

**CUMBERLAND COUNTY SHERIFF'S OFFICE
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**DETENTION CENTER
INMATE HANDBOOK**



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Preface

The Cumberland County Detention Center houses State and Federal inmates, both male and female, which consist of “pretrial detainees” and sentenced inmates.

Please review this handbook carefully. It contains the answers to many general question(s) involving your confinement. If you have any additional questions feel free to ask any Detention Officer.

The information and regulations contained in this handbook are subject to change based on the changing needs and requirements of the Jail. Staff members will explain any changes to you, and you are expected to abide by these changes.

Your experiences here depend solely on your attitude and behavior.

NEGATIVE BEHAVIOR WILL NOT BE TOLERATED!!!

1. ID Cards

1. You are issued an ID Cards during the booking process called “dressing out.”
2. You are to have your ID Cards at all times.
3. You must show your ID Cards to receive medications, canteen, and visits.
4. It is your responsibility to notify the Unit Manager in writing if your ID Cards needs to be replaced, due to normal wear and tear.
5. If you damage your ID Cards, you will be charged a \$5.00 replacement fee.

2. Classification

The primary responsibility for determining the custody classification and housing assignment for inmates admitted to the Cumberland County Detention rests with the Inmate Classification Section. Inmates will be housed according to age, charge and sex, but other factors such as race, national origin, religion, or sexual orientation will not be used in determining classification and housing assignments.

A. Initial Classification

Upon completion of the Booking process, each inmate will be assigned to appropriate temporary housing while awaiting initial classification. Each inmate who remains in custody will be interviewed by a member of the Classification staff within seventy-two (72) hours after admission. Upon completion of this interview and review of all available information related to the inmate’s case, the Classification officer will determine the most appropriate custody classification for the inmate.

B. Reclassification

A reclassification interview will occur for each inmate who:

1. Remains in custody ninety (90) days after the Initial Classification;
2. Receives additional charges, which may affect the Classification;
3. Is found responsible to a Major or Serious rule violation, which may affect the Classification.

The purpose of the reclassification review is to determine if the inmate’s initial custody and housing assignment continues to be appropriate.

3. Dress

1. You will wear the issued jail uniform, which consists of one (1) shirt and one (1) pair of pants or one (1) jumpsuit.
2. While out of your cell or bunk area, you are to be fully clothed in the jail uniform. The pants legs are to be down to the ankle. Arms are to be through the sleeves. Exception: you may take your uniform top off while in the recreation area provided you are wearing a white t-shirt.
3. Gang signs, graffiti or insignia will not be allowed on the jail uniform or footwear.
4. You are allowed to have two (5) sets of underclothes. These include t-shirts, socks, underpants and bra, (Female).
5. You are provided a pair of shower shoes when admitted to the jail. You must wear footwear at all times. Sneakers will be issued to inmate workers.

6. You may wear personal clothing to court for a jury trial.
7. The Inmate Property officer must approve clothing for court.

4. Personal Property

Only authorized items will be allowed in your possession while you are incarcerated and should be kept in your housing area. Any item(s) not approved will be considered contraband.

The following items are allowed in your possession:

1. Canteen items purchased from the commissary.
2. Three (3) paperback books and 3 magazines, this includes bibles, religious materials and legal books.
3. Legal materials.
4. Letters and writing materials.
5. Shower shoes.
6. Personal hygiene items.
7. Prescription glasses and/or contact lenses, along with required cleaning solution approved by the facility doctor.
8. Photos. The photos may not be erotic or pornographic in nature or give the impression of being such. Photos must be stored in your housing area, not affixed to any wall, ceiling or other surface. No Polaroid photos are permitted.

5. Inmate Property

1. While incarcerated, any authorized items seized during shakedowns, cell inspections, etc. . . . will be placed in Inmate Property, in your name. You are not allowed to possess or keep excessive amounts of authorized items. No food items will be stored in your property. Illegal items are contraband and will be turned over to law enforcement, i.e. drugs, weapons, etc.
2. If you are sent to Disciplinary Administrative Control (DAC) an officer will search all of your belongings. Items you are allowed to possess will be taken with you to (DAC). You will NOT be allowed to keep pictures, books, magazines, Walkman radios, while in (DAC). These items will be placed in your property. You may retain your legal mail and religious materials.
3. Any property left at the jail must be claimed within thirty (30) days of your release or the items will be disposed of. You may pick up items at the Detention Center Monday – Friday between 8 am and 3:30 pm.

6. Damage of Property

All items issued to you are property of the Cumberland County Detention Center. All areas that you are in while you are incarcerated are owned by the Cumberland County Detention Center. Any damage by you to any clothing, linen, mattress, wall, door, sprinkler head, etc. will be fixed or replaced at your expense.

Inmate Uniform/Jumpsuit	\$18.00	Pillow case	\$1.85
Sheets	\$4.20	Pillow	\$7.00
Inmate Sandals	\$2.00	Towels	\$2.80

Food Tray	\$36.50	Washcloths	\$1.00
Cup	\$2.00	Blankets	\$14.00
Mattresses	\$40.00	Clogging Toilet requiring Maint.	\$10.00
Sprinkler Head Replacement	\$500.00		
Paint per Cell	\$300.00		
Labor (GSA)	\$35.00/hr		
TV	\$250.00		
ID Card	\$5.00		

Note: Any item not listed will result in full replacement cost which will be deducted from the inmate's trust fund account.

THE PRICES ABOVE REFLECT PRESENT COST OF ITEMS AND ARE SUBJECT TO CHANGE.

7. Contraband

Contraband is any item found within the facility or possessed by anyone that is illegal by law or is not issued by the facility or purchased from commissary or not specifically authorized for inmate possession. Contraband is also any item in excess of authorized amounts.

The following are some items considered contraband:

1. Any item(s) or articles of clothing found to be altered or used for a purpose other than what they were originally intended.
2. Any incendiary device (matches, lighters, etc.) Any item which details weapons or explosive manufacturing, or gives information which could aid in planning or making an escape, or producing any item which could injure another.
3. Gang symbols or related items such as drawings, literature, signs or any paraphernalia that relates to gangs.
4. Tobacco products.
5. Money.
6. Jewelry.
7. Possession of excessive amounts of authorized items.

