



Commonwealth's Attorney

The Commonwealth's Attorney is a constitutional officer elected by the voters of Loudoun County. As such, the Commonwealth's Attorney is not an officer or employee of the County. The mission of the Commonwealth's Attorney is to protect the dignity of community members through the fair and equitable administration of justice. As a steward of public trust, the Commonwealth's Attorney is considerate of the evolving needs of Loudoun County, committed to protecting the safety of the community, collaborates with community stakeholders to reduce recidivism through specialty dockets, and dedicated to the efficient use of government resources. The duties of the Commonwealth's Attorney are to represent the interests of the Commonwealth of Virginia in a statutorily defined scope of duties. There are over 300 statutory mandates, duties, and responsibilities of the Commonwealth's Attorney as prescribed in the Code of Virginia.

Although the primary mandate of the Office of the Commonwealth's Attorney (OCA) is to prosecute all felonies, this office additionally prosecutes all adult criminal and juvenile delinquency and traffic matters in the Juvenile and Domestic Relations District Court, and all felony cases, and certain misdemeanors and traffic offenses in the Loudoun County General District Court (driving-under-the-influence violations, assaults, and thefts). The OCA partners with law enforcement agencies including the Loudoun County Sheriff's Office, Leesburg Police Department, Purcellville Police Department, Middleburg Police Department, Loudoun County Animal Services, Loudoun County Fire and Rescue, Virginia State Police, Metropolitan Washington Airports Authority Police Department, and the Northern Virginia Community College Police. These law enforcement agencies investigate and file the charges that are then assigned to the OCA. Additionally, the prosecutors are available 24 hours per day to handle law enforcement emergencies and consultations and such other situations that require immediate attention.

A unique aspect of the Office is its proximity to Washington, D.C. and Dulles International Airport. As such, coordination with federal law enforcement agencies and the U.S. Attorney's Office is essential. To this end, attorneys collaborate with the Special Assistant U.S. Attorneys and assist with multi-jurisdictional prosecutions. The use of a multi-jurisdictional grand jury is another tool often used cooperatively with neighboring jurisdictions. The Office is required to provide Special Prosecutor services to other Commonwealth's Attorneys in cases where there is a conflict for that office.

Mandates Related to the Office of the Commonwealth's Attorney:

The OCA is authorized in the Constitution of Virginia, [Article VII, Section 4](#) (County and City officers). The Code of Virginia provides that every county shall have a courthouse with suitable space and facilities to accommodate the various courts and officials serving the county. Va. Code 15.2-1638.

Victim and Witness services are also mandated, Va. Code 19.2-11.1 (Establishment of Crime Victim-Witness Assistance Programs) and 19.2-11.01 (Crime Victim and Witness rights). The OCA oversees the Victim and Witness Program.

Body-Worn Cameras (BWC). HB1700 Item 70 #2c (Commonwealth's Attorney – Body-Worn Camera). The Board of Supervisors approved a Body-Worn Camera (BWC) program and with the assistance of federal grants, it is anticipated that the full roll-out will be completed in 2023.

Commonwealth's Attorney's Programs

Office of the Commonwealth's Attorney

Provides domestic violence, sexual assault, and human trafficking multi-agency collaboration through the Sexual Assault Response Team (SART), SART Steering Committee, Domestic Assault Response Team (DART), the DART Steering Committee, and ICOPE.



Victim and Witness Assistance Program

Assists victims and witnesses of crime as they navigate the court system; seek to enhance witness safety and attempts to reduce the level of trauma often associated with criminal cases; advise victims of rights as outlined in the Code of Virginia. Engages with the community to provide information and services to prevent and reduce victimization; and enhances the safety of the community through preventative and protective presentations.



