

COMMITTEE ON BUDGET, APPROPRIATIONS & FINANCE
36TH LEGISLATURE OF THE VIRGIN ISLANDS

POST AUDIT DIVISION

FISCAL YEAR 2026 BUDGET ANALYSIS

Office of the Territorial Public Defender

July 15, 2025



COMMITTEE ON BUDGET, APPROPRIATIONS & FINANCE
36TH LEGISLATURE OF THE VIRGIN ISLANDS

POST AUDIT DIVISION

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OFFICE OF THE TERRITORIAL PUBLIC DEFENDER'S OVERVIEW

The Office of the Territorial Public Defender (OTPD) is a semi-autonomous agency of the judicial branch of Government. OTPD was established under Title 5, Chapter 302, and Subsection 3520 on February 29, 1973, to represent indigent criminal defendants that appear before the Superior and Supreme Courts of the Virgin Islands. The OTPD is comprised of a district office on St. Thomas and one on St. Croix. Each division of the office is comprised of attorneys that are licensed to practiced law in the Virgin Islands or specially admitted to practice law in the Virgin Islands on behalf of the Office of the Public Defender.

The OTPD is governed by the Public Defender Administration Board which consists of:

- The President of the Virgin Islands Bar Association or his designee.
- Two appointees of the Presiding Judge of the Superior Court (one resident of St. Croix district and the other of St. Thomas/St. John district with one serving for three years and the other serving for two years.
- One appointee of the Governor the Virgin Islands who serves the same term as the person who appointed them.
- One appointee of the President of the VI Legislature who serves the same term as the person who appointed them.

Board Member	Name	Appointed By
Chairperson	Clive Rivers, Esq.	Supreme Court of the Virgin Islands
Member	Amos Carty, Jr., Esq.	Legislature of the Virgin Islands
Member	Melanie Turnbull, Esq.	Office of the Governor
Member	Ezart Wynter, Esq.	Supreme Court of the Virgin Islands
Member	Daniel Cevallos, Esq.	Virgin Islands Bar

The Public Defender Administration Board is authorized to:

- Hire or terminate all personnel and staff for the office, upon the recommendation of the Chief Public Defender, who is appointed for three years.
- Hear and decide on all complaints and grievances of employees.
- Promulgate rules and regulations governing employees' rights and regulations.
- Approve the annual budget for the office.

The Chief Public Defender's duties and responsibilities include:

- Make an annual report to all board members containing a brief summary of all cases handled by the office during the preceding year.
- Annually survey all federal prisons (which house prisoners incarcerated for the conviction of the violation of a criminal statute of the Virgin Islands) to determine if the facility has made Virgin Islands legal publications and material available to its prisoners.

The Public Defenders duties and responsibilities include:

- Counseling and defending their clients at every stage.
- Devote full-time to the discharge of their duties and cannot directly, or indirectly, engage in the private practice of law.

OFFICE OF THE TERRITOTIAL PUBLIC DEFENDER AT A GLANCE

As of June 30th, the Office of the Territorial Public Defender received **\$4,087,983** in allotments, representing approximately **67%** of its total FY 2025 appropriation.

OTPD's Financial Overview

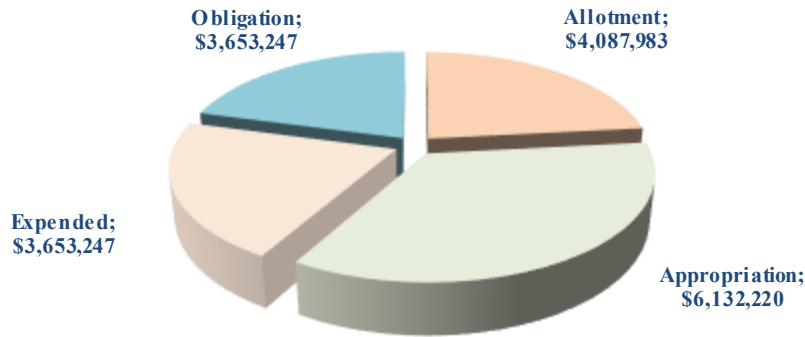


Exhibit I

During the Office's Fiscal Year 2025 budget hearing, testimony was given on the following. *Exhibit II* contains an update on the status of their initiatives:

