

RESOLUTION NO. 10956

SUBJECT: Approving a revised plan for the temporary and permanent alleviation of the overcrowding of the Jackson County Detention Center so as to comply with the Order of April 28, 1994 and subsequent Orders amending and modifying same, in the matter of Rahn Hall, et al., Plaintiffs, vs. Jackson County Department of Corrections, et al, Defendants, No. 84-1200-CV-W-1, United States District Court for the Western District of Missouri, Western Division, and authorizing the County Executive and County Counselor to proceed in accordance therewith.

INTRODUCED: September 11, 1995

ADOPTED: September 11, 1995

R.#10418

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** approving a revised plan for the temporary and permanent alleviation of the overcrowding of the Jackson County Detention Center so as to comply with the Order of April 28, 1994 and subsequent Orders amending and modifying same, in the matter of Rahn Hall, et al., Plaintiffs, vs. Jackson County Department of Corrections, et al., Defendants, No. 84-1200-CV-W-1, United States District Court for the Western District of Missouri, Western Division, and authorizing the County Executive and County Counselor to proceed in accordance therewith.

**RESOLUTION # 10956**, September 11, 1995

**INTRODUCED BY** James D. Tindall, County Legislator

WHEREAS, on April 28, 1994, the United States District Court for the Western District of Missouri, Western Division, entered its Order in the case of Rahn Hall, et al, Plaintiffs, vs. Jackson County Department of Corrections, et al, Defendants, No. 84-1200-CV-W-1, (hereinafter "the Order"); and,

WHEREAS, in accordance with that Order, the County adopted a plan to alleviate overcrowding of its detention center by Resolution #10418 on July 26, 1994; and,

WHEREAS, prior to implementation of said plan, County sought and received leave of the Court to suspend said plan to accommodate further study of alternative solutions to the overcrowding; and,

WHEREAS, the County is required to submit to the Court, on September 14, 1995, its Report and Revised Plan to Remedy Overcrowded Conditions of the Jackson County Detention Center; and,

WHEREAS, County has concluded its study and has undertaken negotiations with plaintiffs' counsel in said action for a mutually acceptable modified plan for alleviating the overcrowding by means of a combined program of new construction, remodeling of the present facility, the permanent establishment of the position of population control coordinator, the implementation of alternatives to incarceration, and related procedures to aid County in the control of inmate population, as more specifically set forth in litigation documents prepared by the County Counselor and provided to the Legislature in closed session held this date to discuss same; and,

WHEREAS, the exact details of the plan hereby approved have not yet been accepted by plaintiffs' counsel, and the present disclosure of the details thereof prior to such acceptance and filing with the Court would not be in County's best interest; and

WHEREAS, it is the intent and desire of the County to commit to the Court the specific plan and proposal set forth in its Report and Revised Plan to Remedy Overcrowded Conditions of the Jackson County Detention Center dated September 14, 1995 so as to permanently relieve the prior overcrowding of the Jackson County Detention Center; therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that it approves the major provisions of the Report and Revised Plan to Remedy Overcrowded Conditions of the Jackson County Detention Center dated September 14, 1995 as summarized in litigation documents submitted to it in closed session this date; and,

BE IT FURTHER RESOLVED that the County Executive and County Counselor shall forthwith proceed with the conclusion of negotiations with plaintiffs' counsel in accordance with this approval and to the filing of the resultant Report and Revised Plan to Remedy Overcrowded Conditions of the Jackson County Detention Center dated September 14, 1995 with the Court and with the Clerk of the Legislature, who shall append same to this resolution and provide a copy to each member of the Legislature.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

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Sandra L. Sherman  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution # 10956 of September 11, 1995 was duly passed on September 11, 1995 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6 Nays 0

Abstaining 0 Absent 3

9.12.95  
Date

Mary Jo Brogato  
Mary Jo Brogato, Clerk of Legislature