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15 JANUARY 2025

TO : STAFF ATTORNEY FOR ADMINISTRATIVE PROCEDURES  
DEPARTMENT OF HUMAN RESOURCES  
101 BLAIR DRIVE  
RALEIGH, NORTH CAROLINA 27603

Received

JAN 27 2025

DHHS  
OFFICE OF GENERAL COUNSEL

FROM : HUNTER KEITH POTTS  
BRUNSWICK COUNTY DETENTION CENTER  
70 STAMP ACT DRIVE  
BOLOVIA, NORTH CAROLINA

PETITION TO AMEND TITLE 10A NORTH CAROLINA  
ADMINISTRATIVE CODE CHAPTER 14 SUBCHAPTER  
J §. 1505(a) SINGLE ROOM REQUIREMENTS

① Single room areas shall be a minimum of ~~five~~  
(ten) feet by seven feet. by eight feet.

② Authority: N.C. Gen. Stat. § 153A-221(a)(3);  
N.C. Gen. Stat. § 153A-221(d)(1) "A minimum floor  
space of 70 square feet per inmate, including both the  
sleeping and day room areas. See also Chapman v.  
Rhodes, 434 F.Supp. 1007 (S.D. Ohio 1977) cf. Gates v.  
Collier, 423 F.Supp. 732, 743 (N.D. Miss. 1976) "[...] 50  
square feet of living space is the minimal acceptable requirement  
to comport with the Constitution." and Martinez v.  
Jimenez, 409 F.Supp. 582 (D.P.R. 1976), "Not less than  
10x7."



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③ The reason I am proposing this is it is in the public interest to prevent recidivism and to save government spending by not creating or perpetuating mental health deterioration in young adults.

In the Summer of 2011 I was 17 I was arrested for a DWI and given an unsecured bond. As it was summer break my parents thought they would teach me a lesson by leaving me in jail.

I was placed in a block with one adult and other juveniles in the Cleveland County Detention Center in Shelby North Carolina. I was not a gang member, and am still not. The Dormitory "Block" did not give 70 square feet of space per inmate. Me and Billy Walker were targeted by gang members for our lunch food trays. I regularly had to fight three people to try and keep my food. I called my parents and told them but they didn't believe me because SGT. Simms, and Officer Bumgarner - who was later busted for selling Xanax in the Courthouse/Sail parking lot, said I was fine even though I was covered in bruises and contusions. I feel the lack of space in the old jail ~~block~~ was a proximate cause



(3)

in these Savage beatings. I reported it to medical and they said they would handle it discreetly, they escorted me back to the dormitory and told them to stop taking my trays I was then assaulted for being a snitch.

2012 I later went on to Western Carolina University where I made the dean's list and was elected Treasurer of the Honor Society Alpha Lambda Delta, but I was left with PTSD from violent assaults and had become antisocial for the most part do to trust issues. I was prescribed Adderall for A.D.D. and had to get prescription filled at infirmary at WCU, they then referred me to Counseling for PTSD. I tried to cope with PTSD and nightmares by using alcohol (EtOH). I was later (2013) suspended for taking a short bus for a joy ride drunk.

I spent three months in the Jackson County jail with less than 35 square feet inside a cell I there was introduced to more violence and snorting prescription pills, due to having a cell mate twice my age who was a substance abuser.



④

I was released on bond and then plead guilty to a misdemeanor. I was suspended from all UNC schools for three years so I moved to my parents beach house in the fall of 2014. I met my wife at Church in Varnantown, NC Brunswick County, Her exhusband, who was a felon, threatened to shoot me multiple times, I bought a handgun for protection. The threats continued. In 2016 he threatened me and pointed a gun at me. I fired in Self Defense, but was charged with Attempted murder. I feel PTSD was proximate cause of that incident.

I was placed under a \$1,000,000<sup>00</sup> Bond ~~and to~~ in September of 2016 I would spend the next 50 months in County Jail, which exacerbated Mental health disorders such as PTSD, BPD, ADD, GAD

The first 18 months I spent in Solitary Confinement due to what happened at Cleveland County Detention Center. I was then forced by Corporal Sullivan, Kenneth to go into population where I was given multiple roommates with sex offenses with less than 50 square feet to myself, I was arbitrarily moved to Columbus County jail for a year, and the same thing occurred.

Michael Denton  
Jackson Goodman  
Wallace Rogers



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I returned to Brunswick County in 2018 and was then Celled with another person with PTSD, Cody Hughes Clifton, who was a lot larger than me and assaulted me.

b/c  
It's hard  
to function  
I represented myself and was given time served in 2020. I went home and finished my Associates degree, but was made to participate in Brunswick County Treatment Court, Mental Health Court. Glenda Debose told me I could not have my adderall. This put a strain on me and my wifes relationship, I decided to drink to cope, she called the cops and I was arrested for shutting a Sheriff's deputy's foot in my front door because I was scared he was gonna hurt me, which he did and his partner, I was then charged with Assault on Government official.

