

Committee on Homeland Security, Justice & Public Safety  
Testimony  
Virgin Islands Lottery Enforcement amendments  
December 11, 2024

Good afternoon, Honorable Senator Gittens, Chairman of the Committee on Homeland Security, Justice and Public Safety; members of the committee, and all other Senators present. Good afternoon to the listening and viewing public, and good afternoon to my lottery family and the greater community of the Virgin Islands. Present with me this afternoon is our Deputy Director Ms. Shalyn Proctor and attorney Michele Baker.

We appeared here before this committee back in October of 2023 to present these amendments to the VI Code through Bill no. 35-0179, but our legislation was held in committee to address more concerns and fine tune the legislation. I am happy to be back here today to once again discuss the proposed amendment to the Bill, based on input from other stakeholders and members of this committee. We believe this amendment addresses the concerns that we have all discussed and effectively serves this community. We would like to highlight a few technical changes in the language based on the July 12, 2024, yellow sheet draft of Amendment 35-756.

**Section (b) Subsection (1) of the amendment**, in the internal language, requires the word “or” to be inserted between “criminal lottery enterprise” and “has a previous conviction” this would distinguish between the two types of criminals that this section would apply to.

**Section (d) Subsection (1) of the amendment** as written, removes the action item from the original bill and the intended replacement language will not be inserted. The language should be edited to state as follows:

In paragraph (1) by inserting “and” after the first instance of “or”; and by striking ~~and inserting~~ “or conducts sports betting,” and inserting “not authorized under the Virgin Islands Code” ~~after “other device,”~~ in its place;

This would be achieved by striking in the amendment language ““and inserting”; striking “after “other device,” and inserting “in its place” instead;

**Section (d) of the amendment** does not effectively amend the Bill at Section 1 (d)(2), amending section 1224, to separate the misdemeanor and felony levels. The inserted paragraph (b) contains

many of the same level crimes already penalized in the original Bill's paragraph (a) containing felony-level crime.

**Section (d) Subsection (1) of the amendment**, as in internal language (4)(b), should be amended to state "shall be fined".

Finally, I must bring to your attention **Section (f) of the amendment** changing the allocation of the proceeds from all the real and personal property forfeited to grant VI Lotto funds only for programs to treat and prevent gambling addictions, but zero funds for enforcement purposes. We propose that the 40% of the proceeds be allocated to the Department of Justice for enforcement of this chapter, 45% be allocated to the VI Lottery for enforcement purposes, 15% for VI Lotto to treat and prevent gambling addictions, especially considering funds are already allocated for this purpose in the budget.

The influence and proliferation of illegal gaming, weapons, human trafficking, and a host of other activities are at an all-time high and crippling our community. We must take our heads out of the sand and recognize if we don't extinguish this cancer as much as humanly possible, not only do we continue to lose our moral fabric, but also our economic foundation here in the U.S. Virgin Islands. Just imagine all the good that can come from maintaining and sustaining these revenues locally!

Amendment No. 35-756 improves the original bill's intent to increase the penalties for illegal lotteries and gambling by keeping penalties for first time individual offenders lower at the misdemeanor level and offers stronger penalties for habitual offenders and defined Organized Crime Lottery Enterprises.

Senators, this is our collective opportunity to increase revenues in the territory by eradicating illegal activity. It is also our opportunity to send a clear message to these actors that we will not sit idly by and allow them to spread their venom. I truly believe this is our opportunity to keep our money local. We have made it our objective to introduce the same games as those currently being offered illegally but ours are legal and in some instances our price points are better. We will continue to educate our community on why legal gaming makes sense by embracing the concept of supporting your own and leaving other people thing alone!

I want to thank each of you present here today for giving us this opportunity to make a difference! We stand ready to answer your questions to ensure that we will get these amendments approved.

Thank you.