FY 2025 INITIATIVES	UPDATE
Open Cases:	
1,020 open cases as of June 30, 2024	1,064 Total
<ul style="list-style-type: none"> 648 St. Croix District 372 St. Thomas/St. John District 	672 392
New Case Management System:	
Defender Data – Tracks cases and client information. Defender Data affords the Office improved methods for doing regular tasks, track new court dates, assigned internal tasks, and provide accurate records.	Implemented
Training:	
Training for the Public Defenders.	Ongoing
Other Key Points:	
Salary Increases – OTPD desire is to even the playing field with employees at the Virgin Islands DOJ.	Ongoing
DVD Construction – Rehabilitation and renovation of its St. Croix office by removing carpeting, installing tiles, and creating office space to accommodate growing staff.	Completed
OTPD partnered with the Division of Personnel to perform general triage for blood pressure, cholesterol, glucose, and Body Mass Index (BMI) screenings for employees at its Annual Health Fair Day in both districts.	Completed for 2025
Collaborate with stakeholders, agencies, and non-profits to assist former clients to file petitions for expungements.	Ongoing
Collaborate with community organizations to assist clients to obtain referrals and funding to attend inpatient and outpatient drug treatment facilities.	Ongoing
Partnered with VI Justice Initiative to promote “Know Your Rights” and “Teen Intervention & Criminal Deterrence Project” campaign in the community. Attorneys go to schools, after school programs, summer camps, discuss relevant topics, including but not limited to online safety, how court involvement affects your future, and the true impact of an arrest and conviction.	Ongoing
Recruit qualified staff to fill current vacancies (legal and support staff) in both districts.	Ongoing
Upgrade computer hardware and operating system throughout the OTPD.	Ongoing
Introduce differential pay for employees who speak a foreign language and use those skills as interpreters and transcribers in the performance of the duties of the Office.	Work In Progress

Exhibit II

FUND FLOW ANALYSIS

The Office's fund flow analysis outlines the FY 2025 budget across five (5) key components: appropriation, allotment amount, obligations, expenditures, and balance available. This analysis can be viewed as *Exhibit III*.

Dept.	Fund Source	Appropriation	Allotted as of June 30, 2025	Obligated as of June 30, 2025	Expended as of June 30, 2025	Balance	Remarks
OTPD	General	\$6,132,220	\$4,087,983	\$3,653,247	\$3,653,247	\$2, 784,973	\$2,044,237 remains unallotted

Exhibit III

As of June 12, 2025, the Office of the Territorial Public Defender reported the following financial activity based on its FY 2025 General Fund appropriation of \$6,132,220:

- **Allotted Funds:** \$4,087,983
– Represents **67%** of the total appropriation
- **Obligations:** \$3,653,247
– Represents **59.5%** of the total appropriation
– **88.5%** of the allotted funds have been obligated
- **Expenditures:** \$3,653,247
– Represents **59.5%** of the total appropriation
- **Remaining Balance from Appropriation:** \$2,784,973
– Represents **45.4%** of the total appropriation
- **Unallotted Funds:** \$2,044,237

While OTPD obligated over **89%** of allotted funds, **33.3%** representing **\$2M** of the total appropriation remains unallotted.

FISCAL YEAR 2026 BUDGET SUMMARY

The Governor has recommended a General Fund appropriation of **\$6,132,220** for the Office of the Territorial Public Defender for Fiscal Year 2026. However, OTPD has submitted a budget request of **\$6,696,220**, representing an increase of **\$564,000** over the recommended amount.

Exhibit IV provides a three-year financial summary of OTPD's budget submission, broken down by line item.

