. Full NCJAA membership (not associate membership) for at least the past two (2) years;
4. A willingness and ability to attend all Board meetings and functions (6-8 annually, some overnight) and to travel at their own (or county's) expense;
5. A hardcopy letter of solid support from your sheriff or jail board.

Nominees will submit the following items:













1. Letter from the candidate indicating that he/she meets the basic requirements for Board membership, stating that he/she will be available to attend Board meetings as scheduled, and requesting that his/her name be placed in nomination. All items MUST be received in hardcopy form.
2. A short (less than 250 words) biography of the candidate, including personal information, education, work experience, present duties and responsibilities, and other pertinent information.
3. A hardcopy letter from the Sheriff stating that they fully support the candidate's nomination and that the candidate will be allowed to travel to Board meetings as scheduled.

Nomination packets must be mailed to the following address and postmarked on or before Sept. 1.

**Elaine Christian, Executive Director / North Carolina Jail Administrators' Association
PO Box 41368, Raleigh, NC 27629**

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NCJAA Corporate Partners

Diamond	Platinum	Gold
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	Gold	
 <u>IMS Correctional Healthcare</u>	 <u>Pay Tel Communications</u>	
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