



*State of North Carolina
Department of Public Safety
Prisons*

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Section: .0100
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POLICY & PROCEDURES

References

5th Edition Standards for Adult Correctional Institutions

Related ACA Standards

5-ACI-1A-01, 5-ACI-1A-02, 5-ACI-1A-03, 5-ACI-1A-07, 5-ACI-1A-10, **5-ACI-1A-15**, **5-ACI-1A-18**, 5-ACI-1A-23, 5-ACI-2B-01, 5-ACI-2B-02, 5-ACI-2B-03, 5-ACI-2B-04

.0101 PURPOSE

The purpose of this policy is to specify the organizational structure of Prisons and describe the general duties of the Commissioner, Assistant Commissioner, Directors, Assistant Directors, Region Directors, Section Chiefs and Managers.

.0102 POLICY

Prisons is a division of the North Carolina Department of Public Safety, Adult Correction and Juvenile Justice and is governed by North Carolina General Stature Chapter 148 (5-ACI-1A-01). This policy establishes the organization of Prisons and describes administrative levels, management functions, regions, support sections, and lines of authority. The organization of Prisons is structured to ensure management effectiveness, efficiency, and accountability.

.0103 COMMISSIONER OF PRISONS

- (a) The Commissioner of Prisons is appointed by the Secretary of the Department of Public Safety. The Commissioner is responsible for the administration of Prisons and has been delegated the authority necessary to act in all matters related to Prisons.
- (b) The Commissioner designates managers to assume specific managerial responsibilities in Prisons. Additionally, the Commissioner designates Duty Officers to support on-going operations, provide 24-hour managerial assistance, and support emergency operations in Prisons.
- (c) The Commissioner of Prisons is responsible for establishing policies and procedures for short- and long-range planning for the achievement of administrative and functional goals. Responsibilities include appointing a strategic planning team to develop a Strategic Plan for Prisons that incorporates the agency's administrative and functional goals and identifies performance measures. ***The Strategic Plan must be reviewed annually,***

updated accordingly and new tactics and measures added and progress monitored for achievement of previously identified program objectives as it relates to short- and long-range goals of the agency (5-ACI-1A-02). The Commissioner of Prisons is responsible for formulating the goals of the agency, establishing policy and priorities related to them, and with available resources, translating the goals into measurable objectives.

- (d) *The Commissioner of Prisons is responsible for establishing a written plan describing the agency's organization and groups. The plan should include similar function, services, and activities into administrative subunits. The plan should clearly designate lines of responsibility, authority, support, and liaisons. The plan must be reviewed annually and updated if necessary (5-ACI-1A-10).*
- (e) The Commissioner of Prisons is responsible for ensuring an open communication system among employees. The Commissioner shall meet with all Central Office Managers, Regions Directors and other key staff members on a monthly basis.
- (f) The Commissioner of Prisons is responsible for annually assessing the agency's personnel needs and assignments and compile necessary budget requests for meeting those staffing needs.
- (g) The Commissioner of Prisons is responsible for monitoring and reviewing the expenditure of all Prisons funds. Periodic review should include a full accounting of the funds allocated for each program. No state funds shall be expended except in accordance with an act of appropriation. Planning and budgeting are related directly to achievement of program objectives.
- (h) The Commissioner of Prisons is responsible for reporting all emergencies through the chain-of-command in a timely and accurate manner. This includes developing a procedure for reporting emergencies outside regular office hours and on weekends and holidays. Procedures for reporting emergencies can be found in Section .200, Reporting Procedures, in the Prisons Security Manual.

.0104 COMMISSIONER'S STAFF

The Commissioner of Prisons is supported by the following positions: Assistant Commissioner, Director-Operations, Director-Rehabilitative Services, Director-Administrative Services, Director-Health & Wellness, Director-Facilities Management, Director-Performance & Standards, Executive Officer, and four (4) Region Directors, in managing and coordinating activities and operations as designated.

- (a) The Assistant Commissioner is responsible for the overall custody and security operations of Prisons. The Director of Operations, the Director of Correction Enterprises and the (4) Region Directors report directly to this position.