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Budget Analysis

Department Financial and FTE Summary¹

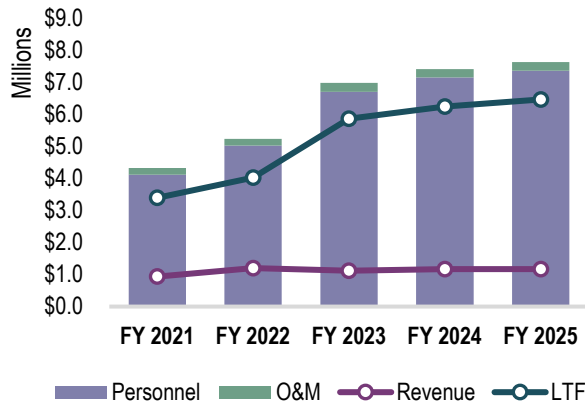
| | FY 2021 Actual | FY 2022 Actual | FY 2023 Adopted | FY 2024 Proposed | FY 2025 Projected |
|----------------------------------|--------------------|--------------------|--------------------|---------------------|----------------------|
| Expenditures | | | | | |
| Personnel | \$4,118,839 | \$5,028,342 | \$6,709,911 | \$7,155,010 | \$7,369,660 |
| Operating and Maintenance | 214,291 | 206,259 | 278,974 | 261,688 | 264,305 |
| Total – Expenditures | \$4,333,130 | \$5,234,601 | \$6,988,885 | \$7,416,698 | \$7,633,965 |
| Revenues | | | | | |
| Charges for Services | \$7,378 | \$5,571 | \$10,000 | \$10,000 | \$10,000 |
| Recovered Costs | 0 | 14,981 | 0 | 0 | 0 |
| Intergovernmental – Commonwealth | 850,398 | 1,058,188 | 1,106,655 | 1,155,050 | 1,155,050 |
| Intergovernmental – Federal | 78,236 | 122,977 | 0 | 0 | 0 |
| Total – Revenues | \$936,012 | \$1,201,717 | \$1,116,655 | \$1,165,050 | \$1,165,050 |
| Local Tax Funding | \$3,397,118 | \$4,032,884 | \$5,872,230 | \$6,251,648 | \$6,468,915 |
| FTE | 39.00 | 48.00 | 54.00 | 58.00 | 58.00 |

¹ Sums may not equal due to rounding.



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Revenue and Expenditure History



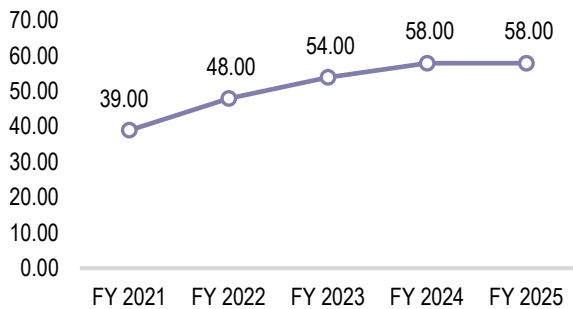
Revenue/Local Tax Funding

As shown, the Office of the Commonwealth's Attorney is primarily funded by local tax funding. Program-generated revenue consists of attorney fees, reimbursements from the Virginia Compensation Board, and multiple grants.

Expenditure

The majority of the Office's expenditure budget is dedicated to personnel costs. Major drivers of personnel increases are additional staffing as outlined in the Staffing/FTE History section and compensation increases, including merit increases for the general workforce in each fiscal year.

Staffing/FTE History



FY 2021: 1.00 FTE deputy commonwealth's attorney, 2.00 FTE senior assistant commonwealth's attorney

FY 2022: 1.00 FTE Victim Witness Program team lead, 2.00 FTE Victim Witness Program case managers, 2.00 FTE positions (Adult Treatment Drug Court expansion), 2.00 FTE assistant commonwealth's attorney and 1.00 FTE paralegal (BWC), 1.00 FTE assistant commonwealth's attorney (Conviction Integrity and Post-Conviction Unit)

FY 2023: 1.00 FTE deputy commonwealth's attorney, 2.00

FTE assistant commonwealth's attorneys, 1.00 FTE investigator (SART Program), 2.00 FTE assistant commonwealth's attorney (General District Court)

FY 2023 (Mid-Year)¹: 3.00 FTE assistant county attorney and) 1.00 FTE paralegal (BWC)

The majority of the Commonwealth's Attorney's Office expenditure budget is dedicated to personnel. Personnel costs have grown with the merit increases approved each fiscal year.² The Office continues to support the departments of Community Corrections and Mental Health, Substance Abuse, and Developmental Services in the implementation of the Adult Drug Treatment Court, Mental Health Docket, and Veterans Treatment Docket.