8. Cleanliness

A. Personal Cleanliness and Laundry

1. Showers are required daily while in the jail. Showers are available each day beginning at approximately 7:30 am until the end of your rotations first recreation, except for POD's HCD, HCE and Special Management Housing Units.
2. Razors are issued three (3) times a week. Inmates using a razor improperly or failing to turn in razors will be charged with a disciplinary violation.
3. Twice a week you will exchange your jail uniforms and linen.
4. Linen/Uniforms are not to be turned in knotted, tied or with markings.
5. You must exchange all laundry items on the designated days. Failure to turn in laundry will result in being charged with a disciplinary violation.

B. Cleanliness of Cells

1. Cleaning materials are made available after meals and at other designated times during the day and night.
2. Jail staff will perform cell inspections daily.
3. You are required to clean your cell, day room and showers as assigned.
4. You must clean sinks and toilets daily as assigned.
5. You may not write nor mark on walls.
6. There will be no pictures, posters, calendars, charts or anything else covering the walls, ceilings, windows or lights. No such items are affixed in any seam or behind any fixture that is attached to the wall or vision panel in the cell door. This does not apply to items posted by jail staff.
7. No light fixture or air vent will be covered.
8. All beds are to be made before you come out for your recreation period.
9. Beds will be made using one (1) pillow, one (1) mattress cover, one (1) sheet over the mattress covered by one (1) blanket.
All sides are to be tucked under the mattress. Sheets and blankets are not to be tied or knotted for any reason. The mattress is to be laid flat.
10. No blanket or sheet will be placed on the floor and used as a rug, nor will they be placed on a table and used as a tablecloth.
11. Nothing will be stored under the mattress.
12. Magazines or other materials will not be used as draft/dust prevention.

9. Medical Services

The Medical Unit provides medical services 24 hours a day, 7 days a week.

Under normal circumstances Sick Call request through Kiosk/slips will be collected and a nurse's evaluation completed within 24 hours of the Sick Call request/slip being picked up/viewed by the Medical Staff.

Duplicate sick call request/slips submitted within this 24 hour window could result in duplicate charges to you.

Emergency medical care does not incur a charge to you, unless you have initiated, provoked or became involved in an altercation. In these instances you will be held liable for all medical costs incurred. If you require medical treatment (as determined by the Medical Provider) outside the facility and have medical or dental insurance, it will be applied to the total cost of the care. Emergency Medical Care is defined as care for an acute illness or unexpected health care need that cannot be deferred until the next scheduled sick call or clinic.

Payment for Medical Services:

Inmates are charged for medical, dental and psychiatric services.

Medical Services Provided	Co-Pay Charge
Sick Call with or without medication for non-emergency visit. (The medical provider will determine Non-emergency.)	\$10.00
Diet Request	\$10.00
Doctor Visit	\$10.00
Physician Extender Visit	\$10.00
Dentist Visit	\$10.00
Psychiatrist Visit	\$10.00

MEDICAL SERVICES ARE PERFORMED BEFORE CHARGES ARE APPLIED TO INMATE'S TRUST FUND ACCOUNT.

Questions concerning co-pay charges should be asked at the completion of the appointment. No refunds will be given. A copy of the co-payment charge will be sent to your housing unit after it has been processed. It is your responsibility to keep your copies. Money put into your cash account during this or future Cumberland County Detention Facility incarcerations may be applied to your medical bill.

NO INMATE WILL BE REFUSED MEDICAL CARE BECAUSE OF AN INABILITY TO PAY FOR THE SERVICE.

However, if you receive money on your account at any time including future incarcerations, medical fees that you owe will be deducted from your account.

Partial amounts will be deducted from your account if the total amount due is not available. For example: if the amount owed is \$10.00 and the amount in your account is \$6.00, then \$6.00 will be deducted from your account and the remaining \$4.00 will be deducted when you have money in your account.

Charges will be deducted from your account and a copy of the charges will be sent to you. Questions concerning medical charges should be addressed by using the grievance process. Once the co-pay is withdrawn from your account you will receive a receipt.

There will be no charge for: Intake and mental health screenings completed during the booking process, medical emergencies and follow-ups requested by medical providers.

HIV testing and counseling are provided by the Medical Staff and Cape Fear Regional Community action group upon request during visits to your housing units. Testing and follow up counseling are conducted weekly. Note: Results are confidential and will not be disclosed to detention staff without written permission from the inmate.

Sick Call: To receive routine medical treatment you must complete a sick call request/slip from the kiosk/housing unit officer. The completed slip is to be placed in the sick call box. Sick call request are viewed (three) 3 times a day.

All inmates requesting medical, dental, or psychiatric attention will be screened and evaluated by a nurse. The nurse may initiate treatment protocols written by the medical, dental or psychiatric provider based on the nurse's assessment. If indicated, an appointment with a

medical, dental, or psychiatric provider will be scheduled according to medical priority. The dentist provides for urgent care only, such as infections or extractions.

Medication Rounds: Medication administration rounds are scheduled twice a day to begin at approximately 8:00 am and 8:00 pm. Medications as prescribed are administered by the nursing staff in between scheduled times as ordered by the provider.

When medication rounds are announced, if you have prescribed medications, you must line up as directed. If you fail to respond, it is assumed you are refusing your medications. If you take medications you must bring your water cup with you.

You must show your ID Card to the nurse to receive medications. Without a ID Card you will not be given any medication

All medications must be taken directly from the plastic cup. You are not allowed to handle any medication. Medications must be taken immediately and completely ingested in the presence of the nurse as soon as received. You will be required to open your mouth for inspection to ensure that you have swallowed the medication.

Insulin dependent diabetics are scheduled to receive glucose testing and medication up to 4 times daily, before meals and bedtime. Insulin will be administered as needed after glucose testing.