- (b) The Director of Operations' responsibilities include managing the offices of the Chief of Security Publication Reviews, Offender Correspondence, Facility Staffing, and Incident Command Operations.
 - (1) The Chief of Security is responsible for all Prison security operations, ensuring compliance with security audit standards, managing Prison Special Teams operations, and managing the Security Risk Group population.
- (c) The responsibilities of the Director of Rehabilitative Services include managing the offices of Rehabilitative Services and Evidence Based Practices.
 - (1) The Assistant Director of Rehabilitative Services will manage offender housing, special populations, offender classification, offender disciplinary process, diagnostic operations, offender transportation services throughout the Division, offender identification, Offender Population Unified System (OPUS) Technical Support, and Chaplaincy Services.
 - (2) The Evidence Based Coordinator is responsible for assisting with Evidence Based Program implementation throughout Prisons.
- (d) The Director of Administrative Services is responsible for preparation, allocation and monitoring of the Division's operating budget and welfare fund budget. Responsibilities also include human resources functions, fiscal/cashless canteen training support for field operations, Curriculum and Training, Information Technology, and the Field Training Officer Program.
 - (1) The Assistant Director of Administrative Services is responsible for Division Budget preparation and monitoring. The position serves as the primary liaison between the Controller's Office and the Budget Office. The Assistant Director of Administrative Services is responsible for creating budget requests for inclusion in the Governor's Budget, working with legislative liaisons during the budget process, and managing special projects involving Administrative Services.
 - (2) The Business Officer is tasked with all aspects of human resources management for the Division, including position management, the application of merit-based hiring policies, and procedures for all classifications including medical and administrative.
- (e) The Director of Facilities Management is responsible for long-range facility planning, new construction program, and construction addition programs as well as for facility maintenance programs throughout Prisons. The Director of Facility Services also coordinates and directs telephone communications throughout Prisons, including both the operational and offender telephone systems.

- (1) The Telecommunications Manager is responsible for telecommunications infrastructure statewide to include offender phones, administrative phones, cell phones, and cable infrastructure.
 - (2) The Facility Planner is responsible for long range planning for Facility Services section relating to statewide maintenance at prison facilities.
 - (3) The Maintenance Manager is responsible for coordinating Maintenance Management System (MMS), Electronic Intrusion System (EIS) testing data and other processes that affect statewide maintenance operation.
- (f) The Director of Health and Wellness is responsible for planning, organizing, and coordinating a health care delivery system which includes medical, nursing, dental, mental health, behavioral health and pharmaceutical programs and operations throughout Prisons. To accomplish these operations, the Director of Health and Wellness is assigned the following positions:
- (1) Chief of Psychiatry – responsible for the oversight of the day to day operation of psychiatry services.
 - (2) Behavioral Health Director – responsible for the oversight of the day to day operation of behavior health services to include psychology, social work, and Alcoholism and Chemical Dependency Program (ACDP) activities.
 - (3) Medical Director – responsible for the oversight of the day to day operation within medical services.
 - (4) Dental Director – responsible for the oversight of the day to day operation of dental services.
 - (5) Director of Healthcare Administration – responsible for the oversight of staffing, contracts, medical records and electronic records.
 - (6) Director of Nursing – responsible for the oversight of the day to day operations of nursing services by licensed, unlicensed and facility medical records personnel.
 - (7) Pharmacy Director – responsible for the oversight of the day to day operation of pharmacy services.
 - (8) Director of Quality Assurance – responsible for compliance and risk management activities.
- (g) The Region Directors shall be designated to have overall responsibility for the daily security and operation of all prison facilities through the direct supervision of the facility Wardens.

- (1) Facilities within Prisons will be grouped into regions based on geographic location. The Commissioner of Prisons will designate facilities for the respective regions.
 - (2) The Region Director will supervise an Assistant Region Director, Program Services Coordinator and Administrative Services Manager who will assume responsibilities in various areas of the region.
 - (3) Regions within Prisons are: Eastern Region, Central Region, South Central Region and Western Region.
- (h) The Director of Performance and Standards will be responsible for the development of the Prisons Strategic Plan, the development and revision of Prisons policies, The Innovation Institute and management of the Compliance and Auditing section.
- (1) The Audit/Compliance Manager is responsible for the coordination and review of compliance with ACA standards as well as internal audits of Prison operational sections.
 - (2) The Innovations Institute Manager ensures the creation and application of various key performance measures to aid management in the ongoing evaluation of all prison operations, and continually evaluates effectiveness of new and existing programs.
- (i) The Executive Officer will assist the Commissioner of Prisons in identifying issues and developing potential solutions necessary to carry out the mission of the agency. This position will serve as a liaison between the Commissioner's Office, administration, department heads, elected officials and other branches of government.
- (j) The Director of Correction Enterprises directs and manages production and operations of a large group of correctional businesses for profit. In addition, the Director oversees the efficient and profitable operation of all assigned plants. This includes overseeing and leading a wide assortment of operations through subordinate group managers including: an 8,000-acre farm complex, cannery, meat processing plant, quick copy plant, print plant, optical plant, operations, janitorial products plant, laundries, metal products plants wood working plant, tag plant, sign plants, sewing plants and upholstery plants.

.0105 FACILITY WARDENS

- (a) ***Each facility is managed by a Warden who is approved by the Commissioner of Prisons in accordance with the Department's Merit Based Hiring policy (5-ACI-1A-07).*** Each Warden reports directly to the Region Director.