	Line-Item Breakdown	FY 2024 Expenditures	FY 2025 Expenditures as of 6/30/25	FY 2026 Budget Request
Personnel Services	Unclassified Employee Salaries	\$2,316,291.09	\$1,507,506.23	
	Part Time	\$0.00	\$0.00	
	Lump Sum	\$47,635.90	\$4,732.03	
	Fee and Compensation	\$8,721.60	\$25,136.80	
	Jury	\$1,195.76	\$210.57	
	Funeral	\$7,035.61	\$2,857.30	
	Accrued Leave	\$163,192.22	\$103,781.79	
	Sick Pay	\$111,752.16	\$59,857.30	
	Holiday Pay	\$188,686.83	\$201,779.73	
	Administrative	\$149,958.50	\$154,604.84	\$4,060,000.00
	Total Personnel Services	\$2,994,469.67	\$2,060,466.59	\$4,060,000.00

	Line-Item Breakdown	FY 2024 Expenditures	FY 2025 Expenditures as of 6/30/25	FY 2026 Budget Request
Capital Outlays	Machinery & Equipment	\$14,375.00	\$32,888.57	\$80,000.00
	Vehicles	\$58,923.00	\$44,000.00	\$0.00
	Other	\$16,844.97	\$0.00	
	Total Capital Outlays	\$90,142.97	\$76,888.57	\$80,000.00
Fringe Benefits	Employer Contr. Retirement	\$525,402.93	\$379,065.00	\$1,376,000.00
	F.I.C.A	\$185,470.85	\$128,457.93	
	Medicare	\$43,375.58	\$30,042.42	
	Health Insurance Premium	\$363,513.57	\$248,537.60	
	Workers Comp. Premiums	\$2,456.44	\$2,729.38	
	Total Fringe Benefits	\$1,120,219.37	\$788,832.33	\$1,376,000.00
Supplies	Office Supplies	\$24,757.79	\$17,944.14	\$60,000.00
	Operating Supplies	\$21,062.45	\$26,441.05	\$30,000.00
	Small Tools/Minor Equip.	\$165,659.93	\$15,005.12	\$35,000.00
	Data Processing	\$104,304.40	\$76,616.82	\$100,000.00
	Dues & Subs/Books, Periodicals	\$8,462.70	\$6,002.75	\$15,000.00
	Food	\$28,589.50	\$2,575.56	\$5,000.00
	Vehicle Supplies	\$4,084.82	\$11,833.57	\$8,000.00
	Maint Repairs Supplies	\$793.04	\$50.00	\$20,000.00
	Total Supplies	\$357,714.63	\$156,469.01	\$273,000.00
Other Services and Charges	Professional Services	\$135,644.98	\$50,024.61	\$160,000.00
	Communication	\$78,126.88	\$56,205.45	\$100,000.00
	Travel	\$141,377.69	\$74,816.31	\$85,000.00
	Bulk Tickets	\$0.00	\$0.00	\$35,000.00
	Transportation -Not Travel	\$8,193.21	\$8,058.51	\$10,000.00
	Adver. & Promotion	\$25,517.85	\$2,636.80	\$10,000.00
	Printing & Binding	\$970.00	\$0.00	\$5,000.00
	Insurance	\$23,288.42	\$20,165.16	\$30,000.00
	Repairs & Maintenance	\$232,964.38	\$113,640.15	\$70,000.00
	Rental - Land/Building	\$149,338.35	\$76,730.10	\$170,000.00
	Rental - Machines/Equipment	\$22,294.29	\$46,102.71	\$0.00
	Auto Repairs	\$14,056.17	\$12,558.33	\$20,500.00
	Training	\$33,530.00	\$22,157.04	\$65,000.00
	Security	\$6,027.85	\$282.00	\$12,000.00
	All Other	\$21,706.29	\$34,979.20	\$0.00
	Workmen Comp.	\$0.00	\$0.00	\$4,000.00
	Total Other Services and Charges	\$893,036.36	\$518,356.37	\$776,500.00
Utility Services	Electricity	\$245,854.32	\$52,233.73	\$115,000.00
	Water	\$7,088.63	\$0.00	\$15,720.00
	Total Utility Services	\$252,942.95	\$52,233.73	\$130,720.00
Grand Total		\$5,708,525.95	\$3,653,246.60	\$6,696,220.00

Exhibit IV

PERSONNEL SERVICES

The Office of the Territorial Public Defender submitted a FY 2026 budget request of **\$4,060,000** for personnel services. A personnel listing was provided itemizing salary costs for unclassified personnel totalling **\$3,954,707.72**. The difference of **\$105,292.28** remains unaccounted for in the itemized personnel breakdown.

