

# Office of Commonwealth's Attorney

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## 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.

# Office of Commonwealth's Attorney

## Budget and Staff Resources

| Agency Summary   |                    |                                   |
|--|--------------------|-----------------------------------|
| Category   | FY 2007<br>Actual  | FY 2008<br>Adopted<br>Budget Plan |
| Authorized Positions/Staff Years                       |                    |                                   |
| Regular  | 36/ 35.5           | 36/ 35.5                          |
| Exempt   | 1/ 1               | 1/ 1                              |
| Expenditures:  |                    |                                   |
| Personnel Services                                     | \$1,859,669        | \$2,233,776                       |
| Operating Expenses                                     | 117,726            | 87,684                            |
| Capital Equipment                                      | 0                  | 0                                 |
| <b>Total Expenditures</b>                              | <b>\$1,977,395</b> | <b>\$2,321,460</b>                |
| Income:  |                    |                                   |
| Commonwealth's Attorney Fees                           | \$13,138           | \$12,670                          |
| City of Fairfax Contract                               | 40,388             | 42,356                            |
| State Shared Retirement -<br>Commonwealth's Attorney   | 42,236             | 43,265                            |
| State Shared Commonwealth's<br>Attorney Expenses       | 1,378,817          | 1,375,567                         |
| State Reimbursement Commonwealth's<br>Attorney Witness | 11,234             | 16,400                            |
| <b>Total Income</b>                                    | <b>\$1,485,813</b> | <b>\$1,490,258</b>                |
| <b>Net Cost to the County</b>                          | <b>\$491,582</b>   | <b>\$831,202</b>                  |

## SUMMARY OF ALL AGENCY LOBS (FY 2008 Adopted Budget Data)

| <i>Number</i> | <i>LOB Title</i>              | <i>Net LOB<br/>Cost</i> | <i>Number<br/>of Positions</i> | <i>LOB SYE</i> |
|---------------|-------------------------------|-------------------------|--------------------------------|----------------|
| 82-01         | Prosecution of Criminal Cases | \$831,202               | 37                             | 36.5           |
| <b>TOTAL</b>  |                               | <b>\$831,202</b>        | <b>37</b>                      | <b>36.5</b>    |

# Office of Commonwealth's Attorney

## LOBS SUMMARY

### 82-01: Prosecution of Criminal Cases

| <i>Fund/Agency: 001/82      Office of the Commonwealth's Attorney</i> |                                      |
|---|--------------------------------------|
| <i>LOB #: 82-01</i>   | <i>Prosecution of Criminal Cases</i> |
| Personnel Services  | \$2,233,776                          |
| Operating Expenses  | \$87,684                             |
| Recovered Costs   | \$0                                  |
| Capital Equipment   | \$0                                  |
| <b>Total LOB Cost:</b>  | <b>\$2,321,460</b>                   |
| Federal Revenue   | \$0                                  |
| State Revenue   | \$1,435,232                          |
| User Fee Revenue  | \$12,670                             |
| Other Revenue   | \$42,356                             |
| <b>Total Revenue:</b>   | <b>\$1,490,258</b>                   |
| <b>Net LOB Cost:</b>  | <b>\$831,202</b>                     |
| Positions/SYE involved in the delivery of this LOB                    | 37 / 36.5                            |

#### ► LOB Summary

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#### ► Method of Service Provision

Service is provided through prosecutions by the Office of the Commonwealth's Attorney at the various courts. The Commonwealth's Attorney is an exempt position.

#### ► Mandate Information

This LOB is federally or state mandated. The percentage of this LOB's resources utilized to satisfy the mandate is 76-100 percent. See the January 2007 Mandate Study, reference page 16 for the specific federal or state code and a brief description.

## **AGENCY PERFORMANCE MEASURES**

There are no performance indicators available for this agency.