- (b) ***The Warden is responsible for the overall operation of the facility including the supervision of all offenders, personnel, volunteers, programs, and activities connected with the facility (5-ACI-1A-07).***
- (c) The Warden is responsible for establishing a written plan describing the organization and units within the facility. The plan should clearly designate lines of responsibility, authority, support, and liaisons. ***The plan provides staff with the authority to make decisions, and the ability to make recommendations regarding security, classification, services, and programs for offenders (5-ACI-2B-02).*** The plan must be made available to all employees, reviewed annually, and updated if necessary.
- (d) ***Each Warden shall formulate goals for their facility at least annually and translate them into measurable objectives (5-ACI-1A-03).*** They shall notify the Region Director in writing, verifying the completion of the facility's annual review. Facility staff, volunteers and outside criminal justice professional shall have input into the formulation of these goals and measurable objectives.
- (e) ***Each Warden shall meet with each department head on a monthly basis. In turn, department heads will meet with their key staff members monthly to relay pertinent information (5-ACI-1A-15).***
- (f) ***Each Warden shall document in writing major developments in each department on a monthly basis. The report shall include major incidents, population data, assessment of staff and offender morale, and major problems and plans for solving them (5-ACI-1A-18).*** This monthly report must be forwarded to the Region Director and Assistant Commissioner of Prisons.

.0106 FACILITY DESIGNATIONS

- (a) Each correctional facility will be designated as an Institution, Correctional Center, or Residential Facility. Each correctional facility will be managed by a Warden. The following definitions are not all inclusive, but generally define each designation:
- (1) The designation of an Institution will be reserved for facilities that have a relatively large offender population, normally in excess of 500 beds. Institutions may be either close, medium or minimum security based on special or multiple correctional missions, and a diversified staff.
 - (2) The designation of Correctional Centers will be characterized by a relatively small offender population, normally less than 500 beds. Correctional Centers have a single mission, with a security level of medium or minimum security.
 - (3) The designation of Residential Facility will be limited to half-way house settings with a limited number of offenders and a program design focused on release preparation.

- (4) Contractual facilities include those housing units provided through jail contracts, private substance abuse facilities, out-of-state prison facilities, in-state private facilities, and units providing offender housing and control management, and intervention services.
- (5) Confinement in Response to Violation (CRV) facilities will be designated and reserved for housing and programming CRV offenders.
- (b) Each correctional facility will be classified with a security designation of close, medium, or minimum, as determined by the Commissioner of Prisons. Selected close custody facilities will be identified by the Commissioner of Prisons as responsible for maintaining and managing control and high control isolation areas for the containment of violent and difficult to manage offenders.
- (c) ***The size of management units within facilities are based on the security classification of the offenders assigned and the ability of staff to complete regular security checks, maintain visual and auditory contact, maintain personal contact and interaction with offenders, and remain aware of unit conditions (5-ACI-2B-03).***
- (d) ***When developing plans for new facilities, the physical plant design of all construction (renovation, addition, new construction) should facilitate personal contact and interaction between staff and offender (5-ACI-2B-01). Single-cell living units shall not exceed 80 offenders (5-ACI-2B-04).***
- (e) Prison new construction or expansion of existing facilities shall only be initiated after a needs evaluation study has been completed and reviewed by the Commissioner of Prisons. The Commissioner of Prisons should consult with the N.C. Department of Public Safety, Office of Research and Planning as well as the North Carolina Sentencing Commission, on population projections. Projections should be based on an in-depth analysis of all pertinent factors to determine whether the need is clearly demonstrated.
- (f) All prison new construction shall be planned with participation from the community in which they are to be located. Local officials/residents shall be contacted to solicit input on possible site of new facilities. Local officials/residents should be informed of the purpose of the facility, the extent of supervision and control over offenders.
- (g) When developing plans for new construction, reasonable accommodation is made to ensure that all parts of the institution that are accessible to the public are accessible and usable by staff and visitors with disabilities.
- (h) Administrators shall work with the Department of Public Safety Central Engineering Office to ensure this policy is incorporated into the design of all new construction projects.

.0107 LEGAL ASSISTANCE (5-ACI-IA-23)

- (a) The North Carolina Attorney General and the Department of Justice provide legal assistance and represents all departments, institutions, and agencies of the State. The Attorney General's office defends all actions in the appellate division and appears in any other civil or criminal court matter in which the State may be interested or a party.
- (b) The Department of Public Safety General Counsel's Office, supports the Commissioner of Prisons and other prison staff on matters of interest that require legal assistance and/or legal opinion.
- (c) Matters requiring legal assistance from the Department's General Counsel's Office or the State Attorney General shall be forwarded in writing through the chain of command to the Commissioner of Prisons for appropriate referral to legal counsel.



Commissioner of PrisonsFebruary 09, 2021

Date

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