



Mecklenburg County Sheriff's Office

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MEDIA ALERT

January 3, 2022

MCSO Response to NC Department of Health and Human Services Findings During the Recent Inspection of the Mecklenburg County Detention Center

(Charlotte, NC) – In response to the North Carolina Department of Health and Human Services preliminary report, the Mecklenburg County Sheriff's Office is working to reduce the resident population inside the Mecklenburg County Detention Center - Central (MCDCC). We are currently working with the North Carolina Department of Public Safety on transferring residents that have been sentenced to DPS facilities. Furthermore, we will have discussions with the U.S. Marshals Service, District Attorney, Chief District Court Judge, and the Public Defender's Office to identify defendants that may be eligible for release and have made a request to the North Carolina Sheriff's Association to see if other counties may be able to house residents from Mecklenburg County.

All these efforts are being made in response to Notice of Determination received by MCSO after an inspection by the North Carolina Department of Health and Human Services due to the current staffing shortage at MCDCC. MCSO had already begun to address staffing shortages at the largest municipal detention center in the state by reducing the juvenile population and reallocating personnel from the Mecklenburg County Juvenile Detention Center to the MCDCC. Mandatory overtime and reallocation of personnel from other divisions across the organization have all been implemented to address our staffing shortages.

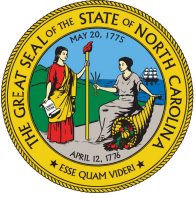
MCSO realizes that personnel are our greatest assets and without adequate personnel it makes an already high and difficult job even more difficult for our employees. This is a nationwide problem and we're continually recruiting and hiring new personnel.

Sheriff Garry L. McFadden said, "We have been very transparent about the shortages facing the agency and we are exhausting all options to ensure the safety and security of MCDCC. These are unprecedented times. Our staff has worked through the COVID-19 Pandemic since the beginning of 2020. They are fatigued, coping with loss due to the virus or battling the virus themselves while still fulfilling their duties at MCSO. We must take all of these factors into account, but we will not cease in our efforts to adequately operate our detention facility."

The Mecklenburg County Sheriff's Office is committed to the safety of its staff and has been open to all suggestions for improvement. The reduction in population will allow the Detention Center to run at a more manageable level due to on-going staffing shortages and allows us the opportunity to continue to make changes throughout the facility.

***Please see NCDHHS findings attached**

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NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

TO: Garry McFadden, Sheriff, via email only
Email: garry.mcfadden@mecklenburgcountync.gov

FROM: Chris W Wood
Chief Jail inspector, DHSR Construction

DATE: December 23, 2021

RE: Conditions Jeopardizing the Safe Custody, Safety, Health or Welfare of Inmates in Mecklenburg County Jail Central.

During the December 21, 2021 inspection of Mecklenburg County Jail Central (MCJC) by the Division of Health Service Regulation, (DHSR) Construction Section, Jail Inspections Unit, conditions were found that fail to meet some of the minimum standards for local confinement facilities in North Carolina. These conditions jeopardize the safe custody, safety, health, or welfare of the inmates and detention staff. A brief description of some of the facts that support this finding are set forth below.

This memorandum is not the Notice of Determination required by N.C.G.S. § 153A-223. The Notice of Determination required by N.C.G.S. § 153A-223 will be forthcoming with the full report in connection with the semi-annual inspection/investigation. Our survey work and investigative work is ongoing and we are still in the process of reviewing the documentation that your staff provided to us in response to our request for certain documents and records. Once that work is completed, a more detailed letter and Notice of Determination will be sent to MCJC. However, given the significant safety concerns around staffing shortages, we wanted to provide this information to you so that you may immediately begin to take the appropriate steps to reduce the census of the inmate population at MCJC.

Staffing shortages exist that pose an imminent threat to safety of the inmates and staff at MCJC. These shortages will continue and may increase due to the number of inmates that are housed at MCJC. During the December 21, 2021 semi-annual inspection coupled with an investigation into the recent incidents, it was reported to DHSR inspectors that staffing shortages leave doubt as to whether the inmates can be safely evacuated from the facility in the event of an emergency. There has also been an increase in the number of incidents that have resulted in the injury of staff and inmates. There have been delays in response time providing assistance to staff to control the incidents and, in one case, medical attention to an injured staff member was delayed.

Due to the staffing shortages, it has been determined that the MCJC should take immediate action to de-populate the facility to a level that can be managed by available staff. When the DHSR investigation is complete, this Section will recommend a manageable number of inmates the facility can house until staffing levels return closer to normal levels. While we are not able to provide that recommended census number this early in our investigation, based on the information we've received and reviewed thus far, our recommendation will be for a census of less than 1,000 inmates. Based on the records we reviewed, currently MCJC has approximately 1407 inmates. According to the most current COVID-19 outbreak report (*COVID-19 Ongoing Outbreaks in Congregate Living Settings*, dated December 21, 2021), we understand MCJC has an ongoing outbreak with approximately 81 staff

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

CONSTRUCTION SECTION

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reported as infected and over one-fourth of its inmate population is currently reported as infected with COVID. This COVID-19 outbreak in MCJC staff exacerbates an already serious staffing shortage at MCJC. Given the staffing shortage, during our on-site inspection on Tuesday, we discussed with your staff actions that MCJC could take to decrease the current inmate census.

We are also aware of a recent interview where you explained that many of the current situations at MCJC result from staff not complying with policies and procedures. Decreasing the current inmate census will also allow an opportunity to provide necessary training to staff regarding these policies and procedures. It may also assist staff in complying with policies and procedures if the inmate census is at a manageable level. That is not currently the case at MCJC.

We appreciate the prompt responses that MCJC has provided to us in connection with our requests for information. If you have questions you can contact me at the number or email address provided.

Sincerely,



Chris Wood
Chief Jail Inspector
DHSR Construction Section
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919-855-3893

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