



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

ROY COOPER • Governor  
MANDY COHEN, MD, MPH • Secretary  
MARK PAYNE • Director, Division of Health Service Regulation

December 18, 2019

Sheriff Keith Stone (via email)  
P O Box 355  
Nashville, NC 27856

RE: Nash County Detention Facility  
FID #110650  
Status of the Nash County Detention Facility

Dear Sheriff Stone:

**DHSR believes your agreement to address these items as indicated below is the most rapid way to improve conditions at the NCDF and protect the safety of the inmates and staff. Barring an immediate commitment to resolve the issues outlined below, this Agency will avail itself of its statutory authority to require depopulation and corrective action in order to protect the safety of the inmates and staff. Voluntarily addressing the issues prior to agency action would be efficient and in the best interests of the inmates and staff. If you are agreeable, we require a letter, signed by the Sheriff, County Manager, and Chair of County Commissioners that agrees to the following conditions:**

- A. NCDF will depopulate to a maximum of 56 inmates and the following areas will be the only areas open for incarceration:**
- Dorm 1: no more than 20 inmates maximum; all inmates shall have bunks; no additional bunks can be added;
  - Segregation Area: 36 inmates maximum; all inmates to have working cells; no areas in day room used for inmate sleeping;
  - Total maximum of 56 inmates until further agreement with the Agency and the depopulation to 56 inmates will be completed no later than Friday, December 27, 2019.
  - Areas to be open would require a minimum of 6 guards (recommended 8) for every shift. In addition to the minimum of 6 or recommended 8 guards, an additional staff person shall be required to serve as the dedicated firewatch guard for every shift until item C., Nos. 1, 4, 6, and 12 below are corrected.
- B. After completion of the items identified below, the following areas may be used:**

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION  
CONSTRUCTION SECTION

LOCATION: 1800 Umstead Drive, Williams Building, Raleigh, NC 27603  
MAILING ADDRESS: 2705 Mail Service Center, Raleigh, NC 27699-2705  
info.ncdhhs.gov/dhsr/ • TEL: 919-855-3893 • FAX: 919-733-6592

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

- Dorms 4 & 5 can be utilized for males or females, without comingling males or females, once the area has been brought up to standard and inspected by the DHSR Construction and Jail Staff. Facility must show proper staffing to utilize this area. The maximum capacity for these areas shall be determined when the area was inspected, and the staffing level is determined.
- C. Most urgent items to be corrected - work should begin immediately to correct these items and continue until finished. Deadlines listed below must be met.
1. Smoke evacuation system.  
(This is a paramount concern and must be resolved as soon as possible without delay. Until this item is corrected, in order for any inmates to continue to be incarcerated at NCDF, there must be a dedicated Fire Watch throughout the facility, with one person on each shift who has no other duties. NCDF must document this and provide a log of each round.)
  2. Proper supervision of inmates.  
(Depopulate to 56 inmates and commit to staffing as outlined above – minimum of 6 in addition to a dedicated Fire Watch until certain items corrected – see Nos. 1, 6, 11 and 12.)
  3. Repair all blocked, obstructed, and difficult to open Exit Doors.  
(Completion of this item no later than Thursday, December 19, 2019 @ 5:00 PM)
  4. Repair or Replace non-functioning Two-way communication.  
(Direct supervision of inmates is required until communications is fully functional – no fewer than six guards, not including the dedicated Fire Watch guard.)
  5. Food passes to be functioning in the segregation area.  
(Completion of this item no later than Wednesday, January 1, 2020 @ 5:00 PM. In the event the vendor is unable to meet this deadline, documentation from the vendor that reasonably supports the inability to meet the deadline and that provides the deadline for this work to be completed.)
  6. Fire Alarm A/V units must be installed and checked for proper operation.  
(Completion of this item no later than Wednesday, January 1, 2020 @ 5:00 PM. NCDF to provide testing report.)
  7. Correct status of locking system from control room panel.  
(Completion of this item no later than Friday, January 31, 2020 @ 5:00 PM. NCDF to confirm with DHSR staff by Friday, December 20, 2019 @ 5:00 PM which doors are at issue. Until software or other operational issues are fully corrected, NCDF shall verify the status of each door at the beginning, middle, and end of every shift and document those status verifications in log.)
  8. Removal of old metal bunks out of the Recreation Yard blocking exits and creating a safety hazard in the case of an emergency (Provide pictures of cleared Recreation yard)  
(Completion of this item no later than Thursday, December 19, 2019 @ 5:00 PM.)
  9. Identification of and timely use of the manual key system on security doors and fire extinguisher cabinets.  
(Completion of this item no later than Monday, December 23, 2019 @ 5:00 PM. Provide key to all guards on duty to open fire extinguisher cabinets.)

10. Exit signs not illuminating.  
(Completion of this item no later than Thursday, December 19, 2019@ 5:00 PM.)
11. Fire extinguishers charged and ready for use.  
(Completion of this item no later than Thursday, December 19, 2019@ 5:00 PM.)
12. Fire Fighter Control panel  
(This is a paramount concern and must be resolved as soon as possible without delay. Until this item is corrected, in order for any inmates to remain incarcerated at NCDF, there must be a Dedicated Fire Watch throughout the facility, one person on each shift with no other duties. NCDF must document this and provide a log of each round. Once corrected, NCDF shall provide testing data from Johnson Controls that the panel is working and functioning properly.)
13. Provide more thorough searches of inmates, visitors, staff, and contractors for Contraband (Provide new procedure for searching all persons entering or doing business with the facility). (Completion of this item no later than Friday, December 20, 2019 @ 5:00 PM.)
14. No inmates to be housed in the Medical Area, which does not have any natural light (Less than 24 hours only, person to be moved after 24 hours)  
(Completion of this item no later than Thursday, December 19, 2019@ 5:00 PM.)
15. Remove combustible material in basement, electrical room, and mechanical room (provide pictures of all areas indicating combustible material has been removed.)  
(Completion of this item no later than Thursday, December 19, 2019@ 5:00 PM.)

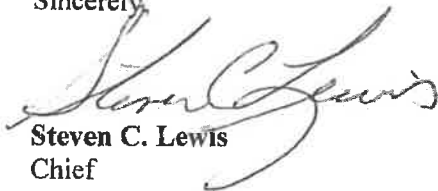
**D. Items to be corrected ASAP but not to exceed 30 days.**

1. Electrical conduit and electrical service on the roof of the facility.
2. Power strips overloaded in the main control room.
3. Maintaining 3 ft. of clearance in front of all electrical panels.
4. Verify and test automatic gas shutoff for equipment in kitchen.
5. Smoke detector in Dorm 1 control room and Medical area.
6. Kitchen hood inspection.
7. Post current and eligible fire evacuation plans.
8. Cleaning and painting of all showers in the facility.
9. Assure that all plumbing fixtures are in proper working order where inmates are housed. This would be hot water, cold water, and toilets that flush.
10. Floor drains returned to proper operation to prevent standing water in areas housing inmates and corridors used by staff.

**E. All other items in the 12/10/2019 Statement of Deficiency report to be corrected ASAP but not to exceed 60 days.**

If you have any questions, please do not hesitate to call me at (919) 855-3893

Sincerely,



**Steven C. Lewis**

Chief

Division of Health Service Regulation, Construction Section

NC Department of Health and Human Services

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Fax: 919-733-6492

[Steven.Lewis@dhhs.nc.gov](mailto:Steven.Lewis@dhhs.nc.gov)

Enclosure

cc: Mr. Robbie Davis, Chairman, Nash Board of Commissioners (via email)  
Mr. Zee Lamb, Nash County Manager (via email)