

**CHAPTER 153A****ARTICLE 10 - LAW ENFORCEMENT AND CONFINEMENT FACILITIES****N.C.G.S. § 153A-229.1.**

Definitions.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 02:54 UTC	a9a14cd61555b0e3a64355f4 - b3b7d36292a632173531f535 - 795e6e57588337d0

As used in this Article, the following definitions apply:

Body cavity searches. - The probing of body orifices in search of contraband.

Escape risk. - An incarcerated person who is determined to be at high risk for escape based on an individualized risk assessment.

Facility employee. - Any person who is employed by the local government and who works at or in a local confinement facility.

Important circumstance. - There has been an individualized determination that there are reasonable grounds to believe that the female incarcerated person presents a threat of harming herself, the fetus, or any other person, or an escape risk that cannot be reasonably contained by other means, including the use of additional personnel.

Incarcerated person. - Any person incarcerated or detained in a local confinement facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for violations of criminal law or the terms and conditions of parole, probation, pretrial release, or a diversionary program.

Local confinement facility. - "Local confinement facility" includes a county or city jail, a local lockup, a regional or district jail, a juvenile detention facility, a detention facility for adults operated by a local government, and any other facility operated by a local government for confinement of persons awaiting trial or serving sentences except that it shall not include a county satellite jail/work release unit governed by Part 3 of Article 10 of Chapter 153A of the General Statutes.

Menstrual products. - Products that women use during their menstrual cycle. These include tampons and sanitary napkins.

Postpartum recovery. - The six-week period following delivery, or longer, as determined by the health care professional responsible for the health and safety of the female incarcerated person.

Restraints. - Any physical or mechanical device used to restrict or control the movement of an incarcerated person's body, limbs, or both.

Restrictive housing. - Any type of detention that involves removal from general population and an inability to leave a room or cell for the vast majority of the day. This term shall not include any of the following:

a. Single-cell accommodations in facilities that provide those accommodations to all incarcerated persons.

b. Single-cell accommodations in facilities that provide those accommodations to all persons of a certain sex or gender.

c. Single-cell accommodations provided for medical reasons, except when pregnancy, alone, is the medical reason for the single-cell accommodations.

d. Single-cell accommodations provided when an individualized determination has been made that there are reasonable grounds to believe that there exists a threat of harm to the female incarcerated person or the fetus.

e. Single-cell accommodations provided at the request of the incarcerated person.

State of undress. - A situation when an incarcerated person is partially or fully naked, either in the shower, toilet areas, a medical examination room, or while having a body cavity search conducted. (2021-143, s. 3(a).)

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APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 153A-229.1 (2026).

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