



Commonwealth's Attorney

The Commonwealth's Attorney is a locally-elected constitutional officer whose duties are mandated by the Code of Virginia. The principal functions of the Office of the Commonwealth's Attorney include aiding investigations and prosecuting felony, misdemeanor, traffic, juvenile, and statutorily-specified civil matters, which are presented by law enforcement officers and government officials from local, state, and federal law enforcement agencies and certain County departments. The Office of the Commonwealth's Attorney also oversees the Loudoun County Victim and Witness Assistance Program, which serves as an interface between the judicial system and crime victims and witnesses to help ensure victim and witness cooperation in prosecution, increase witness safety, and reduce the level of trauma often associated with criminal cases. Prosecutors are available 24 hours per day to handle law enforcement emergencies and consultations and other situations that require immediate attention.

Department Programs

Office of the Commonwealth's Attorney

Represents the interests of the Commonwealth of Virginia in a statutorily-defined scope of duties. There are more than 300 statutory mandates, duties, and responsibilities of the Commonwealth's Attorney as prescribed in the Code of Virginia.

Activities

- Legal Representation of the Commonwealth

Victim and Witness Assistance Program

Assists victims and witnesses of crime as they navigate the court system; seeks to enhance witness safety and attempts to reduce the level of trauma often associated with criminal cases; advises 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.

- Victim and Witness Assistance Program

Financial Information

FY 2024 Adopted Information¹

	Expenditures	Revenue	LTF	FTE
Office of the Commonwealth's Attorney	\$7,093,089	\$1,120,050	\$5,973,039	48.00
Victim and Witness Assistance Program	1,513,606	45,000	1,468,606	11.00
Total	\$8,606,695	\$1,165,050	\$7,441,645	59.00

¹ Sums may not equal due to rounding.



Commonwealth's Attorney: Office of the Commonwealth's Attorney

Legal Representation of the Commonwealth

What We Do: This activity provides legal representation for the Commonwealth and prosecutes various cases presented by law enforcement agencies, including felony, misdemeanor, traffic, and juvenile criminal.

An "on-duty" prosecutor is available to respond to legal inquiries from law enforcement officers and magistrates during regular business hours; and an "on-call" prosecutor is available 24 hours per day to handle any law enforcement emergencies or other situations requiring immediate attention. Attorneys are also available to work with law enforcement agencies and provide legal advice as required to facilitate investigations in specific complex cases. Attorneys can be cross-designated as Special Assistant United States Attorneys to prosecute cases in the federal courts when necessary. Likewise, Assistant United States Attorneys can be appointed as volunteer Assistant Commonwealth's Attorneys for Loudoun County when needed to coordinate joint prosecution efforts at the state level. The use of a multijurisdictional grand jury is another tool often used cooperatively with neighboring jurisdictions.

The Office of the Commonwealth's Attorney also coordinates with the Attorney General's Office for specialized prosecutions from their Computer Crimes Section. This activity focuses particular attention on addressing gang activity and works with the regional investigative units on these cases. Attorneys and staff regularly assist with community outreach efforts.

Mandate Information: The Commonwealth's Attorney is a locally-elected constitutional officer whose duties are mandated by the Code of Virginia § 15.2-1627. There are more than 300 statutory duties and responsibilities of the Commonwealth's Attorney as prescribed in the Code of Virginia. The Commonwealth's Attorney is not mandated to prosecute misdemeanor cases. However, it is the Office's policy that if the defendant has an attorney, the Office prosecutes the case regardless of whether it is a misdemeanor or a felony.

Who Does It: County staff provides these services. Personnel costs are partially offset by State Compensation Board funding. Three full-time prosecutors are specifically assigned to concentrate on domestic violence cases.

Why We Do It: The duties of the Commonwealth's Attorney are mandated by the Code of Virginia. Absent those duties, the community would have no representation in the court system. This is a critical responsibility as it helps maintain law and order, protect public safety, and ensure that justice is served.

How We Do It Now – Current Service Level: In FY 2020, the service level provided with current resources was an average caseload of 25 open felony cases per attorney. Current service level involves a workload of approximately 470 felony pleas and 65 attorney jury trial days. In addition, current service level reflects an average caseload of 80 domestic violence cases per case manager.

How We Plan to Do It in the Future – Recommended Service Level: It is anticipated that the Office of the Commonwealth's Attorney will continue to prosecute cases based on demand.



Commonwealth's Attorney: Victim and Witness Assistance Program

Victim and Witness Assistance Program

What We Do: The Victim and Witness Assistance Program provides an interface between the judicial system and victims and witnesses of crime. The program also plays an active role in educating the public on issues related to domestic and sexual violence, in addition to serving as liaison to the County's Domestic Abuse Response Team, the Child Protective Committee, and the Child Advocacy Center. The Victim and Witness Assistance Program provides crisis intervention by advising victims of their rights and notifying them of the services provided by the program and the state. The services within this program include an explanation of the court process to victims and witnesses, liaison within the criminal justice system, courtroom accompaniment, witness preparation, claims filing through the Criminal Injuries Compensation Fund, supportive services referrals, victim impact statement preparation, restitution assistance, and safety planning.

Who Does It: County attorneys and case managers provide this activity. One position is partially offset by grant funding provided by the Virginia Domestic Violence Victim Fund.

Why We Do It: The Victim and Witness Assistance Program serves as an interface between the judicial system and crime victims and witnesses to help ensure victim and witness cooperation in prosecution, increase witness safety, and reduce the level of trauma often associated with criminal cases. Absent this activity, victims and witnesses to crimes would have no guidance or direction as to their rights throughout the criminal court process and would be left without specific direction to County and community services.

How We Do It Now – Current Service Level: In FY 2020, the service level provided with current resources was providing service to approximately 100 victims and/or witnesses on an annual basis. Services could include filing of claims to the Criminal Injuries Compensation Fund and issuance of victim impacts statements. Staff refers approximately 800 individuals to the Loudoun Abused Women's Shelter and other programs annually.

How We Plan to Do It in the Future – Recommended Service Level: It is anticipated that the Office of the Commonwealth's Attorney will continue to prosecute cases based on demand.