Over The Counter Medications (OTC): OTC medication is available through the commissary. Seven (7) packets [2 tablets per packet] of OTC medication may be kept by inmate. Excessive amounts will be confiscated and destroyed.

Medical Diets: Diets are prescribed by and canceled by a medical provider only. Sack lunches are not included in any medical diet. Diabetic diets are ordered based on caloric need and include an evening snack. Snack content is determined by the total amount of calories of the prescribed diet. Medical diets are not prescribed based on personal food preferences. Food allergies are recognized when accompanied by written verification from your health care provider as to an actual allergy. A health care provider may be your own doctor, a clinic or a hospital in which you may have received treatment for your allergic reaction.

Refusal of Medical Care: You have the right to refuse medical, dental or psychiatric care and/or the medications associated with this care, unless the care or medications are court ordered. To do so, you must sign a Refusal of Medical Care form. A medical provider will explain the medical, dental and/or psychiatric risks that may occur if you refuse care and/or medication. Providers may discontinue any treatment, procedure and/or medication associated with your refusal.

Essential Medications After Release: The Medical Administrator and the Cumberland County Health Department will provide a fourteen (14) day supply of daily needed medications. The medication is located at the health department and must be picked up by the released inmate in person. If you brought your own medication to the facility, they will be returned to you once you are released or it will be disposed of. An Inmate Grievance can be filled out for any concerns or problems regarding your medical treatment.

10. Inmate Finances

1. All money for inmates will be deposited into the Inmate Trust Fund. Cumberland County Detention Center accounts manager maintains this fund.
2. Only United States Postal Service money orders will be accepted by mail. Cash will only be accepted through the lobby kiosk seven days a week.
3. A money order must be made payable to the inmate. The sender's name and address must also be written on the money order or cashier's check for deposit into your account.
4. Any cash money received through the mail will be returned to the sender.
5. If you do not get your money when released, you may pick it up Monday – Friday, 8:30 am – 3:30 pm at the Detention Center.
6. Inmates are prohibited from engaging in financial transactions or sharing an Inmate Trust Account.

11. Commissary

1. You may order commissary one (1) time per week, provided that funds are in your Inmate Trust Fund account, using the commissary menu to order.
2. There is a (\$130) spending limit per week.
3. No refunds will be given for commissary if you are released from custody prior to delivery; you may pick-up your items within three (3) business days of your commissary delivery. If not picked up within three (3) days, items are forfeited.
4. You may receive a refund if you are sent to another facility prior to delivery.
5. All inquiries or complaints about commissary shall be made in through the kiosk to the commissary staff, using an inmate request/grievance form.
6. You must have your undamaged ID card to receive commissary.

12. Haircuts

Haircuts are offered once a week by a selected barber. The barber sign-up sheet is located on the kiosk. Haircuts are available to inmates that sign up and have correct amount of money in their Inmate Trust Fund account. Haircuts are \$10.00 each.

13. Indigent Inmates

1. If you are without funds for thirty (30) days and have less than \$5.00 in your Inmate Trust Fund account, you may order an indigent kit. Only one (1) indigent kit may be ordered each week.
2. An indigent kit contains the following items: pen, toothpaste, deodorant, soap, 6 sheets of writing paper and 3 stamped envelopes.
3. The cost of the indigent kit will not be deducted from your Trust Fund Account.
4. Any deposits made to your account will be used to correct any debts owed to the Detention Center.

14. Telephones

1. All calls from pods or dorms will be collect or direct calls. Each collect call will be charged to the person you are calling. Each direct call is \$0.91. The long distance call rate is \$0.53 per minute. You are able to transfer money to your phone account by the Dorm Kiosk or the phone.
2. Telephone calls are “monitored and recorded” and any use of the telephone will

signify implied consent for the call to be monitored and recorded.

3. If you make any harassing phone calls to another person, you may be prosecuted and/or placed in single cell confinement and your phone privileges will be revoked.
4. Attempting three way calls may disconnect you and the parties involved.
5. You may not contact any jail staff directly or through three-way calling. If you do so, your phone privileges will be revoked and you may be charged with a disciplinary violation.

15. Mail

1. All incoming and outgoing mail will be inspected for contraband.
2. An officer will open mail from attorneys in your presence and you must sign for it.
3. All mail must be sent through the US Postal Service.
4. You are to write your name, and the Detention Center's return address on all outgoing mail (NO LABEL).
5. The Cumberland County Jail will accept letters, magazines and soft-covered books. All books and magazines must be in their original packaging and sent directly from the publisher/printer or bookstore. Any unacceptable packages will be returned to sender at their expense.
6. Mail to inmates incarcerated in the Cumberland County Detention Center must be mailed to the following addresses:

I/M NAME
204 Gillespie St.
Fayetteville, NC 28301

7. All cash money will be returned to the sender along with correspondence.
8. The following items will not be accepted through the mail:
 - a. Personal checks
 - b. Polaroid type pictures
 - c. Pictures or drawings of nude, obscene, or sexually explicit material
 - d. Stamps or stickers
 - e. Stationary or envelopes
 - f. Greeting cards larger than 8"x10", padded, musical, or laminated
 - g. No hardback books
 - h. Multiple copies or pages from the internet
 - i. Newspaper clippings
 - j. Gang related material
 - k. Food or clothing items
 - l. Correspondence that is in code
 - m. Correspondence from other inmates
 - n. Plans to escape
 - o. Plans for activities in violation of facility rules, or for criminal activity.

16. Notary

Notary service is available to all inmates. The cost to notarize a document is \$3.00. To request notary service, inmates will need to submit a Notary Request Form on the Dorm Kiosk. Cut off for notary services is 4:00pm Monday – Friday. Notary services are not available on holidays and weekends.

