

CITY COUNCIL OF WAYNESBORO, VIRGINIA



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**RESOLUTION (R22-04)**

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**RESOLUTION URGING THE GENERAL ASSEMBLY MANDATE TIMELY TRANSFERS BY  
THE VIRGINIA DEPARTMENT OF CORRECTIONS**

**WHEREAS**, the City of Waynesboro (the “City”) is a member jurisdiction of the Middle River Regional Jail Authority (the “Jail Authority”), which is a regional jail authority as provided in Section 53.1-95.2 et seq. of the Code of Virginia; and

**WHEREAS**, Section 53.1-20 of the Code of Virginia requires the Director of the Virginia Department of Corrections to receive eligible inmates within sixty days of the date on which the inmate’s final sentencing order is transmitted to the Director; and

**WHEREAS**, the Jail Authority operates the Middle River Regional Jail (“MRRJ”), which is rated to house 396 inmates; and

**WHEREAS**, the timely transfer of inmates who belong in Virginia Department of Corrections is essential for the Jail Authority to appropriately manage MRRJ’s population; and

**WHEREAS**, the Virginia Department of Corrections has historically failed to transfer inmates in a timely manner; and

**WHEREAS**, such failure has in recent months required the Jail Authority to at times house more than 250 out-of-compliance inmates who should have been transferred to Virginia Department of Corrections; and

**WHEREAS**, these failures place an undue and inappropriate burden on the City and its fellow member jurisdictions of the Jail Authority to absorb the impacts of an inmate population that the General Assembly has by law directed the Virginia Department of Corrections to house.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Waynesboro, Virginia:

1. That the City Council calls upon Delegate John Avoli and Senator Emmett Hanger, who represent the residents of the City of Waynesboro in the General Assembly to support amendments to the Code of Virginia to require the Virginia Department of Corrections, to the extent the state correctional system has available beds, receive all state responsible inmates into the state correctional system as provided by § 53.1-20 A. and B., unless a local or regional jail agrees to continue holding such inmates for the applicable per diem rate, and further requiring the Director of the Department to report monthly to the Secretary of Public Safety and Homeland Security and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

2. That the City Council urges its fellow member jurisdictions of the Jail Authority to similarly call upon the Delegates and Senators of the residents of their respective localities to cosponsor and support the same.

Adopted this 24<sup>th</sup> day of January, 2022.

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Robert "Bob" Henderson, Mayor

ATTEST:

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Julia Bortle, City Clerk

Signed: \_\_\_\_\_ Mayor,  
Waynesboro City Council

Attest: \_\_\_\_\_, Clerk,  
Waynesboro City Council

[SEAL]