



Mecklenburg County Sheriff's Office

700 East Fourth Street
Charlotte, NC 28202

T (704) 336-2543 • F (704) 336-6118

www.mecksheriff.com

GARRY L. MCFADDEN
SHERIFF

TELISA E. WHITE
CHIEF OF DETENTION

KEVIN D. CANTY
CHIEF DEPUTY SHERIFF

MEDIA ALERT FOR IMMEDIATE RELEASE

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CONTACT: Bradley Smith
MCSO Public Information Manager
Bradley.Smith@mecklenburgcountync.gov
O: (980) 314-5008

Sheriff Garry McFadden Expresses Concerns with Lack of Fundamental Fairness in Processes Employed by the North Carolina Department of Health & Human Services and Their Jail Inspectors

(CHARLOTTE, NC) – Pursuant to North Carolina Administrative Code 10A NCAC 14J.1300, the Jail Inspector is required to inspect and enforce all standards for jail (detention center) safety throughout the state. Inspections are to take place at every detention center at least twice per year and more frequently as necessary (for example, when there is an incident of concern at a particular detention center such as an in-custody death).

In furtherance of Sheriff McFadden's commitment to ensuring the safety and well-being of all residents of Mecklenburg County Detention Center-Central (MCDCC), the Sheriff along with senior members of MCDCC staff, met late last week with North Carolina's Chief Jail Inspector, Chris Wood, to discuss MCDCC pod tour protocols – how those tours are conducted and documented by the Mecklenburg County Sheriff's Office (MCSO) and subsequently reviewed and evaluated by the Jail Inspector. The Sheriff suggested a comprehensive perspective for evaluating pod tours, and highlighted discrepancies in past Jail Inspector's reports that suggested deficiencies in MCDCC pod tours that from the Sheriff's perspective were neither fair nor accurate.

On Tuesday, April 9, 2024, Assistant Jail Inspector Charles Brown returned to MCDCC to conduct a standard, semi-annual review of MCSO's compliance with detention center standards. In conducting such a review, it is routine for the Jail Inspector to request documentation to substantiate supervision rounds of inmates (or residents, as detainees are referred to in Mecklenburg County). When Mr. Brown requested an unusually large volume of documentation regarding supervision rounds for a standard, semi-annual review, MCSO detention staff inquired as to the reasoning for the highly unusual request (much more than ever before requested by the Jail Inspector). Mr. Brown replied that his request for the large volume of records was the new standard that the Jail Inspector had recently implemented across the state, and that he had requested the same volume of records for every detention center he inspected over the past several weeks. Not having heard about this new standard, and concerned about being fairly evaluated (concerned that MCSO was *not* being fairly evaluated), MCSO staff then inquired as to what other facilities Mr. Brown had requested such a large volume of records from over the past

several weeks. Mr. Brown then acknowledged that he had *not* requested this same volume of records from any other facility or Sheriff, and that he had only requested the unusually large volume of records from MCSO.

Sheriff McFadden is eager for MCDCC to be regularly evaluated by the Jail Inspector, just as he is eager for the facility to be regularly evaluated by organizations like the Commission on the Accreditation of Law Enforcement Agencies (CALEA) the American Correctional Association (ACA) and the National Commission on Correctional Healthcare (NCCHC). In the words of Sheriff McFadden,

*“The Jail Inspector’s evaluation of our practices for compliance with the Administrative Code is hugely important and we welcome it. But it is paramount that MCSO and Detention Center-Central be evaluated **fairly**. No detention center in North Carolina should be singled out or held under a different powered microscope than any other.*

When we asked Inspector Brown Tuesday morning what the parameters were for his semi-annual review of supervision rounds – how many pods and rounds he was seeking to review and why – first, he lied to us, and then, perhaps even worse, he had no answer. Are all detention centers required to provide data on the same number of pods and the same number of rounds? Or are detention centers of a certain size/with a certain population asked for one set of data whereas smaller detention centers are asked for a different set of data? I just want to know that the process for review is thoughtful and that it is fair. If a Jail Inspector is willing to lie about what motivates the “standard” of review, what does that say about the substance of any report that such a review generates?”

Sheriff McFadden looks forward to the Jail Inspector’s return to MCDCC and to cooperating fully with his review (as MCSO always has) as soon as the Jail Inspector can articulate the fairness of the process.

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