17. Visitation

A. Regular Visits

1. A schedule of visitation days and hours will be posted in each inmate housing area at each facility.
2. When you are allowed your visit, you may have one or two adults or one adult and one child.
3. Minors 15 years of age and younger must be accompanied by a parent, or legal guardian.
4. Anyone 16 years of age and older must have one of the following picture ID:
 - a. Valid state issued identification card or driver's license
 - b. U.S. military identification cards with out of state drivers licenses, individual must produce a bill with name and current instate address.
 - c. Valid passport/Visa
5. You must have your ID card to participate in a visit.
6. Criminal record checks may be made on all visitors.

B. Special Visits

The Jail Administrator or his designee may approve a special visit if the following criteria are met:

1. Visitor(s) residence must be 100 miles or more from Fayetteville, North Carolina.
2. Visitors may not have a regular visit if they have had a special visit.
3. Special visits follow the same rules and restrictions as regular visits.

18. Religious Programs

1. Clergy may visit inmates seven days a week, between the hours of 7:00 am and 7:30 pm. They will get a 15-minute visit, provided space is available. To be eligible to visit, the clergy will need to call 910.672.5606 to make arrangements to be processed by the clergy visit coordinator.
2. Request for a diet for religious beliefs must be requested in writing to the Jail Administrator's Office.

19. Privileges

The following privileges are available: Walkman type radios, telephone usage, dayroom activities (games, cards, and television), education classes, recreation area visits, commissary, and regular and/or clergy visits. Privileges may be restricted due to behavior.

20. Table Games

1. All games are to be played at tables located in the center of the day room. No games are to be played in cells.
2. Games are to be played quietly. No slapping cards, checkers, etc. on the table. No loud talking, laughter or yelling across the pod.
3. No gambling.

21. Marriage

Marriages are not permitted while in custody of Cumberland County Detention Center.

22. Education

The Cumberland County Detention Center offers education programs to the inmates. There is a charter high school (for 16-18 year olds) that follows the North Carolina State Board of Education requirements for a high school diploma.

23. Grievances

If you have a problem or question, contact your housing officer first. If he or she cannot resolve your issue, you are to submit an Inmate Request to the appropriate section via the kiosk. Inmate Requests will be responded to as soon as possible. If then your issue is still not resolved, you may submit an inmate grievance to the appropriate area via the kiosk. List only one (1) issue per grievance. (Paper grievances are only available if an inmate is in DAC. All grievances will be reviewed by the Cumberland County Dispute Resolution Center.

Grievances are only considered while you are an active inmate held in CCDC. Allow fifteen (15) days for a response to most issues. Only legitimate and reasonable matters will be considered. Retribution will never be taken against an inmate because his/her filing of a grievance.

- Do not submit frivolous, or fraudulent grievances nor inmate requests. Do not submit duplicate grievances or inmate requests concerning the same issue, as that practice does not ensure a quicker response, but instead simply delays the process. Doing so may result in imposed sanctions and/or loss of privileges.
- Do not violate any inmate rules when submitting and/or on grievances or inmate requests. Doing so may result in imposed sanctions and/or loss of privileges.

The following are Non-Grievable Matters: Court decisions, Parole and Probation decisions, Laws, Durations of inmate sanctions, Disciplinary Hearing decisions, Attorney issues, and any other matter(s) beyond the control of this facility. Non-Grievable matters will not be considered for response.

24. Disciplinary Administrative Control (DAC)

DAC is the removal of an inmate from general population for confinement in segregated housing. This assignment will be approved when it is determined that an inmate is at risk or the inmate's behavior, past or present, cannot be managed in general population. An inmate may be approved for temporary assignment to DAC by a Jail Staff Supervisor pending referral to the Disciplinary Hearing Committee or the Administrator's Review Committee. When long-term DAC is considered, the inmate will appear before the Administrator's Review Committee to determine if the inmate should remain in DAC or return to general population. The Jail Administrator reviews the Committee recommendations and makes the final housing decision.

Full Security is a status in which the inmate is confined to his/her cell (to his/her bunk if housed in a dormitory.) Privileges may be restricted if the lockdown is due to behavioral issues.

DAC may also be referred to as Special Management (SM).

25. Protective Custody

Protective Custody is the removal of an inmate from the general population for confinement in segregated housing when it is determined that the inmate's continued presence in the general population poses a serious threat of harm to the inmate. Temporary assignment to Protective Custody may be approved by a Jail Staff Supervisor at the inmate's request pending referral to the Administrator's Review Committee. When long-term Protective Custody is considered, the inmate will appear before the Administrator's Review Committee and will be given an opportunity to explain the reasons necessary for Protective Custody. Every request for Protective Custody will be given serious consideration. However, an investigation and careful review of the request will precede approval for this assignment. The Jail Administrator will review the Committee's recommendation and will make the final housing decision.

Any inmate approved for long-term assignment to Protective Custody will be reviewed periodically by the Administrator's Review Committee to determine if continued housing in this status is needed. The Jail Administrator is the approving authority for removal of the inmate from this status.

26. Disciplinary Sanctions

Classification of Rules and Administrative Actions

Jail rules of conduct are divided into four (4) classifications: Major (A), Serious (B), Less Serious (C), and Minor (D). Rule violations can result in placement on administrative segregation for up to fifty-six (56) days and loss of enumerated privileges. Each recommended sanction that is greater than thirty (30) days must be approved by the Jail Administrator or his designee. Use of physical force solely as a means for corrective action is prohibited. Corrective measures shall fit the rule violations considering the particular circumstances and according to the corrective procedures as set forth herein.

Rules of Conduct and Disciplinary Sanction Procedures

The Cumberland County Detention Center shall be operated at all times under conditions of proper discipline and order. Inmates of the Cumberland County Detention Center are required to conduct themselves at all times in an orderly and lawful manner and in accordance with the following rules and regulations adopted by the Sheriff. The following rules and regulations have been established in order to do this in a manner that is fair, impartial, and consistent.

Inmates will be subject to formal or informal disciplinary procedures and the imposition of sanctions for the violation of a jail facility rule or regulation, or, for any violation of the provisions of this handbook. If inmate's actions also constitute a violation of Federal, State, or local law, the case will be forwarded to the appropriate office for prosecution.

