



St. Thomas/St. John Division
3730 Est. Altona
Suite 200
P.O. Box 6040
St. Thomas, VI 00804-6040
Tel (340) 774-8181
Fax (340) 774-3052



St. Croix Division
1-B Clifton Hill, 2nd Floor
RR1 Box 11230
Kingshill, St. Croix
U.S. Virgin Islands 00850
Tel (340) 773-6312
Fax (340) 778-6823

**OFFICE OF THE
TERRITORIAL PUBLIC DEFENDER**
Government of the U.S. Virgin Islands

**35th LEGISLATURE'S COMMITTEE ON HOMELAND SECURITY, JUSTICE
AND PUBLIC SAFETY PRESENTATION**

MARCH 15, 2023

Good afternoon Honorable Senator Kenneth Gittens, Chair of the Committee on Homeland Security, Justice and Public Safety, other Honorable Senators of the 35th Legislature of the Virgin Islands, others present in the legislative chambers, the listening and viewing audience. I am, Samuel L. Joseph, Chief Public Defender for the Office of the Territorial Public Defender. I am here today with the OTPD Office Administrator, Kieran Isidore, and OTPD Fiscal Officer, Ronald Moorehead.

OVERVIEW

The Office of the Territorial Public Defender (OTPD) was established in 1973 under Title 5, Chapter 302, § 3520 et seq., of the Virgin Islands Code for the purpose of representing appointed indigent criminal defendants that appear before the Superior Court of the Virgin Islands and now the Virgin Islands Supreme Court. We are a semi-autonomous agency governed by the Public Defender Administration Board (Board), which consists of five (5) attorneys. The Board promulgates rules and regulations governing employee's rights and relations and approves the annual budget for the OTPD. The Board is authorized to hire and terminate all personnel of the Office upon the recommendation of the Chief Public Defender. The current board members are:

- Clive Rivers, Esq. – