

COMMONWEALTH'S ATTORNEY

DESCRIPTION

The Commonwealth's Attorney is an elected constitutional officer responsible for prosecuting criminal offenses that occur in Henrico County and maintaining public safety in the community. 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 the operation of 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/focus on the opioid epidemic and human trafficking.
- To prosecute criminal cases.
- To work with other agencies to strengthen crime prevention.
- To train local law enforcement agencies in criminal law and criminal procedures.

FISCAL YEAR 2022 SUMMARY

Annual Fiscal Plan

| Description | FY20 | FY21 | FY22 | Change 21 to 22 |
|----------------------|---------------------|---------------------|---------------------|--------------------|
| | Actual | Original | Proposed | |
| Personnel | \$ 5,327,449 | \$ 5,463,612 | \$ 5,827,685 | 6.7% |
| Operation | 158,731 | 170,387 | 170,387 | 0.0% |
| Capital | 4,223 | 0 | 0 | 0.0% |
| Total | \$ 5,490,403 | \$ 5,633,999 | \$ 5,998,072 | 6.5% |
| Personnel Complement | 56 | 55 * | 55 | 0 |

* Complement includes 1 vacant Sr. Commonwealth's Attorney position moved to Hold in FY2020-21.

PERFORMANCE MEASURES

| | Performance Measures | | | Change 21 to 22 |
|---------------------------------------|----------------------|--------|--------|--------------------|
| | FY20 | FY21 | FY22 | |
| Workload Measures | | | | |
| Circuit Court Defendants | 1,430 | 1,450 | 1,475 | 25 |
| Show Cause Hearings | 1,066 | 1,075 | 1,100 | 25 |
| Misdemeanor Appeals | 380 | 375 | 350 | (25) |
| General District Court Criminal Cases | 50,108 | 50,125 | 50,150 | 25 |
| General District Court Traffic Cases | 92,375 | 92,400 | 92,500 | 100 |
| Juvenile Court Misdemeanors | 2,019 | 2,025 | 2,050 | 25 |
| Juvenile Court Felonies | 933 | 950 | 975 | 25 |
| Effectiveness Measure | | | | |
| Circuit Court Indictments | 2,214 | 2,225 | 2,250 | 25 |

BUDGET HIGHLIGHTS

The Commonwealth's Attorney's office budget for FY2021-22 totals \$5,998,072, representing an overall increase of \$364,073, or 6.5 percent, when compared to the FY2020-21 budget. The operating and capital components remain at FY2020-21 levels with funds shifted between accounts to address anticipated operational requirements.

The table below presents a historical depiction of budgeted State funding for the Commonwealth's Attorney's office:

| Fiscal Year | State Funding | County Funding | % County |
|-------------|---------------|----------------|----------|
| 2012-13 | 1,560,000 | 2,790,490 | 64% |
| 2013-14 | 1,907,000 | 2,591,214 | 58% |
| 2014-15 | 1,877,000 | 2,573,112 | 58% |
| 2015-16 | 1,877,000 | 2,602,046 | 58% |
| 2016-17 | 2,025,000 | 2,554,003 | 56% |
| 2017-18 | 2,075,000 | 2,743,141 | 57% |
| 2018-19 | 2,150,000 | 2,862,655 | 57% |
| 2019-20 | 2,175,000 | 3,227,026 | 60% |
| 2020-21 | 2,100,000 | 3,533,999 | 63% |
| 2021-22 | 2,275,000 | 3,723,072 | 62% |

DEPARTMENTAL HIGHLIGHTS

In FY2021-22, the Commonwealth's Attorney's office will continue to prosecute traffic and criminal cases, both misdemeanors and felonies, in all the 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 Division of Police to reduce crime, proactively as well as reactively, by ensuring that those who commit crimes are held accountable. The Commonwealth's Attorney's office will continue pursuing narcotic traffickers using two multi-jurisdictional grand juries. Additionally, the Commonwealth's Attorney's office will continue providing legal training to the Division of Police 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 also continue to reduce domestic violence, human trafficking, and opioid overdoses.

The Compensation Board of the Commonwealth of Virginia provides funding for constitutional offices, including Commonwealth's Attorneys. The funded staffing for Henrico County's office is 39 positions, including 20 attorneys. The FY2021-22 budget includes 55 positions, which is 16 more than are funded by the Compensation Board, and it should be noted that 13 of these positions are attorneys. County funded staff increased by four positions since FY2018-19, including three attorneys and one paralegal. There is also one federally funded attorney position that is not included in the numbers cited above. The Victim Witness and Special Drug Prosecutor functions, including position counts, are discussed in separate narratives within this document.

