

# COMMONWEALTH'S ATTORNEY

## DESCRIPTION

The Commonwealth's Attorney is an elected Constitutional Officer responsible for prosecuting criminal offenses that occur in Henrico County, handling some civil matters, and maintaining public safety in the community by way of prevention measures and community outreach. Trials and hearings are held in the Circuit, General District, and Juvenile and Domestic Relations Courts. Additionally, the Commonwealth's Attorney's Office provides legal advice and training to the Division of Police, State Police, Richmond Airport Police, as well as other law enforcement agencies.

## OBJECTIVES

- To enforce criminal laws in Henrico County.
- To operate the Victim Witness program.
- To cooperate on behalf of Henrico County in operating two investigative multi-jurisdictional grand juries.
- To promote a better understanding of the criminal justice system among citizens.
- To proactively investigate and prosecute drug dealers with increased concentration and focus on the opioid epidemic and human trafficking.
- To prosecute criminal cases and include using diversion programs when appropriate.
- To work with other agencies to strengthen crime prevention and train local law enforcement agencies in criminal law and criminal procedures.
- To reduce firearm crimes in schools and reduce truancy/chronic absenteeism.
- To work to combat increased weapons use and violent crimes County-wide.
- To be part of the creation of and participation in a Behavioral Health Docket.

## FISCAL YEAR 2025 SUMMARY

<u>Description</u>	<u>FY23</u> <u>Actual</u>	<u>FY24</u> <u>Original</u>	<u>FY25</u> <u>Approved</u>	<u>Change</u> <u>24 to 25</u>
Personnel	\$ 6,479,045	\$ 6,518,923	\$ 7,558,470	15.9%
Operation	415,771	277,242	302,242	9.0%
Capital	2,967	0	0	0.0%
Total	<u>\$ 6,897,783</u>	<u>\$ 6,796,165</u>	<u>\$ 7,860,712</u>	<u>15.7%</u>
Personnel Complement	57	57	57	0

**PERFORMANCE MEASURES**

	<u>FY23</u>	<u>FY24</u>	<u>FY25</u>	<u>Change 24 to 25</u>
<b>Workload Measures</b>				
Circuit Court Indictments	2,178	2,200	2,225	25
Circuit Court Defendants	1,349	1,350	1,375	25
General District Court Criminal Cases	41,640	42,000	42,100	100
General District Court Traffic Cases	71,089	72,000	72,100	100
Juvenile Court Misdemeanors	999	1,000	1,025	25
Juvenile Court Felonies	2,714	2,725	2,750	25
Misdemeanor Appeals	367	375	400	25
Show Cause Hearings	986	1,000	1,025	25
Cases Opened in CATS	7,981	8,000	8,025	25
Discovery Motions	4,966	5,000	5,025	25
Asset Forfeitures	158	160	175	15

**BUDGET HIGHLIGHTS**

The Commonwealth's Attorney's office budget for FY25 totals \$7,860,712 which is an increase of \$1,064,547, or 15.7% from FY24. The personnel component comprises 96% of the budget totaling \$7,558,470 and increased \$1,039,547 or 15.9% due to changes in compensation and benefits. The operating component is increased by \$25,000 or 9% for increased copier and telephone costs, as well as support for staff and trial preparation including color copier cost, training, interpreter fees, Virginia Criminal Information Network (VCIN) and Supreme Court license fees.

This table presents a historical depiction of State funding for the Commonwealth's Attorney's office. While the Commonwealth's funding has grown 19.9% in total dollars since FY16, the percentage of annual expenses funded has decreased from 47% to an actual 37% in FY23.

Fiscal Year	State Funding	County Funding	% County
FY16	2,092,617	2,360,989	53%
FY17	2,157,727	2,442,270	53%
FY18	2,202,720	2,591,841	54%
FY19	2,207,444	2,988,046	58%
FY20	2,293,347	3,197,057	58%
FY21	2,293,876	3,500,222	60%
FY22	2,431,506	3,754,992	61%
FY23	2,535,354	4,362,429	63%
FY24	2,475,000	4,321,165	64%
FY25	2,510,000	5,181,918	67%

\*FY24 and FY25 reflect projections

**DEPARTMENTAL HIGHLIGHTS**

The Henrico Commonwealth's Attorney's office, along with all 120 prosecutor offices in the Commonwealth, participated in a time study with the National Center for State Courts from February to May 2022. This was part of an effort to identify an updated staffing formula to reflect a more accurate staffing figure of the State's responsibility for public safety. On June 29, 2023, the Compensation Board approved the final study, and approved the use of the final methodology as the basis for staffing standards for Assistant Commonwealth's Attorneys in FY24; this could provide Henrico with an additional nine (9) attorneys if all recommendations are funded by the General Assembly.

### *Commonwealth's Attorney*

In FY25, the Commonwealth's Attorney's Office will continue to prosecute traffic and criminal cases, both misdemeanors and felonies, in all Henrico County Courts. Aggressive prosecution of those who commit violent crimes will remain the number one priority. The Office will continue to work closely with the Police Division to reduce crime, not being just reactive to crime that has occurred, but being proactive with communities to identify areas of concern and working collaboratively on solutions. The Commonwealth's Attorney's Office will continue pursuing narcotic traffickers using two multi-jurisdictional grand juries, while continuing to work with United States Attorney's Office-Eastern District of Virginia, Richmond Office, to review and pursue certain cases that may be more suited for prosecution in federal court. Additionally, the Commonwealth's Attorney's Office will continue providing legal training to the Police Division in its basic academies and through regular in-service training. The Office will continue to devise alternative resolutions to ensure second chances and rehabilitation. Special efforts will continue to reduce truancy and violence in schools, domestic violence, human trafficking, and opioid overdoses.

The Office works with the Sheriff's Office to find alternative treatment and other diversion opportunities to keep the jail population reserved for those who are serving active sentences or for those whose release may jeopardize public safety. As well, the Office continues to provide necessary resources in working with other agencies to support public safety needs.

The increase of violent crime in both youth and adult populations, and the increase in numbers of jury trials based on change of law has created a need to restructure the office to address a changing workload.

Staff continue to work with IT to purchase computer equipment and to work with IT towards a digital/fileless system (CATS) (although the legal profession will never be 100% paperless).