The FY 2023 Adopted Budget included positions to establish a new team within the OCA dedicated to Sexual Assault Response: a deputy commonwealth's attorney (1.00 FTE), two assistant commonwealth's attorney (2.00 FTE), and an investigator (1.00 FTE). The deputy commonwealth's attorney supervises all sexual assault cases, allowing for greater consistency in how cases are received, prepared, and prosecuted. This position plays a critical role in furthering community outreach by working with county and community organizations to develop training programs on the identification of victims, collection and preservation of evidence, and investigative processes, giving public presentations, and working to centralize

¹ December 6, 2022, Board of Supervisors Business Meeting Item 15d, FGOEDC Report: Acceptance and Appropriation of Federal Grant Funding for the Body Worn Camera Expansion Program.

² See summary of merit increases in Non-Departmental Expenditures section 6-2.



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information for victims. The additional assistant commonwealth's attorney positions provide dedicated, experienced attorneys for sensitive and complex cases. The investigator position assists in the successful prosecution of crimes by reaching out to victims and following up with witnesses and other investigative leads.

Additionally, two of the four assistant commonwealth's attorney positions were added to support the demands of the General District Court workload. They were needed to maintain reasonable attorney caseloads as the Department deals with an influx of General District Court cases resumption of pre-pandemic behaviors. It is anticipated that the volume of cases will continue to rise as the County's population increases.

A proposal to fund the second phase of the deployment of BWC was included in the FY 2023 Proposed Budget; however, the Board opted to remove this request at the February 28, 2022, Budget Work Session, with the intent of continuing program expansion should federal grant funding be secured. Grant funding was secured, and Loudoun County was awarded a total of \$3,588,000. Of that funding, the Commonwealth's Attorney Office was awarded 4.00 FTE in December 2023. This includes (3.00 FTE) Assistant Commonwealth's Attorney and (1.00) Paralegal. Both Attorney and Paralegal positions are included and correlate to a projected workload informed by the Office's experience with similar evidence. The number of positions created for the OCA is based upon a ratio of 75 body-worn cameras to one Assistant Commonwealth's Attorney, as endorsed by the FGOEDC at its November 10, 2020, meeting.

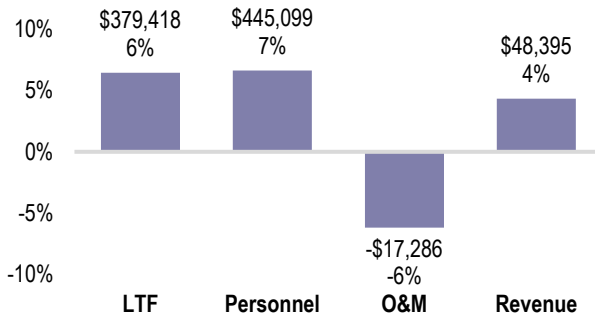
Leading into FY 2024, the Commonwealth's Attorney continues to analyze workloads and the needs of a growing community. In the first quarter of calendar year 2022, the Department participated in a Commonwealth's Attorney Office Staffing study authorized by the Virginia Assembly. The purpose of this study is to determine the number of positions needed for allocation to Commonwealth Attorney's offices statewide and to evaluate the duties and measures that are used to determine the allocation of new positions. The full statewide study is due for release in Summer 2023.