Appendix I provides detailed staffing data for forty-two (42) positions within the **Office of Territorial Public Defender**.

- St. Thomas/St. John District:
 - 19 Filled Positions - **\$1,707,086.37**
 - 3 Vacant Positions - **\$327,500.00**
- St. Croix District:
 - 19 Filled Positions - **\$1,850,121.35**
 - 1 Vacant Positions - **\$70,000.00**

OTPD reported the following activity for Fiscal Year 2025:

- 1 Separation – Assistant Territorial Public Defender (St. Croix District) (Deceased)- **\$141,100.00**
- 1 Separation – Assistant Territorial Public Defender (St. Croix District) - **\$136,264.75**
- 1 Separation – Legal Secretary (St. Croix District) - **\$64,887.90**

FEDERAL GRANTS

OTPD was awarded a sub-recipient award (Federal Award ID No. SLFRF318) in the amount of **\$293,558.51** from the Government of the Virgin Islands through the Office of Management and Budget (OMB).

LOCAL GRANTS

The Office of the Territorial Public Defender will not receive any local grants for Fiscal Year 2026.

LEASES/RENTAL

Exhibit V presents a detailed listing of the properties owned and rented by the Office of the Territorial Public Defender. The Office currently generates **\$33,900** per month in rental income. In addition, the St. Thomas office space is leased from Lindon Corporation at an annual cost of **\$147,640.20**.

	Sq. Footage	Cost Per Sq. Ft.	Monthly Rent	Yearly Total	Terms
St. Thomas Lessor					
Lindon Corporation	5,981		\$12,303.35	\$147,640.20	10/1/2023 – 9/30/2028
		Total	\$12,303.35	\$147,640.20	
St. Croix Lessee					
Antillean Engineering	1,150	\$9.39	\$900.00	\$10,800.00	Month-Month
VITEMA	2,100	\$11.00	\$1,925.00	\$23,100.00	12/1/2025 – 11/30/2026
		Total	\$2,825.00	\$33,900.00	

Exhibit V

PROFESSIONAL SERVICES CONTRACTS

Exhibit VI provides a current listing of the Office of the Territorial Public Defender's professional services contracts. For Fiscal Year 2025, the Office anticipates expenditures of approximately **\$168,841.51** on these contracts.

Vendor	Type of Service	Paid to Date	Terms of Contract
Bulk Storage d/b/a Dry Marina	Storage	\$2,910.00	\$1,455.00/quarter
RELX Lexis Nexis	Online Data Service	\$20,418.69	\$2,895.00/month
Oliver Exterminating	General Pest Control	\$855.00	\$95.00/month-STT
Real Tech Exterminating	General Pest Control	\$300.00	\$50.00/month-STX
VIYA	Telephones/Cellphones/MiFi's	\$37,603.03	\$1,554.37/month
Peter Bertrand	Generator Maintenance (St. Croix District)	\$1,125.00	\$125.00/month plus materials
Smartnet, LLC	Internet Service Provider	\$12,582.00	\$1,398.00/month
DSD Associates, Inc.	Financial Management Software	\$5,927.00	As needed
Sage Software, Inc.	Financial Software	\$4,961.00	\$4,961.00/year + Enhancements
Kaseya	Office 365/ Server support	\$11,614.99	Annually
Zoom at Carahsoft	Zoom Subscription	\$0.00	\$1,799.10/year 7/2024-7/2025
Adobe Inc.	Adobe Acrobat DC Pro Subscription	\$12,763.20	Annual Subscription 2/2025-2/2026
Just Right Trucking, LLC	Trash Removal	\$2,700.00	\$300.00/month
ADT Security Systems VI	Alarm System Services	\$2,111.73	\$47.00/month/district
EJS Project Management Group	Project Management	\$2,200.00	As needed
Jacqueline Ann Bashkoff, PhD	Expert Witness	\$12,029.31	As needed
Digital Evidences	Expert Witness	\$0.00	As needed
Lawrence A. Presley	Expert Witness	\$0.00	As needed
Chris Comar	Expert Witness	\$0.00	As needed
J.S. Held LLC-US	Expert Witness	\$21,790.00	As needed
Heather Harris	Expert Witness	\$0.00	As needed
Bert Smith & Co.	Auditing	\$0.00	\$21,500.00 FY2022 Audit Services
Crucian Point	Web Hosting	\$3,850.00	Annually
Reduct	Video Transcription Service	\$5,000.00	\$10,000.00 Annual 3/2025-3/2026
Justice Works (defenderData)	Case Management System	\$8,100.56	\$1,360.10 Monthly
Total		\$168,841.51	

