



**State of North Carolina
Department of Public Safety
Prisons**

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Section: .1000
Title: **Control of Offenders**
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POLICY AND PROCEDURE

References	5 th Edition for Adult Correctional Institutions
Related ACA Standards	5-ACI-1F-10, 5-ACI-3A-13, 5-ACI-3A-14

.1001 POLICY

- (a) *Each facility will maintain a policy, procedure and practice that regulates offender movement (5-ACI-3A-14).*
- (b) *Each facility will have a system for physically counting offenders and verifying that offenders are alive and in a state of wellbeing at least four times a day (5-ACI-3A-13).* Close custody facilities will conduct these counts at least five (5) times a day.
- (c) Minimum and Medium custody facilities must develop and maintain a system to conduct four (4) formal counts each day. The four formal counts will include:
 - (1) A morning count, conducted when the offender population is awakened prior to breakfast, and before first shift relief;
 - (2) A midday count, conducted at a time between the hours of 11:00 a.m. and 5:00 p.m.;
 - (3) An end of shift count, conducted at a time between the hours of 5:00 p.m. and 6:00 p.m., after the supper meal and prior to second shift assuming relief.
 - (4) An evening count, conducted between 11:00 p.m. and 12:00 a.m.(midnight) when the offender population is locked in individual cells or dormitories for the night;
- (d) These four formal counts ensure that offenders are counted approximately every six hours at each facility.
- (e) Close custody facilities shall conduct five (5) formal counts each day. The five counts will include:
 - (1) A standardized formal count conducted at 5:00 a.m., 5:00 p.m. and 11:00 p.m.
 - (2) Two additional formal counts to be conducted between 11:00 a.m. and 4:00 p.m.

and between 5:00 p.m. and 10:00 p.m., as scheduled at the discretion of Regional Management and the Warden.

- (f) Informal counts for all facilities will be conducted between the hours of 11:00 p.m. and 5:00 a.m. Informal counts are defined as the visual observation of offenders in a housing area in which the staff member counting observes that there is a live breathing body of an offender in the cell or on the bunk. Informal counts are not officially documented.
- (g) It is required that industry, construction, and delivery vehicles remain secured and within the secured perimeter of the facility until a count is cleared.
- (h) *Each facility's count system must incorporate the unique operational concerns of that facility, to include accounting for offenders assigned to Enterprise operations, loading docks, road squads, and outside medical facilities. The facility count system must also include strict accountability for offenders assigned to work, educational release, furloughs, and other approved temporary leaves (5-ACI-3A-13).*
- (i) *The institution maintains a daily report on offender population movement (5-ACI-1F-10).* Wardens will be responsible for developing a written procedure which maintains a means of accountability of offenders during movement, by utilizing Gate Passes, ID Card System, Computer Tracking, Pass System or Biometrics.
- (j) Written procedures must also establish a system for monitoring, tracking, and coordinating mass movement of offenders. This will be coordinated with security operations. Each facility will establish procedures to ensure offenders arrive at their destination in a timely manner. At a minimum, these procedures shall address, but not be limited to:
 - (1) Communication by which staff are alerted that a specific offender is to be at a specific area/location at a specific time;
 - (2) Predetermined timeframes for departure, transport and arrival;
 - (3) Reporting action to be taken if an offender does not arrive within a specific time;
 - (4) Actions to be taken to determine an offender's whereabouts if the offender fails to report to the assigned area.

