

NC Jail Administrators' Association E-News – December 2023



Message From the President

Grateful! That is the sentiment of my heart as I reflect upon this past year and all the obstacles that we encountered, yet, once again we persevered!

Greetings to you across the Tarheel state. Thank you for the opportunity and honor to serve as your president. This is not a position that I take lightly. It is my goal to continue the great work of this board, my predecessors, and each of you in your perspective places. I appreciate your service and support. As we take the time to reflect upon the things that we are grateful for, let us not forget the reason for the season. Let us also not take for granted how blessed we truly are. I admonish you, as you gather to show love to family, friends and other loved ones, please also be conscious of those who are less privileged. Seize every opportunity to be the blessing that someone else has prayed for. Let us all do our part by extending kindness to one another and treating each with respect!

Additionally, I would like to thank you for your support of the NCJAA Annual conference that was held September 25th - 28th, 2023 in Greensboro, NC. We had an awesome time. Congratulations once again to David Castelow (Currituck County) for being Jail Administrator of the Year and Erica Patelos (Brunswick County) for being Detention Officer of the Year. Let us make sure that we recognize the individuals that labor among us, and who are willing to go beyond the call of duty. As we look forward to the coming year, please prioritize the forthcoming training. Jail Administrators, Assistant Administrators and those who fill the role of both, please mark your calendars for the NCJAA Annual Jail Leadership Symposium scheduled for April 24th - April 26th, 2024. There is no registration fee for this symposium and all training is designed for administrators and assistant administrators. The committee responsible for planning the symposium has worked hard to ensure that we receive, not only quality training, but also pertinent information that will enhance our leadership skills. We appreciate their efforts. Thank you training committee!

In closing, thank you again for entrusting me to serve as the NCJAA president. I will put forth my best effort to serve this organization with humility and efficiency, as we move forward in providing the training and conferences needed to equip each of you for excellence and ensure that we are READY for a safe production future in law enforcement. "Protect and Serve!"

Thanks for all you do! Have a safe and blessed holiday!

Frederick V. Hayes, Jr.

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President of NCJAA

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Access to County Jails – Disability Rights North Carolina

Some sheriffs have received letters from Disability Rights North Carolina (DRNC) in which DRNC is requesting access to the sheriff's jail to conduct monitoring visits in the jail. At the time of the Association's March 6, 2023 email regarding this issue, the Association had requested DRNC's official designation as North Carolina's "Protection and Advocacy system" (P&A), however DRNC had not yet provided that documentation. Since that time, DRNC has produced the official designation documenting that DRNC is North Carolina's P&A through an appointment by former Governor Michael F. Easley in 2007.

Federal regulations [42 USCS § 10805] provide that a P&A [i.e. DRNC] has the authority to access facilities (including county jails) providing care or treatment of individuals with mental illness.

Sheriffs who have specific questions about a DRNC request to access your jail should consult with your office's own legal counsel for guidance.

P&A Access to Jails

Federal regulation allows for the creation of P&A systems and gives the P&A access to certain areas in jail facilities and other facilities (such as hospitals and nursing homes). 42 USC § 15043 and 42 USC § 10805 provide that a P&A system will "have access at reasonable times to any individual with a developmental disability in a location in which services, supports, and other assistance are provided to such an individual . . ." and to "have access to facilities in the State providing care or treatment" to individuals with mental illness.

P&A systems are also required to have "reasonable unaccompanied access to facilities including all area [sic] which are used by residents, are accessible to residents, and to programs and their residents at reasonable times." This would include, at a minimum, access during "normal working hours and visiting hours." 42 CFR § 51.42.

Note: "P&A activities shall be conducted so as to minimize interference with facility programs, respect residents' privacy interests, and honor a resident's request to terminate an interview."

Are Local Jails Considered "Facilities" Under the Federal Regulation?

Yes. The federal law and regulations governing P&A systems includes local jails and State prisons in the definition of "Facility." 42 USC § 10802; 42 CFR § 51.2.

