

Office of Commonwealth's Attorney

Commonwealth's Attorney

Focus

The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia. As such, he is not an officer or employee of the County from which he was elected. In this jurisdiction, the Commonwealth's Attorney is elected by voters of Fairfax City and Fairfax County.

The Office of the Commonwealth's Attorney (OCA) is charged primarily with the prosecution of crime. This office prosecutes criminal and traffic matters in the Fairfax County General District Court, criminal and delinquency matters in the Juvenile and Domestic Relations District Court, and all felony cases in the Fairfax County Circuit Court. The office handles both the violation of County ordinances and the violation of state statutes.

The caseload of the office is substantial and is one of the highest per prosecutor in the Commonwealth. For example, it handles such offenses as murder, rape, robbery, burglary and illegal drug sales, from arrest to trial. It prosecutes a wide variety of misdemeanor and traffic cases, including more than 4,000 driving under-the-influence violations, thousands of assaults, and thousands of petty thefts.

State law specifically mandates certain duties for the Commonwealth's Attorney. He is charged with advising the Grand Jury relative to their duties, representing the Electoral Board in certain election matters, and advising any officers or employees of Fairfax City or Fairfax County on matters involving conflict of interest. On a daily basis, the OCA works with numerous law enforcement units (e.g., State Police, Fairfax County Police, Fairfax City Police, the Town of Herndon and Town of Vienna Police, game wardens and humane agents) in the course of investigations and in response to questions concerning criminal law.

Budget and Staff Resources

Agency Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	36/ 35.5	36/ 35.5	36/ 35.5	36/ 35.5
Exempt	1/ 1	1/ 1	1/ 1	1/ 1

Expenditures:				
Personnel Services	\$1,749,155	\$1,980,864	\$1,980,864	\$2,122,724
Operating Expenses	98,262	86,682	93,017	87,684
Capital Equipment	0	0	0	0
Total Expenditures	\$1,847,417	\$2,067,546	\$2,073,881	\$2,210,408
Income:				
Commonwealth's Attorney Fees	\$15,339	\$12,422	\$12,422	\$12,670
City of Fairfax Contract	27,241	27,241	35,153	35,961
State Shared Retirement - Commonwealth's Attorney	37,318	41,585	41,585	42,417
State Shared Commonwealth's Attorney Expenses	1,251,271	1,210,028	1,210,028	1,234,229
State Reimbursement Commonwealth's Attorney Witness	5,412	16,400	16,400	16,400
Total Income	\$1,336,581	\$1,307,676	\$1,315,588	\$1,341,677
Net Cost to the County	\$510,836	\$759,870	\$758,293	\$868,731

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Position Summary				
1	Commonwealth's Attorney E	17	Assist. Commonwealth's Attorneys II	2
1	Deputy Commonwealth's Attorney			1
3	Assistant Commonwealth's Attorneys IV	1	Chief of Administrative Services	3
4	Assistant Commonwealth's Attorneys III	1	Management Analyst I	2
		1	Computer Systems Analyst I	2
TOTAL POSITIONS				E Denotes Exempt Position
37 Positions / 36.5 Staff Years				PT Denotes Part-Time Position

FY 2007 Funding Adjustments

The following funding adjustments from the FY 2006 Revised Budget Plan are necessary to support the FY 2007 program:

- Employee Compensation** **\$141,860**
 An increase of \$141,860 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.
- Other Adjustments** **(\$5,333)**
 A net decrease of \$5,333 in Operating Expenses is due to a reduction of \$6,335 attributable to one-time expenses included as part of the *FY 2005 Carryover Review*, partially offset by an increase of \$1,002 for Information Technology charges based on the agency's historic usage of mainframe applications.

Changes to FY 2006 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2006 Revised Budget Plan since passage of the FY 2006 Adopted Budget Plan. Included are all adjustments made as part of the FY 2005 Carryover Review and all other approved changes through December 31, 2005:

- Carryover Adjustments** **\$6,335**
 As part of the *FY 2005 Carryover Review*, the Board of Supervisors approved encumbered funding of \$6,335 in Operating Expenses.

Key Performance Measures

No Performance Indicators are available for this agency.

Objectives

- To continue to prosecute all criminal cases in Fairfax County and all felony cases occurring in the City of Fairfax, for which sufficient evidence is available to support charges.