

# INTRODUCTION: OFFICE OF THE COMMONWEALTH'S ATTORNEY (OCA)

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COMMONWEALTH'S ATTORNEY

CITY OF ALEXANDRIA, VIRGINIA

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# INTRODUCTION

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OVERVIEW OF THE COMMONWEALTH'S ATTORNEY



# THE COMMONWEALTH'S ATTORNEY

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- The Office of the Commonwealth's Attorney is established by the Constitution of Virginia.
- There are 120 elected CAs in Virginia.
- Some run as independents, others run as the nominee of a party.
- The term is 4 years. City CAs are on the same cycle as the Governor, county CAs are offset by 2 years.

# THE COMMONWEALTH'S ATTORNEY

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- I am in the first year of my third 4-year term.
- Since I am elected, I do not work for the City Manager.
- However, because of the close, symbiotic relationship between my office and the City, we work very closely with City government.

# THE COMMONWEALTH'S ATTORNEY

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- The duties of the CA include:
  - Investigating suspected or alleged offenses against the Commonwealth of Virginia and the City of Alexandria;
  - Authorizing or declining prosecution of criminal offenses;
  - Determining the manner of prosecution and deciding trial-related questions;
- The Code of Virginia grants the Commonwealth's Attorney the discretion to prosecute misdemeanors.
- **OCA prosecutes all jailable misdemeanors.**

# THE COMMONWEALTH'S ATTORNEY

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- The Commonwealth's Attorney is empowered to make the final decision about initiating or declining a criminal prosecution:
  - OCA can dismiss any case that the police department decides to charge; and
  - OCA can initiate charges even if the police decline to do so.
- However, the initial charging decision is almost always made through a police arrest and a magistrate's review. OCA gets involved after arraignment.



# THE COMMONWEALTH'S ATTORNEY

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- As the Commonwealth's Attorney, it is my duty to review any law-enforcement use of deadly force and render a decision as to whether criminal charges should be brought.
- Currently, a multi-jurisdictional LEO team conducts all criminal investigations into the use of deadly force by Alexandria officers.

# THE COMMONWEALTH'S ATTORNEY

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- As the elected CA, I have a varied job description:
  - I set policy and goals for the office;
  - I still prosecute exceptionally serious cases - usually murders;
  - I have primary responsibility for hiring, promotion and discipline;
  - I liaise with outside agencies, such as the Sheriff, CMO, APD, and Probation;
  - I routinely teach prosecutors and law enforcement officers;
  - I am very involved with the state and national prosecutor's associations.



# THE COMMONWEALTH'S ATTORNEY

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- My office currently has 34 full-time employees.
  - There are 16 prosecutors.
  - We have 7 administrative staff members.
  - We have 7 VWAP advocates.
  - We also have new positions, the Special Assistant for Rehabilitative Programs and a Treatment Court Coordinator.
  - We also rely heavily on law students, who generally work for pay, and sometimes work for credit. We currently have 3 law students working in our office.

# THE COMMONWEALTH'S ATTORNEY

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- There are 4 supervisory attorneys:
  - A Chief Deputy;
  - Three Deputies.
- The eleven “line assistants” are split into three teams:
  - Violent Crimes Unit (VCU)
  - Special Victims Unit (SVU)
  - White Collar Unit (WCU)

# THE COMMONWEALTH'S ATTORNEY

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- All assistants carry an active caseload.
- The newest prosecutors start in misdemeanor court, trying DUIs and Assault and Battery cases.
- The more senior prosecutors handle murders, rapes, and robberies.

# THE COMMONWEALTH'S ATTORNEY

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- The Office Administrator supervises the administrative staff.
- He also has a significant policy role in the office, primarily with the office budget-but also with hiring and discipline.
- Each of the administrative staff members is assigned a specific role, but, in general, they are responsible for:
  - Dealing with the citizenry;
  - Maintaining the huge volume of paperwork;
  - Preparing an assigned docket.

# ■ THE COMMONWEALTH'S ATTORNEY

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- In FY 2022, our budget was set at \$3.244 million, down about \$50K from FY 2021 approved.
- 97% of our budget is personnel-related.
- Also, the City is reimbursed by the Commonwealth every year for the state contribution – usually about 45% of our total budget.
- **So, the citizens get a full-time office for a part-time price.**

# THE COMMONWEALTH'S ATTORNEY

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- The Victim/Witness Assistance Program provides crime victims and witnesses with information, support, and comfort throughout the process of a criminal prosecution.
- Our VWAP program is supervised by our Director of Special Programs, Sara Kulumani, and our VWAP Coordinator, Shondel Adams.



# THE COMMONWEALTH'S ATTORNEY

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- My background:
  - I was born and raised in Alexandria.
  - I started my career as a police officer.
  - I have served 21 years as a prosecutor.
  - For the past 9 years, I have been the elected.

# QUESTIONS?

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