

Lines of Business

LOB #191:

PROSECUTION OF CRIMINAL CASES

Purpose

The Commonwealth's Attorney is the chief law enforcement officer for Fairfax County, the City of Fairfax, the Town of Vienna, and the Town of Herndon. 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. It is the duty of the Office of the Commonwealth's Attorney to protect and serve the people who live, work, and visit Fairfax County by ensuring that the crimes which affect the Fairfax County community are prosecuted and that justice is sought in all cases.

Description

The Office of the Commonwealth's Attorney's primary task is the prosecution of crime. The office prosecutes criminal and traffic matters in the Fairfax County General District Court and the Fairfax County Circuit Court, criminal and delinquency matters in the Juvenile and Domestic Relations District Court, and all felony cases. The office handles both the violation of County ordinances and the violation of state statutes. The office also advises police regarding legal matters that may arise during investigation as well as charging decisions. The office also handles some civil matters such as forfeiture hearings, mental health commitments, and OSHA complaints.

The office consists of 34 attorneys (1 position is fully funded by a Federal Grant and only handles intimate partner domestic violence cases) and 8 support staff positions.

Benefits

The Office of the Commonwealth's Attorney's (OCA) primary charge of prosecuting criminal cases helps to achieve the County's Vision Element of *Maintaining Safe and Caring Communities*. The OCA serves the entire Fairfax County population and beyond. OCA prosecutes criminal charges that occur in Fairfax County. Thus the OCA works with victims of crime that occur in Fairfax, whether the victims are citizens of Fairfax County or another jurisdiction who happened to be in Fairfax when they were victimized. This ensures that these victims have a voice in the criminal justice system. The OCA's primary charge also leads to a reduction in crime in Fairfax County which leads to a better quality of life for its citizens and makes the county attractive for both businesses and visitors.

Mandates

- Virginia Constitution Article 7, Section 4
- Va. Code § 15.2-1626
- Va. Code § 15.2-1627

Office of the Commonwealth's Attorney

Trends and Challenges

The overarching trends identified as urbanization, population/demographics, technology, mandates/standards, and natural and man-made threats, are all trends that have already begun and will continue to grow in strength as issues in the future.

These trends will necessitate an increase in staffing to both the Police Department and the Fire and Rescue Department. Such a growth will undoubtedly result in an increased workload for the Office of the Commonwealth's Attorney in the form of additional hours of consultation, preparation, and prosecution. This increased workload will necessarily require an even greater increase in staffing both at the attorney level as well as the support staff level. The OCA has the additional challenge of managing and tracking an ever-increasing caseload. Currently, OCA uses a case management system that is outdated and no longer supported by IT; however, work is ongoing to secure a new system to address this need.

Resources

As this line of business encompasses all activities of the department, please refer to the table in the Department Resources section above.

Metrics

There are no metrics available for this agency.