

Commonwealth's Attorney - Departmental Performance Report

Commonwealth's Attorney						
The Office of the Commonwealth's Attorney is responsible for reviewing and prosecuting all felony cases, domestic violence and City/State misdemeanor cases required by law or court order, and to provide legal training and advice to police officers, magistrates, and other local officials. The Office also provides services and support for the victims and witnesses involved in the various cases handled by the Office.						
Objective/Performance Measure	Unit	Annual Target	Actual 2008	Actual 2009	Est. 2010	Proj. FY 2011
Customer						
Conviction Rate - Domestic Violence						
Conviction Rate for Domestic Violence Defendants	%	75.0	75.0	78.0	75.0	75.0
Number of Domestic Violence Defendants Prosecuted	#	2,400.0	2,586.0	2,304.0	2,400.0	2,400.0
Percent of Opened Domestic Violence Cases Closed	%	96.0	99.0	96.0	96.0	96.0
Conviction Rate - Property Crime						
Conviction Rate for Property Crimes	%	94.0	94.0	98.0	94.0	94.0
Number of Property Crime Defendants Prosecuted	#	1,600.0	1,694.0	1,473.0	1,600.0	1,600.0
Percent of Opened Property Crime Cases that were Closed	%	85.0	85.0	87.0	85.0	85.0
Conviction Rate - Serious Narcotics Violations						
Conviction Rate for Serious Narcotics Violations	%	95.0	97.0	97.0	95.0	95.0
Number of Drug Defendants Prosecuted	#	750.0	808.0	665.0	750.0	750.0
Percent of Opened Drug Cases that Were Closed	%	95.0	91.0	98.0	95.0	95.0
Conviction Rate - Violent Felonies						
Conviction Rate for Violent Felony Defendants	%	96.0	90.0	96.0	96.0	96.0
Number of Violent Felony Defendants Prosecuted	#	650.0	660.0	638.0	650.0	650.0
Percent of Opened Violent Felony Cases Closed	%	90.0	92.0	82.0	90.0	90.0
Investigate/Mediate 75% Consumer Affairs Requests						
Complaints Received by Consumer Affairs	#	0.0	391.0	497.0	500.0	0.0
Percent of requests investigated/mediated	%	0.0	88.0	84.0	85.0	0.0
Provide Information on the Prosecutorial Process						
Hours Spent on Responses to Victims and Witness Inquiries	#	9,500.0	4,160.0	9,360.0	9,500.0	9,500.0
Number of Responses to Victim and Witness Supported	#	23,000.0	9,749.0	20,810.0	23,000.0	25,000.0
Percent of victim and witness inquiries within 3 days	%	100.0	100.0	100.0	100.0	100.0
Support 85% Felony and Domestic Violence Victims						
Number of victims and witnesses supported	#	40,000.0	30,543.0	39,692.0	40,000.0	40,000.0
Percent of all Victims and Witnesses Supported	%	99.0	99.0	99.0	99.0	99.0
Staff Hours Spent on Support of Victims and Witnesses	#	20,800.0	14,560.0	18,720.0	20,800.0	20,800.0

Major Changes

In total, the Commonwealth’s Attorney’s Office decreased by 4.0 FTEs in FY 2010-11. The budget for this department was prepared based on the latest information available at the time regarding the State budget. It will be adjusted once the State budget is finalized, including the adjustments discussed with City Council prior to adoption.

Change	Impact
Elimination of Consumer Affairs Program	<ul style="list-style-type: none">• This budget eliminates the City funded Consumer Affairs Office and the associated three full-time Consumer Affairs Investigators. One additional position was eliminated in the FY 2009-10 budget.• The services provided were investigating and mediating consumer complaints; pursuing consumer protection cases in court; and providing literature and education to the public on consumer issues.• The State provides similar services for citizens to address their issues in the Department of Agriculture and Consumer Services.• The impact of not funding this service locally will be that citizens will experience delays in addressing their complaints.
Transfer of Restitution Program to the City Treasurer	<ul style="list-style-type: none">• The Restitution Program consists of one Delinquent Accounts Officer which has transferred to the City Treasurer’s Office.• The program monitors, collects and distributes restitution ordered through the Virginia Beach courts on behalf of victims of crime.• The Code of Virginia allows the implementation of a fee to cover administrative costs when the Treasurer’s Office performs restitution services with FY 2010-11 revenue, estimated at \$122,000.

Additional information about program reductions is available in Requested But Not Funded listing in the Resource Management Plan document.