While not included in the FY 2024 Proposed Budget, the Department has one resource request, focusing on the thematic area of Judicial Administration, described in an increase option in the executive summary.



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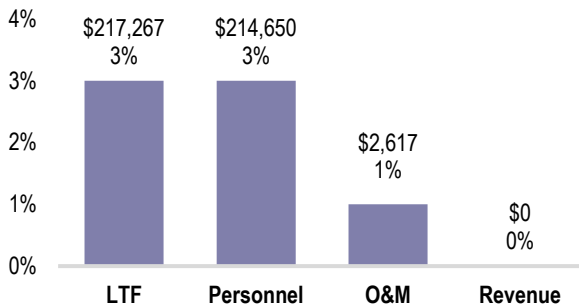
Percent Change from Adopted FY 2023 to Proposed FY 2024



Reasons for Change:

Personnel: ↑ 4.00 FTE¹, general pay changes and additional compensation || **O&M:** ↓ internal services || **Revenue:** ↑ Reimbursements from the Virginia Compensation Board

Percent Change from Proposed FY 2024 to Projected FY 2025



Reasons for Change:

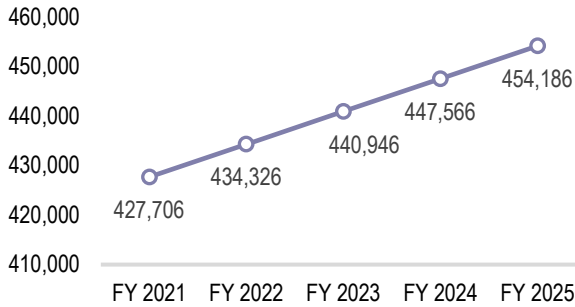
Personnel: ↑ 3 percent || **O&M:** ↑ 1 percent || **Revenue:** ↔

¹ The department added four positions (4.00 FTE) as mid-year additions.



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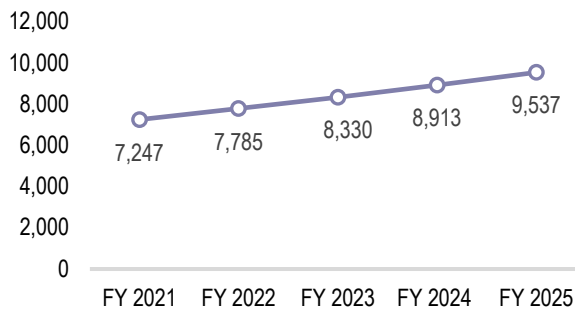
Key Measures



Objective: Protect the rights of Loudoun County residents by prosecuting crimes and advocating for victims of crime.

Measure: Population of Loudoun County

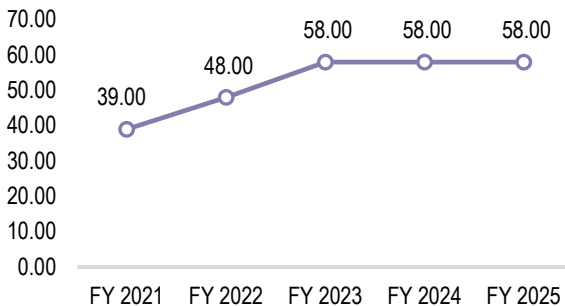
This measure shows the population growth from 2021 and forecast through 2025. As population grows, the number of cases to process is expected to increase, as shown in the chart below.



Objective: Process misdemeanor and felony filings in General District Court.

Measure: Filings in General District (misdemeanor and felony).

As the population within the County grows, case filings in the General District Court are expected to increase as well. An additional Legal Services Assistant and Paralegal will maintain current service levels by assisting attorneys who process cases in General District Court.



Objective: Provide internal support to department leadership.

Measure: FTE history of the department

An Executive Assistant would provide stability within the department by supporting the Commonwealth's Attorney and the Chief Deputy in supporting internal staff. The Office has grown significantly since 2021, adding more than 15.00 FTE between FY 2021 – FY 2023.