

RESOLUTION NO. _____

CONCURRENT RESOLUTION OF THE GOVERNING BODIES OF THE CITIES
OF ALEXANDRIA AND RICHMOND, THE COUNTIES OF ARLINGTON,
CAROLINE, LOUDOUN AND PRINCE WILLIAM AND THE PEUMANSEND CREEK
REGIONAL JAIL AUTHORITY, APPROVING AN AMENDMENT TO THE AUTHORITY'S
1996 SERVICE AGREEMENT

Whereas, as of August 29, 1996, the Peumansend Creek Regional Jail Authority ("the Authority") and the City Councils of the Cities of Alexandria and Richmond and the Boards of Supervisors of the Counties of Arlington, Caroline, Loudoun and Prince William, all in the Commonwealth of Virginia (collectively "the Governing Bodies") adopted an agreement for the financing, construction, operation, use and maintenance (the "1996 Service Agreement") of the Peumansend Creek Regional Jail ("the Jail"); and,

Whereas, Section 3.1 of the 1996 Service Agreement makes prisoners who have committed or are charged with certain types of offenses ineligible for assignment to the Jail, which has made it impossible for some Member Jurisdictions to utilize the full capacity for which they pay the Jail; and

Whereas, under Section 9.5 of the 1996 Service Agreement, the restrictions imposed by Section 3.1 can only be changed by agreement of all the Governing Bodies and the Authority, and

Whereas, after extended discussion the Member Jurisdictions' representatives on the board of directors of the Authority have agreed to some modifications of the list of offenses in Section 3.1, and proposes them for approval by the Governing Bodies; now, therefore,

Be it Concurrently Resolved by the City Councils of the Cities of Alexandria and Richmond, the Boards of Supervisors of Arlington, Caroline, Loudoun and Prince William Counties and the board of directors of the Peumansend Creek Regional Jail Authority:

1. That Section 3.1 of the 1996 Service Agreement is amended and reordained as follows:

Section 3.1. Acceptance of Prisoners. It is understood by the Member Jurisdictions that the Jail facility and its operating programming is not designed for, or intended to house, prisoners requiring a high level of security. In recognition of this design and program constraint, it is agreed by each Member Jurisdiction that no individuals currently charged with, *or currently serving a sentence for, or ever convicted of*, the crimes of *capital, first or second degree murder, rape, armed robbery, felonious sexual assault or*

felonious kidnapping, or who have a history of violent escape from a correctional institution, will be selected for assigning or assigned to the Jail. Additionally, no individuals that have ever been convicted of first or second degree murder, or rape, or who have a history of escape from a correctional institution or jail will be selected for assigning or assigned to the Jail. This understanding and agreement is fundamental to this Agreement and may only be changed pursuant to the provisions of Section 9.5 of this Agreement.

* * *

[Remainder of Section 3.1 deals with unrelated matters and is unchanged]

2. That each of the Governing Bodies of the Member Jurisdictions authorizes its Chief Administrative Officer or Clerk to send an attested copy of this Resolution to the Superintendent of the Peumansend Creek Regional Jail, certifying the Governing Body's approval and the date thereof.

Adopted: October 14, 2014

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC City Clerk