Exhibit VI

VEHICLE

The Office of the Territorial Public Defender has six (6) vehicles in the St. Thomas/St. John district, and seven (7) on the island of St. Croix for a total of thirteen (13) vehicles. A total of **\$9,805.79** was spent on maintenance and **\$5,020.15** on gas.

Tag #	Make/Model	Year	Assigned to:	Funding	Lease/ Own	Conditions/ Comments	Maintenance/ Cost Amount	Gas
St. Thomas/St. John District								
OPD-4	Toyota Rav4	2019	Investigator	General	Own	Good	\$851.66	\$133.83
OPD-6	Toyota Rav4	2019	Assistant Administrator	General	Own	Good	\$0.00	\$158.61
THR-284	Chevy Traverse	2018	Messenger/Chauffeur	General	Own	Good	\$1,266.54	\$333.00
THR-271	Toyota Rav4	2020	Chief Territorial Public Defender	General	Own	Good	\$169.36	\$901.18
OPD-12	Chevy Equinox	2016	Deputy Chief Territorial Public Defender	General	Own	Fair	\$4,810.33	\$296.19
THR-292	Chevrolet Colorado	2022	Office	General	Own	New	\$197.62	\$688.00
					6	Total	\$7,295.51	\$2,510.81

Tag #	Make/Model	Year	Assigned to:	Funding	Lease/ Own	Conditions/ Comments	Maintenance/ Cost Amount	Gas
St. Croix District								
OPD-3	Chevy Truck	2018	IT Director	General	Own	Good	\$1,128.43	\$621.92
OPD-5	Chevy Equinox	2016	Office	General	Own	Fair	\$155.00	\$412.50
CHZ-299	Toyota Rav4	2020	Deputy Chief Territorial Public Defender	General	Own	Good	\$0.00	\$75.66
OPD-11	Toyota Rav4	2018	Fiscal Account	General	Own	Good	\$535.00	\$472.27
CHZ-295	Toyota Rav4	2023	Investigator	General	Own	New	\$691.85	\$767.91
OPD-10	Toyota Rav4	2023	Administrator	General	Own	New	\$0.00	\$159.08
Pending	Toyota Rav4	2025	Chief Territorial Public Defender	General	Own	New	\$0.00	\$0.00
					7	Total	\$2,510.28	\$2,509.34

Exhibit VII

OUTSTANDING VENDOR PAYMENTS

The Office of the Territorial Public Defender currently has no outstanding vendor payments, indicating that all contractual and service obligations have been paid to date.

SUMMARY

The Governor has recommended a General Fund lump sum appropriation of **\$6,132,220** for the Office of the Territorial Public Defender for Fiscal Year 2026. OTPD has, however, submitted a budget request of **\$6,696,220**, reflecting an increase of **\$564,000** above the Governor's recommendation.

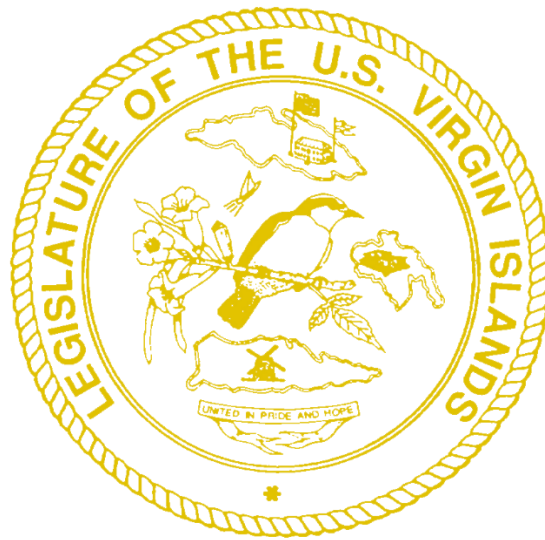
\$6,132,220	General Fund FY 2026 Budget Recommendation
\$6,132,220	Fiscal Year 2026 Recommended Budget