Although some criminal offenses may not be listed as an infraction of these rules and regulations, they are subject to disciplinary procedures. Those offenses may be charged criminally whether or not disciplinary procedures are initiated. When an inmate is charged criminally, he or she is subject to be placed on administrative segregation status even when disciplinary procedures are not initiated. This will occur when it is felt that the inmate poses a threat to the safety of inmates or staff, or the security of the jail facility.

Information concerning your behavior, to include disciplinary action, may be provided to Probation and/or the District Attorney's Office as part of their pre-sentence investigation. If sentenced to the Department of Corrections, information regarding any disciplinary action taken against you in any of these facilities may be forwarded to the appropriate DOC office upon your transfer.

Informal Disciplinary Procedures

Corrective action is an inmate sanction initiated by a staff member upon violation of one or more minor rule violations. This may result in verbal reprimand or written reprimand. Written reprimand will be a twenty-four (24) hour lock back period, in a single cell, to include loss of visitation, telephone and dayroom privileges during that time frame. Inmates housed in general population that have assigned cells will not be transferred to segregation pods. Inmates assigned to floor or dorms will require relocation to DAC area where cell is available.

Formal Disciplinary Procedures

Any jail staff may, for violations of jail rules, place you in a single cell confinement to face a formal disciplinary hearing. Disciplinary hearing is the formal hearing held by the Disciplinary Committee for rule violations of class A, B, or C. Inmate may be charged criminally for major or serious violations and/or continued violations. Hearings will be conducted by hearing officers, which are appointed by the Jail Administrator. The committee members shall not be any officer(s) involved in the reporting or prosecution of the alleged violation and shall not have been actively involved in the situation.

Inmate will be informed, in writing, of offense(s), normally within twenty-four (24) hours after discovery of a violation. Inmates may dispute any sanction charged against him or her. If the inmate disputes the sanction, he or she must submit a written request (not via kiosk) for a disciplinary hearing within three (3) business days of the alleged violation. After receiving the request for a disciplinary hearing, the inmate will have a minimum of twenty-four (24) hours to prepare for the hearing, unless he or she waives this right.

Inmates charged with serious or major violations (category "A" and "B") will be advised by staff of their right to request a hearing and their initial response shall be documented. However, it is still the inmate's responsibility to submit a formal request for any hearing in writing (not via kiosk) within 3 business days of the alleged incident. The disciplinary hearing will be held as soon as possible after date of infraction. Hearings are generally conducted within ten (10) days. Inmate will be notified of any continuances and the reason for them.

Inmate may be present for the hearing unless he/she waives the right to be present by indicating or implying no to a hearing or refusing to cooperate with hearing procedures, or there is a documented reason to exclude you from the hearing. In this case a hearing will be held in the inmates' absence and any decision will be made on the information available. If inmate's behavior at or during the hearing causes safety concerns, the hearing will be held in inmate's absence.

Inmate may request statements from witnesses on his/her behalf to be included as a part of the hearing record. The inmate disciplinary hearing process is an administrative process, therefore, the inmate does not have the right to cross-examine or question staff nor witnesses. Inmates do

not have the right to legal counsel during the disciplinary hearing. The disciplinary committee will issue a written disposition of the hearing to the inmate on the same day of the hearing.

Inmates have the right to appeal the results of a disciplinary hearing to the Jail Administrator within twenty-four (24) hours of receiving the written disposition of the hearing. An appeal does not initiate a new hearing. It is a review of the original hearing's administrative process.

All appeal requests must be written on the back of the original disposition delivered by the committee on the day of the initial hearing. The Jail Administrator or designee will respond to the appeal request within fifteen (15) days.

Disciplinary Administrative Control Status (DAC)

If inmates waive their rights to a disciplinary hearing then the recommended sanction will be imposed. If an inmate is found responsible during the disciplinary hearing, then the Disciplinary Committee may modify the recommended sanction to be imposed. The sanction may decrease, may stay as initially recommended or may be increased. Sanction modifications are made at the discretion of the appointed disciplinary committee. Inmates will have limited privileges while on DAC. Inmates may write and receive mail. They will also be able to receive medical and dental care as needed. Inmates on DAC cannot order any commissary other than hygiene and writing items. Visitation will be restricted as a result of the Disciplinary Status, with exception to Attorneys and Clergy.

Inmate will be allowed access to day room area during a sixty (60) minute break, to shower, use telephone or to exercise. Inmate's break may be restricted up to three (3) days and/or may receive additional disciplinary sanctions for continued misconduct or rule violations while on DAC. Inmates will not be allowed to attend group classes or programs, while on DAC.

A. Formal Disciplinary Sanction Categories

Category Type A Violations - Major Offenses

Violations of the following nature, which include, but are not limited to acts which present an immediate threat to the safety and security of the facility, staff, inmates or visitors.

- 1. A1 Murder/ Attempted Murder.
- 2. A1 Physical Assault on staff or visitor.
- 3. A1 Rape or sexual acts with inmates, staff or visitors.
- 4. A1 Escape/ Attempted escape or aiding in an escape.
- 5. A1 Arson.
- 6. A1 Weapon possession.
- 7. A1 Making or smuggling of weapons.
- 8. A1 Hostage taking.
- 9. A1 Sexual Harassment.
- 10. A2 Physical Assault on an inmate.
- 11. A2 Indecent exposure.
- 12. A2 Property damage/defacement of any kind.
- 13. A2 Tampering w/ heating or air conditioning ducts and outlets.
- 14. A2 Creating a flood condition with water by tampering with water works. (i.e.: toilets, sinks, drains, sprinklers, etc.)

- 15. A2 Tampering w/ elevator, smoke detector or other safety equipment.
- 16. A2 Damaging bunk or mattress.
- 17. A2 Tampering with or destruction of any locking device.
- 18. Varies Violation of any local, state or federal law.
- 19. Same Aiding in the above commissions. (equal sanction of original violation)

Sanctions

A1 Sanctions

A2 Sanctions

56 days disciplinary administrative control 42 days disciplinary administrative control

- 1. Filing of criminal charges.
- 2. DAC and Loss of Privileges (56) fifty-six days per A1 incident.
- 3. DAC and Loss of Privileges (42) forty-two days per A2 incident.
- 4. Loss of programs and/or work assignments.
- 5. Possible referral for permanent Administrative Segregation.

