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**EMAIL TO:** All Sheriffs  
**FROM:** Eddie Caldwell  
Executive Vice President and General Counsel  
North Carolina Sheriffs' Association  
**SENT:** May 29, 2020  
**SUBJECT:** Jail Backlog --- Sentenced State Inmates Awaiting Transfer from  
Jails to State Prisons

The NC Department of Public Safety, and in particular the Division of Prisons, have been very grateful for the cooperation of sheriffs across the state with the moratorium on the transfer of sentenced State inmates from county jails to State prisons during the COVID-19 pandemic.

With courts scheduled to begin reopening on June 1, the Division of Prisons has begun the process necessary to resume the transfer of sentenced State inmates from county jails to State prisons. Earlier this week, on Tuesday, May 26, the Division of Prisons began transferring inmates among various prison units to free up beds and to ready their diagnostic centers to begin processing incoming inmates from county jails. Attached is a news release with more details from the Division of Prisons.

We have been advised by Todd Ishee, Commissioner of Prisons, that the prison buses will begin running on Monday, June 8 picking up sentenced State inmates from county jails for transfer to prison. In almost all cases, the prisoners who have been on jail backlog the longest will be the first prisoners to be picked up across the state. To comply with safe distancing requirements as recommended by the Department of Health and Human Services, the Division of Prisons will initially be running their buses at 50% of capacity with a maximum of 16 prisoners instead of the usual maximum capacity of 32.

We are working with Commissioner Ishee and the Division of Prisons on other potential changes in the inmate transfer process that will expedite the process, not only during the COVID-19 pandemic, but thereafter as well. We hope to release more details on those potential improvements in the State prisoner transfer process in the next week or so.

As of today, May 29, there are 1669 prisoners on jail backlog. The Division of Prisons anticipates moving approximately 700 of those inmates into the prison



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May 29, 2020  
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system in June and will work diligently to eliminate the jail backlog completely by the end of September.

As always, if you have any questions about the jail backlog situation, please call me directly at 919-810-6333.

Thanks....Eddie C.



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**Edmond W. (Eddie) Caldwell, Jr.**

*Executive Vice President and General Counsel*

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**North Carolina Sheriffs' Association**

***Proudly Serving the Sheriffs and Citizens of North Carolina since 1922***

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Todd E. Ishee, Commissioner of Prisons  
Brandeshawn Harris, Assistant Commissioner

# **Prisons Resumes Limited Offender Transfers to Accommodate Jail and Court System Movements**

RALEIGH  
May 27, 2020

The Division of Prisons has resumed a limited number of transfers of offenders to make room for other offenders sentenced to state prison. The movement of offenders currently housed in state prisons is being done in phases to prepare for the gradual reopening of the courts and the removal of a moratorium on the acceptance of prison-sentenced offenders from the county jails.

“The prison system is an integral part of the North Carolina criminal justice system and as the courts reopen and the jails again send offenders to serve their prison sentences, we have to make preparations by beginning to transfer offenders,” said Todd Ishee, the Commissioner of Prisons.

With limited exceptions, prison offenders have remained in place since April 6, when a moratorium was instituted on the acceptance of offenders from the county jails and a significant reduction on prison-to-prison transfers went into effect on April 7.

Last week, Chief Justice Cheri Beasley announced new court operations will phase in after June 1 as part of Governor Roy Cooper’s second phase of easing restrictions for the coronavirus.

“The majority of the prison offender population has, in effect, been quarantined for almost two months,” Ishee noted. “Our staff has worked hard to contain the spread, to implement virus-safety protocols, and we must remain vigilant as we prepare for the next phase of loosened restrictions using all necessary security and medical safety precautions.”

Transfers will be conducted in keeping with guidance from the Centers for Disease Control (CDC) and the North Carolina Department of Health and Human Services (DHHS), including the following practices:

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4260 Mail Service Center  
Raleigh NC 27699-4260

[www.ncdps.gov](http://www.ncdps.gov)



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**OFFICE LOCATION:**  
831 West Morgan Street.  
Raleigh, NC 27699-4260  
Telephone: (919) 838-4000  
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- Offender temperatures will be checked before and after transportation, and screening questions will be asked to determine if any offenders report symptoms of COVID-19.
- Offenders who have tested positive for COVID-19, or who exhibit potential symptoms, will only be transported in cases where deemed medically necessary to provide enhanced treatment. In those limited instances, offenders will be transported individually in a vehicle with all necessary security and medical precautions.
- Transportation vehicles will be disinfected before and after each trip.
- Staff and offenders will perform hand hygiene immediately before and after each trip.
- Transportation officers will wear appropriate personal protective equipment. All offenders will wear cloth face coverings.
- Social distancing will be maintained during transportation, with buses at half capacity, except for those cases in which entire cohorts of quarantined offenders are moved, which is in keeping with guidance from DHHS.
- Offenders will be loaded, where possible, at the back of the buses and fill seats from front to back in order to better ensure that fewer people walk past them during the seating process.
- Offenders will not be transferred, at this point, from facilities with active outbreaks of COVID-19.
- All transferred offenders will be housed together as a cohort as much as possible as an additional medical precaution.

Transportation began May 26 for offenders who primarily require a change to their custody level because they have either earned promotion to lower custody level prisons or demotion to higher custody level prisons. Others require moves to or from restrictive housing.

The Division of Prisons will later phase in transportation of offenders at designated intake facilities to free up beds at those facilities for offenders who eventually will be transferred from county jails to serve their prison sentences.

All new admissions, including individuals transferring in from county jails will be tested for COVID-19 upon admission and quarantined until those results are returned.

“Placing offenders in the appropriate prison and custody level is fundamental to the continued safety of our staff, the entire prison system and our communities,” said Ishee. “We have carefully developed safety protocols and each transfer decision will be carefully evaluated for risk and the needs of our large and complex prison system.”

The vast majority of prison offenders who tested positive for COVID-19 since the pandemic began are now presumed recovered under DHHS guidance. As of today, fewer than 40 of the 31,500 offenders maintain an active positive test result. More information can be found here: <https://www.ncdps.gov/our-organization/adult-correction/prisons/prisons-info-covid-19>.