The Commonwealth's Attorney's office continues to implement the new Circuit Court discovery rules required by the Virginia Supreme Court. The efforts are also being used as an informal pilot project for other prosecution offices across the Commonwealth to use as a guide and model. Additionally, with the support of the county administration, the Commonwealth's Attorney's office is working with the Sheriff's office to address the jail overpopulation issue by working to find alternative treatment and other diversion opportunities. The office will ensure it provides the necessary resources in working with other agencies to support public safety needs.

In March 2020, the county began to feel the effects of the COVID-19 pandemic. This office worked in conjunction with all county departments in devising a work plan that continued public service while balancing the health and safety of our employees. We devised plans for teleworking, as well as worked with the three Chief Judges for all courts and other agencies to utilize more technology to present cases in court. All aspects of our job duties and responsibilities were impacted and we identified the need for better technology, equipment, i.e., laptops, faxing and scanning capabilities, and dealt with challenges of video conferencing.

The "new" needs meant working with IT to obtain computer equipment for all staff to work from home. The office started to review how it could continue to work towards a digital and fileless system. Staff have all been very flexible while working with IT regarding equipment, supplies, and internet connectivity; they continue to monitor impacts to the workplace schedule as virus guidelines change.



Department Operating Budget
 Henrico County, Virginia
 FY2021-22
 COMMONWEALTH'S ATTORNEY

| Account Description | Prior Year Actual | Approved Budget | Proposed Budget | Dollar Inc/Dec | Percent Inc/Dec |
|---|----------------------|--------------------|--------------------|-------------------|--------------------|
| 50100 Full-Time Salaries and Wages - Regular | 3,856,453 | 4,042,990 | 4,356,477 | 313,487 | 7.8% |
| 50101 Full-Time Salaries and Wages - Overtime | 3,058 | 5,000 | 5,000 | 0 | 0.0% |
| 50104 Temporary Salaries and Wages - Regular | 185,725 | 38,137 | 38,137 | 0 | 0.0% |
| 50108 Hybrid Disability Prgm (Prev Wage Adj) | 7,381 | 8,350 | 9,523 | 1,173 | 14.0% |
| 50109 Vacancy Savings | 0 | -90,791 | -155,882 | -65,091 | -71.7% |
| 50110 FICA | 299,366 | 308,915 | 333,492 | 24,577 | 8.0% |
| 50111 Retirement VRS | 509,168 | 566,018 | 609,907 | 43,889 | 7.8% |
| 50112 Hospital/Medical Plans | 416,389 | 529,200 | 570,912 | 41,712 | 7.9% |
| 50113 Group Insurance - Life (VRS) | 49,909 | 55,793 | 60,119 | 4,326 | 7.8% |
| 50200 Medical Services | 2,880 | 2,400 | 2,400 | 0 | 0.0% |
| 50201 Legal Services | 7,509 | 1,000 | 500 | -500 | -50.0% |
| 50220 Lease/Rent Of Equipment | 8,036 | 10,225 | 11,300 | 1,075 | 10.5% |
| 50240 Printing and Binding | 106 | 250 | 250 | 0 | 0.0% |
| 50270 Other Contractual Services | 945 | 1,500 | 750 | -750 | -50.0% |
| 50410 Postal Services | 1,908 | 2,300 | 2,000 | -300 | -13.0% |
| 50412 Telecommunications | 16,954 | 16,500 | 16,500 | 0 | 0.0% |
| 50431 Education and Training | 32,057 | 40,200 | 40,000 | -200 | -0.5% |
| 50450 Dues And Association Memberships | 27,402 | 28,134 | 29,500 | 1,366 | 4.9% |
| 50500 Office Supplies | 45,160 | 52,278 | 52,037 | -241 | -0.5% |
| 50512 Books and Subscriptions | 9,968 | 9,300 | 9,300 | 0 | 0.0% |
| 50521 Computer Software | 5,806 | 6,300 | 5,850 | -450 | -7.1% |
| 50815 Computer Equipment-New Less Than \$5000 | 4,033 | 0 | 0 | 0 | 0.0% |
| 50835 Computer Equipment-Replacement Less Than \$5000 | 190 | 0 | 0 | 0 | 0.0% |
| Total Department | 5,490,403 | 5,633,999 | 5,998,072 | 364,073 | 6.5% |