

VIRGINIA: IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

**RE: CITY OF HARRISONBURG POLICE DEPARTMENT
AND JAMES MADISON UNIVERSITY POLICE
DEPARTMENT CONCURRENT JURISDICTION
AGREEMENT PURSUANT TO SECTION 23-234
OF THE CODE OF VIRGINIA, 1950, AS AMENDED**

CL: _____

PETITION FOR CONCURRENT JURISDICTION

This petition is filed by the City Council of the City of Harrisonburg, Virginia pursuant to Section 23-234(A) of the Code of Virginia, 1950, as amended, to request that this Court grant concurrent jurisdiction within designated areas of the City of Harrisonburg to officers of the James Madison University Police Department.

In support of its Petition, the City Council states as follows:

1. The City of Harrisonburg (the City) is a municipal corporation of the Commonwealth of Virginia.
2. James Madison University (JMU) is a public institution of higher learning named in Virginia Code Section 23-14, and JMU has established a police department that employs campus police officers upon appointment as provided in Virginia Code Section 23-233.
3. JMU is located in the City.
4. By Memorandum of Agreement dated April 11, 2003, the Harrisonburg Police Department (HPD) and the James Madison University Police Department (JMU PD) (collectively referred to herein as the "Departments") agreed to an area of concurrent jurisdiction in order to better enable the Departments and their respective officers to respond to public safety issues and order maintenance problems in the area of the City

surrounding the campus of JMU, and those areas having the largest concentration of JMU students who live and socialize off campus.

5. Pursuant to the Memorandum of Agreement dated April 11, 2003, the City petitioned this Court for an Order establishing concurrent jurisdiction of the departments in the area defined in that Agreement. By Order dated August 18, 2003, this Court granted the petition. A copy of the Court's Order of August 18, 2003 is attached hereto.
6. Due to the significant growth in the student population of JMU and the corresponding expansion of those areas in the City with large concentrations of JMU students, the Departments and the City recognize the need to expand the area of concurrent jurisdiction previously established.
7. The Chief of Police for the City and the Chief of Police for JMU have requested that the Harrisonburg City Council file this Petition to request expanded concurrent jurisdiction for the JMU Police Department.
8. This Petition requests that the Court grant concurrent jurisdiction to officers of the JMU Police Department who have been appointed as such pursuant to Virginia Code Section 23-233.
9. This Petition requests that the area of concurrent jurisdiction, be established as all areas within the corporate limits of the City of Harrisonburg and that officers of the JMU Police Department who have been duly appointed pursuant to Virginia Code Section 23-233 may exercise the powers and duties conferred by law upon police officers of cities, towns, or counties.

Harrisonburg City Council
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