Category Type B Violations – Serious Offenses

Violations of the following nature, which include, but are not limited to acts which present an immediate threat to the safety and security of the facility, staff, inmates or visitors.

- 1. B1 Fraud/ Forgery/ Deceit.
- 2. B1 Involvement in riot.
- 3. B1 Theft or possession of stolen property.
- 4. B1 Smoking or possession of tobacco products, or incendiary devices.
- 5. B1 Engage in mutual physical confrontation w/ fists, deadly weapons, or any other means likely to produce bodily injury.
- 6. B1 Self - mutilation (placing of tattoos/body piercing).
- 7. B1 Misuse or abuse of authorized medication or possession of unauthorized medications.
- 8. B1 Five (5) rule violations within a thirty (30) day period.
- 9. B2 Threatening/Intimidating inmate(s), including extortion, blackmail or physical force.
- 10. B2 Threatening staff.
- 11. B2 Refusal a cell assignment, to lockdown or leave any area of the facility.
- 12. B2 Communicating with hand signs, gestures or behaviors clearly associated with gang or unauthorized group activities.
- 13. B2 Possession of any object or chemical agent, which could be used as a weapon.
- 14. B2 Kicking/ Beating cell door.
- 15. B2 Entering another inmate's cell or unauthorized area.
- 16. B2 Putting foreign/excessive material into plumbing system.
- 17. B2 Horseplay.
- 18. B2 Harassing telephone calls.
- 19. B2 Making, possessing, delivering or the consumption of intoxicants.
- 20. B2 Physical contact or harassment to inmate or staff
- 21. B2 Unauthorized changing of cells.
- 22. Same Aiding in the above commissions. (equal sanction of original violation)

Sanctions**B1 Sanctions**

28 days disciplinary administrative control

1. Filing of criminal charges.
2. DAC and Loss of Privileges twenty-eight (28) days per B1 incident.
3. DAC and Loss of Privileges fourteen (14) days per B2 incident.
4. Loss of programs and/or work assignments.
5. Possible referral for permanent Administrative Segregation.

B2 Sanctions

14 days disciplinary administrative control

Category Type C Violations – Less serious offenses

Violations of the following nature, which include, but are not limited to acts which do not present an immediate threat to the safety and security of the facility, staff, inmates or visitors.

1. C1 Lying to staff.
2. C1 Disrespect to staff.
3. C1 Passing or aiding in the passing of unauthorized materials.
4. C1 Providing false or frivolous information or requests.
5. C1 Delaying or interfering w/ lockdown/ counts or searches.
6. C1 Providing false information on official documents or during proceedings.
7. C1 Participation in a disturbance or work stoppage.
8. C1 Possession of tattoo paraphernalia.
9. C1 Interfering with, obstructing or preventing any facility activity, or staff member from performance of his/her assigned duties.
10. C1 Gambling.
11. C1 Failure to obey and follow orders given by Supervisor/Staff.
12. C1 Violation of worker status contract.
13. C1 Being in a Restricted or Unauthorized Area without permission.
14. C1 Barter/trade or enterprising.
15. C1 Use of profane language, gestures or excessive noise.
16. C2 Sending or receiving mail via an unauthorized manner or source.
17. C2 Disorderly conduct.
18. C2 Talking or activity after lights out.
19. C2 Misuse or abuse of authorized items.
20. C2 Questioning or approaching other staff or visitors without the permission of the housing officer.
21. C2 Talking, shouting, or communicating with others; on a different rec, from one pod to another via pod openings or while being escorted from one area to another.
22. C3 Failure to maintain personal hygiene and/or clean cell.
23. C3 Failure to keep pod/dorm sanitary.
24. C3 Unclothed or not completely clothed outside cell area.
25. C3 Disorderly during headcount.
26. C3 Affixing items to walls, ceiling, lights, desk or bunks.
27. C3 Covering windows, lights, drains, doors or tables.
28. C3 Not properly clothed on work assignment.
29. C3 Wearing jewelry.
30. C3 Repeated category D violations
31. Same Aiding in the above commissions. (equal sanction of original violation)

Sanctions**C1 Sanctions**

72 hours full security

1. Filing of criminal charges.
2. Full Security and Loss of Privileges seventy-two (72) hours per C1 incident.
3. Full Security and Loss of Privileges forty-eight (48) hours per C2 incident.
4. Full Security and Loss of Privileges twenty-four (24) hours per C3 incident.
5. Loss of programs and/or work assignments.

C2 Sanctions

48 hours full security

C3 Sanctions

24 hours full security

B. Informal Disciplinary Sanction Categories**Category Type D Violations - Minor offenses**

Violations of the following nature, which include, but are not limited to acts, which do not present an immediate threat to the safety and security of the facility, staff, inmates or visitors.

1. D Removing bedding or linen from cell.
2. D Wearing any type of head wrap or hair ties unless medically prescribed.
3. D Failure to wear jail uniform properly.
4. D Standing on tables, chairs or stools.
5. D Sitting on tables, stairs or ledge at pod food-pass.
6. D Failure to wear wristband at all times.
7. D Tying knots in sheets and blankets.
8. D Abuse of recreational equipment.
9. D Unauthorized clothing or bedding items.
10. D Stockpiling of commissary items.
11. D Hoarding of condiments or medication.

Sanctions

1. Verbal counseling by pod supervisor/staff.
2. Lock back for remainder of current recreation period
3. Loss of visitations, telephone and dayroom privileges.
4. If assigned to dorm, Inmate may be relocated to segregation pod/available cell.
5. Determination by pod supervisor of need for formal disciplinary action.

