

Commonwealth's Attorney's Office

History

The Past

The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia. The position of Commonwealth's Attorney was established in the Virginia Constitution in the 1850's and the Commonwealth Attorney's responsibilities are governed by the Code of Virginia. As such, he or she is not an officer or employee of Henrico County. The Commonwealth's Attorney is elected by the qualified voters of Henrico County to a four year term.

Previously, the Commonwealth's Attorney was charged with exercising all powers conferred and performing all the duties imposed by general law; to be the legal adviser of the Board of Supervisors, the School Board, and the heads of all departments. In addition, the Commonwealth's Attorney was to defend all actions brought against the state as well as the county, to prosecute all suits brought on behalf of the county, to look after the criminal cases in both the Trial Justice and Circuit Courts of the county, and to act as coroner.

In 1934, there were approximately one hundred sixty criminal prosecutions in the Henrico County, consisting of both felony and misdemeanor cases. The Commonwealth's Attorney was present whenever the Trial Justice Court was in session, except when the Circuit Court was in session.

During the period of July 1, 1959 to June 30, 1960, the Commonwealth Attorney's Office employed a full time Commonwealth's Attorney and two part-time Assistant Commonwealth Attorney's that reported three days in the Henrico County General District Court and the Henrico County Juvenile and Domestic Relations Court. A total of 7,783 cases were tried and the office handled eight extraditions during this time period.

On June 22, 1960, all of the ordinances of the county, with the exception of zoning ordinances, were reviewed and codified into the Code of the County of Henrico, Virginia.

During the period from July 1, 1961 through June 30, 1962, this office rendered opinions to the County department heads affecting the operation of their respective departments. Approximately two hundred thirty contracts, deeds, easements, bonds and other legal documents were drafted or approved by the County's legal department during this fiscal year. In addition, this office defended several suits filed against the County and instituted a number of proceedings for the acquisition of land and easements for sewer and water lines and road rights-of-way through condemnation.

As the population of Henrico County steadily increased, crime did also. In 1969, a total of 17,666 cases were tried in the County Court and 122 felonies and 411 misdemeanors

were tried in the Circuit Court. The legal staff now included the Commonwealth's Attorney, two full time, and two part time Assistant Commonwealth's Attorneys. By 1994, this office became automated as well as reorganized in order to fight crime. Today, this office annually handles over 140,000 cases including felonies, misdemeanors, and traffic cases.

The Present

The Commonwealth's Attorney represents the people of Virginia and is charged with presenting evidence in court against persons charged with committing crimes in Henrico County. The Commonwealth Attorney's staff includes a Chief Deputy, six Deputies, twenty-two Assistant Commonwealth's Attorneys, an Office Manager, a Computer Systems Analyst, three paralegals, eighteen support staff members, and nine staff members of the Victim/Witness Unit. This office prosecutes criminal and traffic matters in the Henrico County General District Court, criminal and delinquency matters in the Henrico County Juvenile and Domestic Relations District Court, and all felony matters in the Henrico County Circuit Court. This office handles violations of County ordinances as well as violations of state statutes.

The caseload of the Commonwealth Attorney's Office is substantial and one of the highest of any county or city in the state of Virginia. The Commonwealth Attorney's Office handles crimes such as murder, rape, robbery, burglary, sexual battery, gang related matters, and illegal drug sales, from investigations to appeal. This office prosecutes a wide range of misdemeanor cases and traffic violations, including numerous petit larceny and assault crimes. Often this office is appointed by courts outside of the County to prosecute matters not affecting Henrico.

The Commonwealth's Attorney also coordinates the extradition of criminals who have fled the state or are a fugitive of another state, prosecutes asset forfeitures, and tries individuals for failure to pay child support and failure to obey other court orders.

The Commonwealth Attorney's Office oversees the Victim/Witness Unit, which counsels crime victims regarding their legal rights and offers advice about rehabilitative services and other community resources available for victims' protection. The Victim/Witness Unit also notifies victims and witnesses of court appearances and pretrial interviews and assists victims in obtaining protective orders.

On a daily basis, the Commonwealth Attorney's Office serves around-the-clock as a legal advisor to local and state law enforcement agencies in matters involving criminal investigations active in or touching Henrico County. This office advises law enforcement agencies and the Henrico County Division of Police regarding policies and procedures, answers citizen inquiries concerning the criminal justice system, and provides assistance for on-going criminal investigations of the Henrico County Division of Police and the Virginia State Police. The majority of the cases the Commonwealth's Attorney handles are brought by law enforcement officers, although this office also prosecutes cases initiated by a citizen's complaint.

State law specifically mandates certain duties for the Commonwealth's Attorney. He is charged with advising the Grand Jury relative to their duties, representing the Electoral Board in certain election matters, and advising any officers or employees of Henrico County on matters involving conflict of interest.

This office serves local, state, and sometimes federal law enforcement agencies by teaching in their academies and service schools, and is active in legislation affecting the criminal justice system. Additionally, this office is active in the long-standing philosophy of Henrico citizens that effective and strong law enforcement adds quality to life and provides speakers on informative topics such as the role of the Commonwealth Attorney's Office, the justice system, our Virginia EXILE program, illegal drugs, and safety.

The Commonwealth Attorney's Office works in partnership with the Henrico County Division of Police to reduce gun violence and homicide by a joint effort in enforcing Virginia EXILE laws. These laws provide mandatory prison sentences for certain offenses involving guns.

During the past several years, this office has been instrumental, along with the Commonwealth's Attorney's office in Richmond and Hanover, the law enforcement agencies in each jurisdiction and the Virginia State Police, in leading a Multijurisdictional Grand Jury authorized by the 1983 General Assembly. This investigative Grand Jury has resulted in prosecution and conviction of persons for murder as well as persons involved in long-term smuggling of drugs into the metropolitan area.

The Future

It is the mission of the Henrico County Commonwealth's Attorney's Office to create and preserve an environment of safety and security for the citizens of Henrico County. We are passionate and committed to play a part in public safety by bringing offenders to justice. We are dedicated to aggressively pursuing every legal and ethical avenue available to protect the public. We recognize that to earn and hold the trust and confidence of our community, we must perform our jobs at the very highest level of professionalism with a genuine commitment to quality and service. Our goal is to enhance the quality of life in our community while continuously improving service to the community.

Commonwealth Attorney's:

1893-94; 1897-1898	C. R. Sands
1903-1907	L. O. Wendenburg
1907-1912	Julien Gunn
1912-1915	Frank T. Sutton, Jr.
1915-1927	W. W. Beverly
1927-1953	Harold M. Ratcliffe (Also, served as coroner until 1946)
1953-1957	Edmund W. Hening, Jr.
1957-1961	W. F. Parkerson
1961-1966	H. Ratcliffe Turner
1966-1977	Donald R. Howren
1977-1977	C. Rodney Chapman (Appointed to serve out Howren's term)
1977-1979	Judson W. Collier, Jr.
1980-1987	H. Albert Nance, Jr.
1987-1987	L. A. Harris (Appointed to serve out Nance's term)
1988-1993	James S. Gilmore, III
1994-2000	Howard C. Vick, Jr.
2000-2011	Wade A. Kizer
2012 – Present	Shannon L. Taylor