.1002 OFFENDER COUNT CONTROL PROCEDURES

- (a) Control Center. Terminal access to facility record and data systems should be established and maintained in the control center at each facility.
- (b) Control Board. A control board may be maintained which includes count totals for offenders on-unit; temporarily assigned out to court, hospital and leave; and for those

- otherwise off unit for some activity assignment or appointment reason. The control board should also specify the housing and primary work or program activity assignment for each offender.
- (c) **Operational Counts.** A master operational count record should be maintained in the control center of each unit so as to facilitate accuracy of and reconciliation between operational formal (head) counts and record documentation counts. A control system will be maintained which includes count totals for offenders currently in the facility; temporarily assigned to court, hospital and leave or otherwise away from the facility/unit for an activity assignment, appointment or other valid reason. Custody staff are required to provide up-to-date information to designated staff who are responsible for the master count concerning all housing moves, transfers, releases, and other activities that may impact the master count and accounting for offenders.
 - (d) **Formal Counts.** Formal (Head) Counts should be performed at least four times daily in all minimum and medium custody facilities and five times daily at all close custody facilities. Additional counts of various population and sub-populations are encouraged throughout the facility on a random basis during the day. Staff conducting the counts must verify that each offender is alive and in a state of well-being. At a minimum this will require the offender to deliberately show body movement in response to the officers' verbal notice that it is count time. If an offender does not show movement, the officer will not continue the count until the offender's condition is assessed. This may involve calling for additional staff to enter the offender's cell in segregation areas or other areas based on the facility operating protocol.
 - (e) **Count Reconciliation.** Count reconciliation will be conducted immediately after each formal count. The Officer-In-Charge for each facility will enter operational counts, i.e., out to court, out to hospital, out to leave, in transit, and on site through the Facility Count Control Screen (IP95 0 XXXXXX). Any discrepancy between the reported head counts and the OPUS record counts will be immediately resolved. The error, whether the head count or the records system count, will be corrected and updated and the counts reconciled before facility operations resume.
 - (f) **Control of Assigned Offenders.** In addition to formal counts, each officer assigned to a particular detail shall maintain a continuous and frequent check of offenders under their supervision to ensure an accurate count. During these checks, the officer must continuously assess the behavior and well-being of the offenders to maintain the most effective level of control possible in his/her assigned area.
 - (g) **The Warden is responsible for establishing procedures for scheduled, informal, and emergency physical counting of offenders and for recounts in the event of a miscount. The system includes strict accountability for offenders assigned to work and educational release, leave, and other approved temporary absences. Procedures shall also include the following:**

- (1) Provides for performing counts at least four (4) times for minimum and medium custody facilities and five (5) times for close custody facilities in each 24-hour period to ensure the offenders are present and alive, demonstrated by showing movement in response to staff's verbal notice.
 - (2) Set forth the procedures on how the counts are conducted and when they are conducted.
 - (3) Require that all offender movement cease from the time count is announced until the count is cleared.
 - (5) Require offenders to report to a specific location, i.e. cell, bunk, dayroom, etc. during counts.
 - (6) In the event of a miscount, it is required that industry, construction, and delivery vehicles that cannot be easily searched be locked and remain in the facility until a count of the offenders involved in the immediate area has been conducted and all offenders are accounted for.
 - (7) Outline the manner in which a roll call and identification count will be conducted in order to identify missing offenders, in the event repeated counts are inaccurate and the reason for inaccuracy cannot be determined.
- (h) At least two staff members independently count the same group of offenders in each count area. Preferably, one officer/staff member maintains a position where the entire group being counted can be observed to prevent movement of any kind. All staff shall be trained in offender count procedures and the responsibility relative to accounting for offender whereabouts. Staff shall be monitored to ensure they are conducting frequent informal counts, and all formal counts, of offenders under their control.

.1003 RESPONSIBILITY

- (a) **Supervisor Responsibility.** An officer charged with custodial supervision of offenders outside the confines of a prison facility shall be responsible for an accurate count prior to releasing them to their replacement. The replacement correctional officer shall ensure the accuracy of the count prior to assuming responsibility. No officer shall accept custody of a group of offenders outside the confines of a prison until the officer has counted the offenders. The replacement officer will be advised of the offender work details including where they can go and the task(s) they are allowed to perform. When the replacement officer takes charge of the work detail, they shall ensure each offender in the group is physically able to perform the assigned work. Offenders who are not able to perform shall be referred to the facility medical staff for assessment.

