

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 2006 Actual	FY 2007 Adopted Budget Plan	FY 2007 Revised Budget Plan	FY 2008 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	\$1,779,093	\$2,122,724	\$2,122,724	\$2,233,776
Operating Expenses	118,080	87,684	87,684	87,684
Capital Equipment	0	0	0	0
Total Expenditures	\$1,897,173	\$2,210,408	\$2,210,408	\$2,321,460
Income:				
Commonwealth's Attorney Fees	\$13,639	\$12,670	\$12,670	\$12,670
City of Fairfax Contract	27,511	35,961	40,388	42,356
State Shared Retirement - Commonwealth's Attorney	40,427	42,417	42,417	43,265
State Shared Commonwealth's Attorney Expenses	1,315,702	1,234,229	1,348,595	1,375,567
State Reimbursement Commonwealth's Attorney Witness	11,134	16,400	16,400	16,400
Total Income	\$1,408,413	\$1,341,677	\$1,460,470	\$1,490,258
Net Cost to the County	\$488,760	\$868,731	\$749,938	\$831,202

Office of Commonwealth's Attorney

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

FY 2008 Funding Adjustments

The following funding adjustments from the FY 2007 Revised Budget Plan are necessary to support the FY 2008 program:

- ◆ **Employee Compensation**
\$156,406
- An increase of \$156,406 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.

- ◆ **Personnel Services Reduction**
(\$45,354)
- A decrease of \$45,354 in Personnel Services as part of an across-the-board reduction to meet budget limitations based on available revenues as a result of a flattening residential real estate market.

Changes to FY 2007 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2007 Revised Budget Plan since passage of the FY 2007 Adopted Budget Plan. Included are all adjustments made as part of the FY 2006 Carryover Review and all other approved changes through December 31, 2006:

- ◆ There have been no revisions to this agency since approval of the FY 2007 Adopted Budget Plan.

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.