

COMMONWEALTH'S ATTORNEY

Special Drug Prosecutor

Description

The General Assembly of Virginia passed legislation in 1983 under Section 19.2-215.3 establishing the Special Drug Prosecutor Program and creating multi-jurisdiction grand juries (MJGJs). A MJGJ, in contrast to a regular grand jury, is an investigative body with the statutory authority to issue statewide subpoenas for documents and other evidence, and to call for sworn testimony of persons with information related to specific criminal offenses. Henrico's Drug Prosecutor program was implemented in May of 1984. The goal is to investigate criminal violations of Virginia drug laws as well as other illegal activities, including homicide, abduction, perjury, embezzlement, computer crimes, Medicaid fraud, and trademark infringement.

- Administer use of the grand jury by prosecutors from each of the member jurisdictions Commonwealth's Attorney's Offices.

Budget Highlights

The use of the Special Drug Prosecutor Program provides a vital function for the County of Henrico. The Program's approved budget for FY2017-18 is \$165,050, and reflects a \$33,173 or 16.7 percent decrease when compared to the prior fiscal year. The Program's budget includes General Fund support of \$60,843 which reflects a net decrease of \$5,382 compared to the approved FY2016-17 budget. The decrease to the program's budget is completely due to a decrease in the personnel component and reflects the exchange of two attorney positions between the Commonwealth's Attorney's Office and the Special Drug Prosecutor program. The position that was exchanged in the program is budgeted at a lower step than the prior attorney who occupied the position. It is important to note that the decrease in the personnel component has been slightly mitigated by a 2.5 percent salary increase for FY2017-18 as well as an increase in health care expenses. The operating component remains flat when compared to the prior fiscal year.

The State Compensation Board and the County both

Objectives

- Investigate and prosecute those involved in the illegal use or distribution of drugs, and drug paraphernalia.
- Provide assistance in any other provision of law when such condition is discovered in the course of an investigation, which a multi-jurisdiction drug prosecutor is otherwise authorized to undertake and to investigate any condition, which involves or tends to promote any attempt, solicitation or conspiracy to violate laws.

Annual Fiscal Plan

<u>Description</u>	<u>FY16 Actual</u>	<u>FY17 Original</u>	<u>FY18 Approved</u>	<u>Change 17 to 18</u>
Personnel	\$ 188,005	\$ 192,765	\$ 159,592	(17.2%)
Operation	4,522	5,458	5,458	0.0%
Capital	0	0	0	0.0%
Total	<u>\$ 192,527</u>	<u>\$ 198,223</u>	<u>\$ 165,050</u>	<u>(16.7%)</u>
Personnel Complement	N/A	N/A	N/A	N/A

Special Drug Prosecutor (cont'd)

Performance Measures				
	FY16	FY17	FY18	Change 17 to 18
Workload Measures				
Total Subpoenaes	2,375	2,250	2,300	50
Total Indictments	925	1,000	1,000	0
Total Defendants	350	350	350	0

contribute to the salaries and associated personnel costs for the two positions funded through the program.

The Special Drug Prosecutor's responsibilities include working with a multi-jurisdictional investigative grand jury comprised of the Counties of Henrico, Hanover and Chesterfield, and the City of Richmond. The Special Drug Prosecutor coordinates witnesses and subpoenas for tangible evidence ordered by the grand jury and handles a full caseload of criminal matters. The multi-jurisdictional grand jury plays an essential role in the investigation of drug and homicide cases in the Richmond metropolitan area.

The table to the left presents a historical depiction of the State/County split for the program.

Fiscal Year	State Funding	Approved County Funding	% County
2008-09	130,357	32,773	20%
2009-10	124,305	44,730	26%
2010-11	124,305	52,855	30%
2011-12	119,400	69,563	37%
2012-13	119,400	66,715	36%
2013-14	121,533	66,715	35%
2014-15	129,773	61,185	32%
2015-16	131,998	61,862	31%
2016-17	131,998	66,225	33%
2017-18	104,207	60,843	37%