I was released from that PTSD caused issues with wife she had me IVC'd and took out ~~me~~ DVPO some day, I was arrested for that and put in jail for violating the DVPO that was granted while I was at Presbyterian hospital, unrepresented by counsel, and denied the ability to get counsel



(6)

So on 06/21/24 DVPO was set aside for Constitutional violations, I didn't have a chance to be heard. But I was arrested on 10/31/24 for violating this DVPO that was set aside. In custody I have been denied Aderral for treatment, and on 12/25/24 my roommate James Dowd said I was playing psychological warfare with him / taking up too much space in cell and this viciously assaulted me, for which I am still in pain, the proximate cause of assault being less than 70 square feet of space per inmate in sleeping quarters (cell) and day room and not receiving any treatment for ADD/ADHD. I have a tort pending in the Industrial Commission for this, but it has only added to my trauma and I'm really not violent, I am scholarly type I went to school post associates for paralegal but couldn't get hired because I'm labeled as a violent felon but I really don't know how to fight so I'm always targeted and assaulted in custody.

(4)

Of course will effect Double Occupancy Cell Requirements, don't have copy of Rules at the moment.



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### 5.) Supporting Data:

- American Correctional Institution has concluded that 75 Square Feet is minimally acceptable Standard
- The National Sheriffs Association Hand book on Jail Architecture (1975) asserts that a single occupancy detention room should average 70 - 80 Square Feet (at page 62)
- The National Sheriffs Association Manual on Jail Administration (1970) suggest that in Multiple Celling 55 Square Feet of Space per occupant is minimal

IN BRUNSWICK COUNTY, JACKSON COUNTY  
COLUMBUS COUNTY THERE IS LESS THAN  
45 SQFT per person when double celled.

- The National Council on Crime and Delinquency Model Act for the protection of Rights of Prisoners (1972) Concludes that "not less than fifty square feet of floor space in any confined sleeping area" should be provided as the minimal.

- We are spending 20 + ~~20~~ hours a day in confined sleeping areas  
Thorpe v. Clarke, 37 F.4th 926 (4th Cir 2022)  
Potter v. Clarke, 923 F.3d 348, 368 (4th Cir 2019)  
Lockdown is damaging and "creates a substantial risk of psychological and emotional harm."



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(6) Local Confinement Facilities would have to cease and disist the practice of double celling.

— TO COMPUTE COST I HAVE FILED FREEDOM OF INFORMATION ACT REQUEST WITH THE IRS, BUREAU OF PRISONS, AND DEPARTMENT OF JUSTICE TO SEE HOW IT WOULD EFFECT BRUNSWICK COUNTY DETENTION CENTER FISCALLY EACH YEAR

(7) AFFECTED PARTIES

— CHIEF MICHAEL DEAN FOWLER

BRUNSWICK COUNTY DETENTION CENTER

70 STAMP ACT DRIVE

BOLIVIA, NC 28422

— Director of the Division of Health Service Regulation

809 Ruggles Drive

2702 Mail Service Center

Raleigh, NC 27699-2702

— Division of Health Service Regulation

Construction Section

North Carolina Department of Health and Human Services

1800 Umstead Drive

2705 MAIL CENTER

Raleigh NC 27699-2701

— North Carolina Sheriff's Association

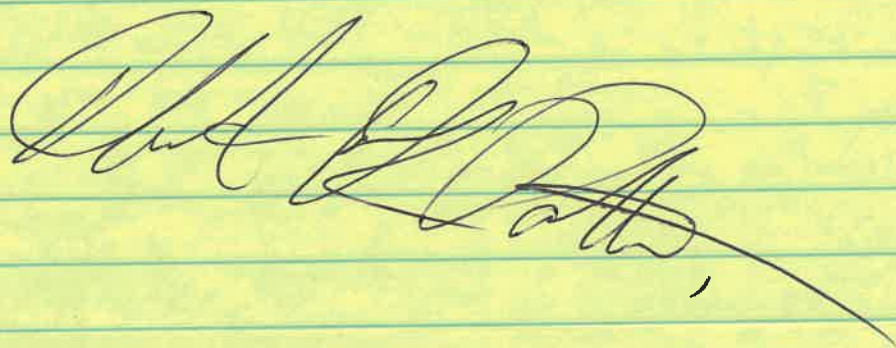
PO BOX 20049, Raleigh, NC 27619-0049



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(8) Hunter Keith Potts, petitioner  
Brunswick County Detention Center  
70 STAMP AET DRIVE  
BOLIVIA, NC 28422

Respectfully Submitted this 15<sup>th</sup> day of  
January 2025 A.D.



P.S. Please pursuant to 5 USC 522  
Send a ~~hard copy of~~ + Paper copy  
of North Carolina General Statutes Annotated  
Chapter 153A; North Carolina Administrative  
Code Title 10A Annotated / with Commentary  
and all reports for Brunswick County Detention Center  
at your Agency or related components named herein.  
I am entitled to a fee waiver as this is a  
compelling public interest that I have no commercial interest in.



HUNTER KEITH GOTT  
Brunswick Co. Dtnctr  
70 STAMBACT DRIVE  
SOLIVIA NC 28422

Received

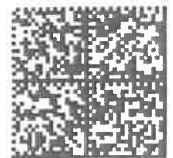
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OFFICE OF GENERAL COUNSEL

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FIRST-CLASS



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