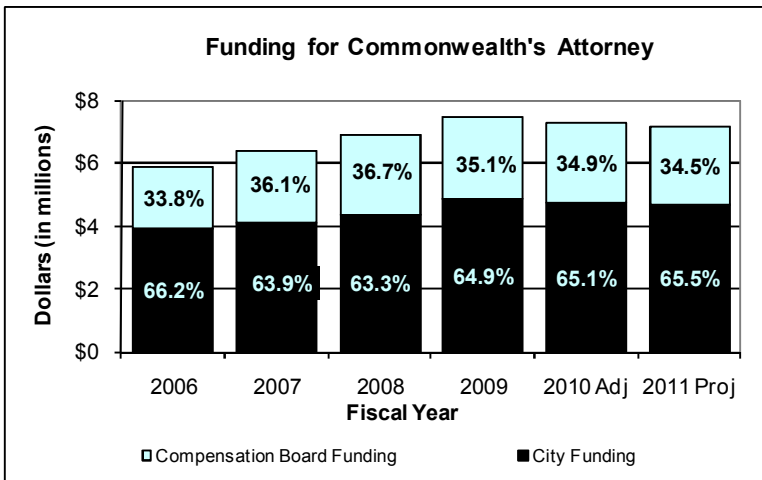
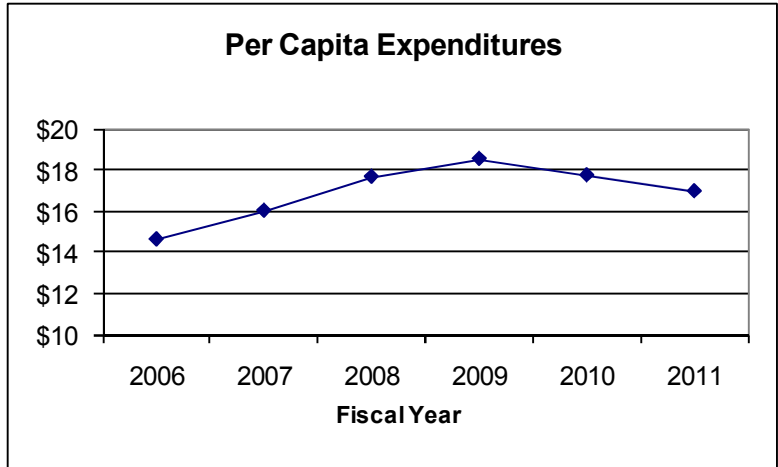
Departmental Overview

The Commonwealth’s Attorney is an elected, constitutional, law enforcement official who is independent in his duties from both the City and the Commonwealth. The Commonwealth’s Attorney’s Office is funded by a combination of City funding, State funding and grants. The primary responsibilities of the Commonwealth’s Attorney’s Office are:

- To review all felony and selected misdemeanor cases and the prosecution of those cases where there is sufficient evidence.
- To provide legal training and advice to local officials, law enforcement, and other public safety agencies when requested.
- To prepare the Circuit Court criminal docket and handle preliminary hearings on felony cases in the General District Court and the Juvenile and Domestic Relations Court.

Trends and Issues

- The increase from FY 2005-06 to FY 2007-08 is primarily attributable to personnel cost increases, including eight additional positions granted by the Compensation Board. The decline in expenditures between FY 2008-09 to FY 2010-11 is attributable to the elimination of the Consumer Affairs Program (a total of 4.0 FTEs), the transfer of the Restitution Program (1.0 FTE) and reduced State funding.



- The percentage of funding provided by the City to the Commonwealth's Attorney's Office had been steadily increasing from FY 2000-01 (55.2%) through FY 2003-04 (64.8%) mainly because the compensation provided by the City outpaced the growth in the Compensation Board reimbursement from the State. As shown in the funding graph, this trend has fluctuated over the past few years. The Compensation Board has provided annual salary increases closer to the increases provided by the City in recent years. As shown in the graph, overall funding for the Office remains relatively consistent between FY 2009-10 and FY 2010-11.

Council Amendment

On May 11, 2010, City Council voted to restore \$82,144 in operating costs.

Commonwealth's Attorney - Departmental Resource Summary

	FY 2009 Actual	FY 2010 Adjusted	FY 2011 Adopted	Variance from FY 2010
<u>Program Summary</u>				
<u>002 General Fund</u>				
<u>Expenditures</u>				
Commonwealth's Attorney	6,913,253	6,765,667	6,993,815	228,148
Consumer Affairs	337,270	235,810	0	(235,810)
Victim/Witness	239,800	258,603	212,438	(46,165)
Total Expenditures	7,490,323	7,260,080	7,206,253	(53,827)
<u>Revenues</u>				
Commonwealth's Attorney	2,627,536	2,531,046	2,457,229	(73,817)
Consumer Affairs	130	0	0	0
Total Revenues	2,627,666	2,531,046	2,457,229	(73,817)
General City Support	4,862,657	4,729,034	4,749,024	19,990
<u>142 DEA Seized Property Special Revenue Fund</u>				
<u>Expenditures</u>				
DEA - Commonwealth's Attorney	82,324	114,500	200,000	85,500
Total Expenditures	82,324	114,500	200,000	85,500
<u>Revenues</u>				
DEA - Commonwealth's Attorney	82,324	0	0	0
Reserve for Contingencies	0	114,500	200,000	85,500
Total Revenues	82,324	114,500	200,000	85,500
General City Support	0	0	0	0
<u>183 Grants Consolidated Fund</u>				
<u>Expenditures</u>				
Commonwealth's Attorney - Grants	294,786	323,638	322,968	(670)
Total Expenditures	294,786	323,638	322,968	(670)
<u>Revenues</u>				
Commonwealth's Attorney - Grants	302,711	323,638	322,968	(670)
Total Revenues	302,711	323,638	322,968	(670)
General City Support	(7,925)	0	0	0
Total Department Expenditure	7,867,433	7,698,218	7,729,221	31,003
Total Department Revenue	3,012,701	2,969,184	2,980,197	11,013
Total General City Support	4,854,732	4,729,034	4,749,024	19,990

Position Summary by Program

<u>002 General Fund</u>				
Commonwealth's Attorney	78.90	77.90	77.90	0.00
Consumer Affairs	4.00	3.00	0.00	-3.00
Victim/Witness	4.00	4.00	3.00	-1.00
Total	86.90	84.90	80.90	-4.00
<u>183 Grants Consolidated Fund</u>				
Commonwealth's Attorney - Grants	6.50	6.50	6.50	0.00
Total	6.50	6.50	6.50	0.00
Total Position Summary	93.40	91.40	87.40	-4.00