The above listed Type D offenses will be dealt with as minor offenses unless the presence of matters in aggravation justifies handling as formal disciplinary action. These offenses are documented in daily activity reports.

27. Homeless Information

If you have no place to go once you are released from the Cumberland County Jail, you can contact the Salvation Army on 220 E Russell Street for shelter.

28. Supervised In-Custody Visits

In the event of critical illness or death of an immediate family member, an inmate or inmate's family, may request a visit to the hospital or funeral home by calling your attorney. District or Superior Court must issue an order for a Supervised In-Custody Visit. Inmates must meet the criteria listed below to be eligible. The Attorney, District or Superior Court Judge must approve supervised In-Custody Visits.

Criteria for Supervised In-Custody Visits:

1. Inmates being held for other jurisdictions (Federal Marshal, other states or counties) are not eligible for consideration.
2. Inmates with a history of escape(s) or attempted escape(s) from any jail or correctional facility will not be eligible.
3. The location of the hospital or funeral home must be within Cumberland County. No visits will be approved outside of the county.
4. Immediate family is defined as mother, father, sister, brother, husband, wife, child, foster parents or other people who have acted in the place of parents for the inmate, as long as the relationship can be verified.
5. Critical illness is determined by a competent medical authority. Critical implies probable death within a short period of time. If the attending physician determines that the visit is detrimental to the patient the visit will not be approved. The birth of a child is not considered critical unless the attending physician advises that the child or mother's condition is life threatening.
6. Inmates on lock back status will be evaluated individually. Inmates locked down for assault or disruptive behavior may not be considered.
7. Inmates charged with serious crimes such as, but not limited to, murder, voluntary manslaughter, rape, armed robbery, kidnapping, and assault with intent to kill or inflict bodily injury may not be considered for Supervised In-Custody Visits.
8. If at any time during the visit, the officers supervising the inmate suspect that the inmate or inmate's associates are attempting to use the visit for other purposes, the officer may end the visit immediately and return to the jail.
9. Inmates will wear their jail uniform, restraints, including handcuffs, waist chain and leg irons, while outside of the jail.
10. Normally, approved inmates will be permitted a private viewing of the deceased. Funeral services and gravesite visits will not be approved.

29. PREA: Sexual Assault/Abuse

The acronym PREA stands for the Prison Rape Elimination Act

They are standards established for the reduction and punishment of sexual abuse of inmates; to address the safety and treatment needs of inmates who have been a victim of a sexual act; and to discipline and prosecute those who perpetrate these acts upon inmates. The Cumberland County Detention Center has a Zero-tolerance for sexual harassment and sexual abuse. This includes inmate-on-inmate sexual activity and staff-on-inmate sexual activity.

Sexual misconduct is illegal!

Sexual misconduct is sexual abuse or sexual assault. It includes inmate-on-inmate sexual activity and staff-on-inmate sexual activity.

Inmate-on-Inmate Sexual Abuse/Assault:

One or more inmates engaging in, or attempting to engage in any sexual act with another inmate. Including any of the following: use of threats, intimidation, inappropriate touching, or other actions and/or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act. It is inappropriate for an inmate to approach a staff member for the purposes of sexual activity.

Staff-on-inmate Sexual Abuse/Assault:

This means to solicit/engage in sexual acts with inmates or persons in custody. Staff refers to Detention Officers/Deputies, medical staff, contractors, representatives, and volunteers. This also includes staff from federal, state and local jurisdictions.

Sexual misconduct includes any solicitation of sexual activity by making promises of favors or threats toward inmates for refusing sexual advances, and it is an invasion of privacy beyond that which is necessary for safety and security of the facility.

Assailant: A person who assaults another.

It is strongly encouraged that you identify any assailant in order to protect yourself and others from future attacks. Individuals that sexually abuse or assault inmates can only be disciplined and/or prosecuted if the assault is reported and they are identified.

Reporting:

You have several options of reporting an act of sexual assault/misconduct. Reports may be made directly to any staff member you trust or your housing unit officer, Corporal, Sergeant, Senior Sergeant, Lieutenant, or Captain. Staff members have been instructed to keep reported information confidential and only discuss it with the appropriate officials on a need to know basis. Reports may be made via kiosk under the PREA category. An outside party may download a PREA Complaint form from the Sheriff's website and submit it. You can also make report using the In-house hot line at 910.672-5672 or the Cumberland County Rape Crisis hot line at 910.485.7273.

An investigation will be conducted and documented and you will be separated from the alleged assailant for your protection. It is important that you do not bathe, brush your teeth, changing any clothing, use the bathroom, drink or eating until medical personnel has seen you. You will be taken to medical for a medical exam, clinical assessment, treatment and counseling.

If you make a false allegation of misconduct against a staff member or inmate, you will be subject to disciplinary sanctions and criminal charges.

Below are some things you can do to protect yourself against sexual assault:

1. Carry yourself in a confident manner at all times. Do not permit your emotions (fear/anxiety) to be obvious to others.
2. Do not accept gifts or favors from other inmates. Most gifts or favors come with strings attached.
3. Do not accept an offer from another inmate to be your protector.
4. Be direct and firm if another inmate asks you to do something you don't want to do.

5. Do not give mixed messages to other inmates regarding your wishes for sexual activity.
6. Stay in well-lit areas of the pod or dorm. **STAY OUT OF THE SHADOWS!**
7. Choose your associates wisely. Look for people who are involved in positive activities like educational programs or religious services. Get involved in these activities yourself.
8. Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff.
9. Don't go into another inmate's cell. This is a rule violation.
10. Find a staff member with which you feel comfortable discussing your concerns about sexual abuse/assault.

30. Voting

If you have a misdemeanor charge, you still can vote in North Carolina. You can vote while serving your sentence. To register you can write to your County Board of Election or State Board of Elections at PO Box 27255, Raleigh, NC 27611 to locate your County Board of Elections. The address to the Cumberland County Board of Elections is 227 Fountainhead Lane, Fayetteville, NC 28301.

