

RESOLUTION PROVIDING FOR THE IMPLEMENTATION OF THE COMPREHENSIVE

COMMUNITY CORRECTIONS ACT, THE PRETRIAL SERVICES ACT, AND THE

ESTABLISHMENT OF THE COLONIAL COMMUNITY CRIMINAL JUSTICE BOARD

WHEREAS, the Virginia General Assembly has adopted legislation entitled the Comprehensive Community Corrections Act for Local Responsible Offenders, Article 9 (§ 9.1-173 et. seq.) of the *Code of Virginia*, 1950, as amended (the "CCC Act"), and the Pretrial Services Act, Article 5 (§ 19.2-152.2 et seq.) of the *Code of Virginia*, 1950, as amended (the "Pretrial Services Act" and, together with the CCC Act, the "Acts"); and

WHEREAS, §§ 9.1-174 and 19.2-152.2 of the *Code of Virginia*, 1950 as amended (the "Virginia Code"), require counties and cities approved for a jail project pursuant to § 53.1-82.1 to develop and establish services in accordance with the Acts; and

WHEREAS, §§ 9.1-178 and 19.2-152.5 of the Virginia Code require that each county and city establishing and operating local community-based probation and pretrial services establish a Community Criminal Justice Board (the "Board"), and in the case of multi-jurisdictional efforts, that each jurisdiction have an equal number of representatives or, in the alternative, mutually agree upon the number of appointments to the Board.

NOW, THEREFORE, BE IT RESOLVED that the Counties of Charles City, James City, New Kent, and York, and the Cities of Poquoson and Williamsburg (individually, a "Participating Locality" and together, the "Participating Localities") agree to implement the services and programs required by the CCC Act and the Pretrial Services Act with the County of James City acting as the administrator and fiscal agent on behalf of the Participating Localities pursuant to § 9.1-183 of the Virginia Code.

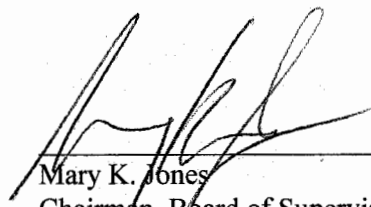
BE IT FURTHER RESOLVED that the Colonial Community Criminal Justice Board (the "CCCJB") is hereby established and the Participating Localities mutually agree to the following appointments to the CCCJB:

1. One representative from each Participating Locality;
2. Three Ninth Judicial Circuit judges, one of whom shall be drawn from a Juvenile and Domestic Relations Court, one of whom shall be drawn from a General District Court, and one of whom shall be drawn from a Circuit Court;
3. The Chief Magistrate of the Ninth Judicial Circuit;
4. One Commonwealth's Attorney from one of the Participating Localities;
5. A public defender or an attorney experienced in the defense of criminal matters who is a licensed, active member of the Virginia State Bar and who regularly practices in the courts of the Participating Localities;
6. One sheriff from one of the Participating Localities. If no Sheriff is available, then the regional jail administrator responsible for the jail which serves the Participating Localities shall fill this appointment;
7. The chief law enforcement officer from one Participating Locality;

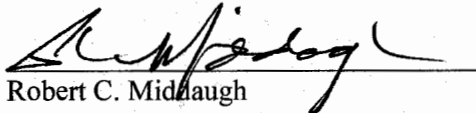
- 8. A Community Services Board Administrator from one Participating Locality; and
- 9. A representative of a local adult education program serving at least one Participating Locality.

BE IT FURTHER RESOLVED that this resolution supersedes and replaces all prior resolutions approved by the Participating Localities relating to the establishment of required services and the formation of the Colonial Community Criminal Justice Board.

BE IT FURTHER RESOLVED that this resolution is enacted in anticipation of the execution of a Governance Agreement between the Participating Localities setting forth in greater detail the administration of the Colonial Community Corrections program and the fiscal responsibilities of the Participating Localities, which Agreement the County Administrator is authorized to negotiate and execute.

  
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 Mary K. Jones  
 Chairman, Board of Supervisors

ATTEST:

  
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 Robert C. Middleaugh  
 Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
KENNEDY	AYE
GOODSON	AYE
MCGLENNON	AYE
ICENHOUR	AYE
JONES	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of December, 2011.

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