Theodora Philip, DBA
Post Auditor

APPENDIX I PERSONNEL LISTING

Name	Position	Salary	Retirement System Status	Funding Source
Filled	Chief Territorial Public Defender	\$161,200.00	Active	General Fund
Filled	Assistant Administrator	\$89,100.00	Active	General Fund
Filled	Deputy Territorial Chief Public Defender	\$146,100.00	Active	General Fund
Filled	Assistant Territorial Public Defender	\$101,785.50	Active	General Fund
Filled	Assistant Territorial Public Defender	\$125,655.75	Active	General Fund
Vacant	Assistant Territorial Public Defender	\$128,750.00	Active	General Fund
Filled	Assistant Territorial Public Defender	\$109,742.75	Active	General Fund
Filled	Appellate Territorial Public Defender	\$136,264.75	Active	General Fund
Filled	Assistant Territorial Public Defender	\$136,264.75	Active	General Fund
Vacant	Assistant Territorial Public Defender	\$128,750.00	Active	General Fund
Filled	Investigator	\$99,044.45	Active	General Fund
Filled	Paralegal	\$84,000.00	Active	General Fund
Filled	Legal Secretary	\$50,000.00	Active	General Fund
Filled	Legal Secretary	\$64,554.00	Active	General Fund
Filled	Legal Secretary	\$64,554.00	Active	General Fund
Filled	Legal Secretary	\$64,887.90	Active	General Fund
Filled	Chauffeur/Messenger	\$39,244.41	Active	General Fund
Filled	Receptionist	\$44,902.00	Active	General Fund
Filled	Custodian	\$47,914.15	Active	General Fund
Filled	Network Specialist	\$68,900.00	Active	General Fund
Filled	Administrative Assistant	\$72,971.96	Active	General Fund
Vacant	Intervention Outreach Coordinator	\$70,000.00	Active	General Fund
	Total STT	\$2,034,586.37	22	
Filled	Administrator	\$93,500.00	Active	General Fund
Filled	Fiscal Accountant	\$106,150.00	Active	General Fund
Filled	Deputy Territorial Chief Public Defender	\$146,100.00	Active	General Fund
Filled	Assistant Territorial Public Defender	\$136,264.75	Active	General Fund
Filled	Assistant Territorial Public Defender	\$136,264.75	Active	General Fund
Filled	Assistant Territorial Public Defender	\$136,264.75	Active	General Fund
Filled	Assistant Territorial Public Defender	\$136,264.75	Active	General Fund
Filled	Assistant Territorial Public Defender	\$99,133.25	Active	General Fund
Filled	Assistant Territorial Public Defender	\$125,655.75	Active	General Fund
Filled	Assistant Territorial Public Defender	\$125,655.75	Active	General Fund
Filled	Investigator	\$84,000.00	Active	General Fund
Filled	Director of Information Technology	\$105,945.84	Active	General Fund
Filled	Paralegal	\$74,776.36	Active	General Fund
Filled	Legal Secretary	\$55,000.00	Active	General Fund
Filled	Legal Secretary	\$64,887.90	Active	General Fund
Filled	Legal Secretary	\$62,835.00	Active	General Fund
Filled	Receptionist/Messenger	\$54,102.53	Active	General Fund
Filled	Custodian	\$41,599.97	Active	General Fund
Filled	Administrative Assistant	\$65,720.00	Active	General Fund
Vacant	Intervention Outreach Coordinator	\$70,000.00	Active	General Fund
	Total STX	\$1,920,121.35	20	
	Grand Total	\$3,954,707.72	42	
New hires are colored in orange.				



COMMITTEE ON BUDGET, APPROPRIATIONS & FINANCE
- POST AUDIT DIVISION -

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