If you don't know whether or not you will be incarcerated on Election Day, you can request the registration form and the absentee ballot at the same time. You must include your name, address, and date of birth as they appear on the registration records and the address where the ballot is to be mailed. Once it's determined that you are eligible to vote, The Board of Elections will send you the forms to be completed. When you complete the forms you can use your home address (if you know where you will be living after completing your sentence) or your jail address as your current address.

The completed forms need to be mailed 25 days before the election. The County Board of Elections will send your Voter Registration Card to you once it's been determined that you are eligible to vote.

To vote by absentee ballot, the signed absentee ballot request form must be sent to the County Board of Elections at least 50 days before Election Day. The County Board of Elections must receive the signed absentee ballot request form no later than the Tuesday prior to Election Day. The request must be signed by you or your near relative. It must include your name and address as they appear on the registration records, and the address where the ballot is to be mailed. If the request is by a near relative, include your relative's address and their relationship to you. When you receive the ballot, follow the instructions, mark your votes, obtain signatures, and addresses of two witnesses, and mail it back to the County Board of Elections. In order to be counted, your ballot must be received in the County Board of Elections office by 5:00 pm on the day before the election.

In North Carolina a person convicted of a felony, lose their citizenship rights, including the right to vote. However, these rights are automatically restored when the person convicted of

felony completes his or her sentence (including parole), is unconditionally pardoned, or completes the conditions of a conditional pardon.

If you are a former convicted felon you must register again even if you were registered before your conviction. You can register at any point after completing your sentence. Follow the procedures above for registration and absentee ballot.

31. Understanding the Judicial Process

- THINGS TO DO BEFORE COURT
- THINGS TO DO IN COURT
- COURTROOM PROCEDURE

This is a general guideline to jail and court procedures and is not intended to address all aspects of the judicial systems.

UNDERSTANDING THE COURT PROCESS

At this time you have been charged with committing a crime under North Carolina law. This does not mean that you are necessarily guilty of committing the crime that you are being charged with. This is a general outline and is not meant to cover all aspects of the jail/court system.

WHAT HAPPENS NOW?

1. If you "bond out" or are otherwise released before your 2:00 pm court date (held at the Detention Center the day after your arrest) and are charged with a felony charge or fail to appear, then you will need to go to a courtroom in the Cumberland County Detention Center Courtroom at 2:00 pm on your 1st appearance court date to receive your new court date and to be interviewed for a court appointed attorney.
2. If you do not "bond out," you will automatically be taken before a judge at 2 pm on the next business day after your arrest, you will have your bond reviewed, receive a court date and be questioned regarding hiring an attorney or being eligible for a court appointed attorney. The situation surrounding your arrest will not be discussed at the 2 pm bond review. If you qualify for a court appointed attorney, you will get the name and telephone number of the attorney before leaving the courtroom.
3. Be aware that it may take 3-4 days after your bond review before your attorney receives your paperwork. If you are still in jail, you should be aware that some attorneys will not accept collect telephone calls from the jail. If that is the case, have a relative call the attorney and ask the attorney to come see you in jail.

BEFORE COURT

1. If you have children, find a babysitter. Loud babies and children do not belong in the courtroom.
2. Plan to stay at least 3 hours. The courtroom will be very crowded, and it may take a while before your case is heard.
3. Dress appropriately. Dress as if you were going to church. If you are inappropriately

dressed, you may be asked to leave the courtroom. Do not wear anything that has inappropriate words on it or displays drugs, alcohol or violence.

4. Find out which courtroom you will be in before court. You can do this by calling the Clerk of Court's Office at 910.475.3111. Call the day before court, not the morning of court. Your attorney, bondsman or Pretrial Release caseworker may also be able to help you with this.
5. Talk to your attorney in advance. The more your attorney understands your case, the better off you are.
6. Bring all information (paperwork) you have about your case to court. This includes any receipts, warranties, or handwritten documents. Bring an extra set of all your paperwork as well.
7. Adult references (adults who have known you for many years) may help you in court. However, make sure that any references you bring are dressed appropriately and know how to behave and what to expect.
8. It is your responsibility to keep up with your court date.

WHEN IN COURT

1. Get to the courtroom early and sit as close to the front of the courtroom as possible. Do not talk in the courtroom.
2. When court starts, listen closely for your name to be called. Your name may be misspelled or mispronounced, so listen carefully. When your name is called, raise your hand or stand.
**If your name is called and you do not answer, it is the same as not being there!
3. No cell phones/electronic devices allowed.

COURTROOM PROCEDURES

When the judge enters the courtroom the bailiff will state, "All rise." The judge will then give the following instructions:

The Judge will ask you what you plan to do about an attorney, you need to know if you can afford an attorney or not so they can interview you for a public defender.

This will go quickly so be prepared and listen carefully.

If you did not hear your name, just wait. You may be in the wrong courtroom. If you get to court late, stay in the courtroom. The Assistant District Attorney may call names a second time after court starts. If you are late and your name is not called then stay in the courtroom until the end of court and let the Assistant District Attorney know that you are there. This does not mean that your case will automatically be heard!

When your case is called you will be asked to stand before the judge to have your say. Show respect! Do not say, "naw," "yeah," or "so." Say, "Yes, your Honor," or "No, your Honor."

After your case has been heard and a judgment has been rendered make sure that you understand the outcome. If your case was continued make sure you know when the next court date will be. If you have any questions, ask them!

If you are found guilty, you will need to have the money to pay your fine and the cost of court. The clerk in the main courtroom will tell you where to pay your fine. Make sure that you have your case number with you each time that you come to make a payment. Keep all of your receipts!

If you do not come to court, an Order of Arrest will be issued for you that day! If you miss court, you should go to the Clerk's Office the next day and ask for a "Motion to Strike Called and Failed." Read the instructions carefully and fill out the form completely. If you have a good reason for missing court (i.e., you were in the hospital on your court date or a family member died), attach written proof to the form and you may be assigned another court date. Asking for a new court date does not mean that it will be granted. It is your responsibility to get to court on your court date and to get to court on time.