Do Jails Provide Care and Treatment to Inmates with Mental Illness?

Yes. "Care or treatment" is defined under federal regulation to include "services provided to prevent, identify, reduce or stabilize mental illness or emotional impairment such as mental health screening . . . [and] medication supervision . . ." 42 CFR § 51.2. An "individual with a mental illness" is defined to include an individual with a significant mental illness or emotional impairment "[w]ho is involuntarily confined in a detention facility, jail or prison."

If a Sheriff Allows a P&A to Conduct a Monitoring Visit, When Must it Occur?

As noted above, at reasonable times. This would be determined by the sheriff and could mean during normal working hours or when the sheriff would normally allow visitation at the jail. 42 CFR § 51.42.

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What Areas of the Jail Would be Subject to a Monitoring Visit?

Only areas used by inmates with mental illness or developmental disability, or areas where this type of inmate has access, including access to areas where the inmate attends programs.

Final Note: Because of safety and security concerns associated with civilian entry into a jail facility, which may include “unaccompanied access,” a sheriff or the sheriff’s legal counsel may wish to meet with DRNC prior to allowing entry of DRNC personnel into the jail. The goal of this meeting could be to reach an agreement as to exactly how the jail visit will be conducted to ensure the safety and security of DRNC personnel, the sheriff’s personnel and the inmate population.

If you have any questions about the general information above, please do not hesitate to contact Matthew Boyatt, NCSA Deputy General Counsel, at mboyatt@ncsheriffs.net or 919-459-6467.

Thanks...Eddie C.

Eddie Caldwell, Jr.
Executive Vice President and General Counsel
NC Sheriffs' Association
Telephone: (919) 810-6333
Email: ecaldwell@ncsheriffs.net

Jail Administrator of the Year

The NCJAA Jail Administrator of the Year Award was presented to David Castelow of the Currituck County Sheriff’s Office. This award recognizes a jail administrator who has made outstanding contributions to the operation of his Detention Facility and Sheriff’s Office, has demonstrated exceptional meritorious service, and has contributed to the betterment of the NCJAA. Congratulations David!

Detention Officer of the Year

The NCJAA Detention Officer of the Year Award was presented to Erica Patelos of the Brunswick County Sheriff’s Office. This award recognizes a detention officer who has made outstanding contributions to his/her Sheriff’s Office or who has demonstrated superior courage and bravery in the performance of his/her assigned duties. Congratulations, Lieutenant Patelos!

Richard Frye Scholarship Recipient

This year’s recipients of the Richard Frye Scholarship are Christy Brown and Kaylee Yarger.

Christy Brown is with the Moore County Detention Center. She is attending Montgomery Community College and is majoring in Criminal Justice.

Kaylee Yarger is with the Cleveland County Sheriff’s Office. She is attending Western Carolina University and is majoring in Criminal Justice.

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In Memoriam

Sergeant Russell Jones suffered a fatal heart attack after responding to a disruptive inmate at the Pamlico County Detention Center in Bayboro.

While trying to subdue the inmate at 8:33 p.m. on December 6th, Sergeant Jones was punched in the face. Fifteen minutes later, Sergeant Jones collapsed. Despite life-saving measures, he was unable to be resuscitated.

Sergeant Jones served with the Pamlico County Sheriff's Office for four years.

Please keep the Jones family in your thoughts and prayers.

Mike Chinsolo, long time member, board member and charter member of the NCJAA, passed away on December 12.

Mike was born on July 21, 1940, in Welch, West Virginia. He retired from the Chowan County Jail in Edenton, NC as Chief Jail Administrator. He was a dedicated father, papa, and brother. Mike lived every day to the fullest and always found a way to see the positive and good in everything. He loved riding his side by side in the mountains of West Virginia with his family and friends and never met a stranger. He was the kindest man you will ever meet and loved his family dearly. He will be deeply missed by all who knew him.

Please keep the Chinsolo family in your thoughts and prayers.



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