- (b) Facility Record Procedures. Changes in counts caused by admission, release, transfer, or escape of offenders will be documented as soon as practicable after they occur through the OPUS procedures. Where an offender or offenders are in the custody of an agent of the Commissioner of Prisons and within the territorial limits of the State of North Carolina, the custodial agent shall be responsible for including the offender or offenders in these daily counts by the control center.
- (c) Facility Oversight. Each Warden is responsible for ensuring accurate count reporting and reconciliation by those facilities under their specific jurisdiction. Timely entry of offender record updates including offender transfers and movements are critical to the process. In addition, effective reconciliation between formal counts and record system counts must be documented as required herein. The Facility Count Control Exception Screen (IP96 0 XXXXXX) and Facility Count Control Screen (IP95 0 XXXXXX) will be monitored on a daily basis. Counts will be reconciled as described above in .1002 (e). Facility staff is responsible for ensuring this level of effectiveness.
- (d) Facility Support Resources. Facility staff should contact the NCDPS-Prisons Operational and Technical Support Desk (919-838-3715) for any assistance needed in resolving count reconciliation problems. Use of timely reporting procedures at the facility level will avoid most difficulties. The printed facility offender alpha roster may aid in the resolution of any remaining facility issues.
- (e) Staff conducting the count should not allow distractions while in the count process nor should staff routinely perform any other duties at this time. Staff should not take phone calls during the count. Offenders who distract staff during count activities are considered to have committed a major violation of institution rules and are subject to disciplinary action. An offender's participation in any portion of the count activity is prohibited, including preparation, processing, and delivery of/or handling of count-related documents.
- (f) All count slips, tabulations, and master count sheets signed by staff conducting the count, tabulating the count, and clearing the count must be maintained on record for a minimum of three years.

.1004 CLOSE CUSTODY CONTROLLED OPERATIONS

- (a) In an effort to provide a standard structured environment for close custody offenders and to enhance safety and security for staff, the following procedures will be followed for all Close Custody Facilities:
 - (b) Offender Movements
 - (1) All close custody offenders shall be escorted by staff.
 - (2) Mass movement of close custody offenders should only be conducted

during mealtimes, in transit to or from recreation or programmatic events or during an emergency evacuation. Mass movement of close custody offenders is defined as the escort of more than ten offenders at one time.

- (3) All other miscellaneous movement should be limited to no more than ten offenders at one time to be escorted by a minimum of one certified staff.
- (c) Out of Cell Activity
- (1) No more than 50% of close custody offenders housed in a housing unit will be out of their cell and present in the dayroom at one time.
 - (2) During out of cell activity time, offenders will be allowed to recreate, bathe or participate in any authorized activity but will be limited to the confines of their respective housing unit.
 - (3) During out of cell activity time, cell doors shall be secured unless the doors are authorized to be open to allow an offender to clean their cell.
- (d) Offender Privileges
- (1) Telephone – All use of the wall phone will end at 10:00 p.m.
 - (2) Visitation – Regular population close custody offenders will be eligible to visit with approved visitors twice per month. Visitation period for regular population close custody offenders will be restricted to one hour per visitation. Wardens can approve for visitors who travel for more than 300 miles to visit for up to two hours for no more than two visitation periods per month.
 - (3) Canteen – Close custody regular population offenders will be allowed to visit the canteen one (1) time per day and three (3) times per week. No more than five (5) offenders can stand in a canteen line.
- (e) Recreation
- (1) Outdoor recreation will be held three (3) times per week for a period of no more than two (2) hours.
 - (2) Indoor recreation can be held three (3) times per week for a period of no more than two (2) hours.
 - (3) No more than forty-eight (48) offenders will be allowed on a single recreation yard or area at one time and must be supervised by certified correctional staff.

(f) Lockdown

Lockdown for close custody facilities will be 11:00 p.m.

(g) Facility Wardens will be responsible for establishing a timed control movement schedule that is most suitable for their facility operations, in accordance with the Close Custody Operations plan.



Commissioner of Prisons

July 26, 2022

Date

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