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September 19, 2019

RE: OCCUPANCY COMPLAINT AT JOHN D. JENKINS  
ELEMENTARY SCHOOL

TO WHOM IT MAY CONCERN:

The Commonwealth's Attorney's Office has received a complaint from Prince William County Development Services, Building Development Division, alleging violations of the state building code after staff, students and parents were allowed to enter John D. Jenkins Elementary School prior to the required occupancy permit being issued. The evidence in this matter is very technical and complicated in my view. At issue was the status of the building's sprinkler system. This issue was not fully resolved until Friday, August 23, 2019 when Building Development Division and the Fire Marshal accepted additional engineering submissions. At no time was anyone in actual danger.

It appears that on Thursday, August 22, 2019, a previously scheduled kindergarten orientation involving staff, students and parents began inside the school for a short period of time prior to the Fire Marshal escorting the occupants from the building. Additionally, on Friday morning, August 23, 2019, another entry was made by staff prior to a temporary occupancy permit being issued later in the day. Classes began on Monday, August 26, 2019 and continue uninterrupted.

It also appears that while no one individual is directly and criminally responsible (in this instance) for violating the applicable building code provisions, violations did occur and should not be repeated. Therefore, no criminal charges will be initiated as a result of this complaint. The county building officials should be commended for their commitment to the safety of the community in general and to these staff members, students and parents specifically.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul B. Ebert". The signature is written in a cursive style with a large initial "P" and "B".

Paul B. Ebert  
Commonwealth's Attorney

cc: County Executive  
County Attorney  
Superintendent of Schools  
Mary McGowan, Division Counsel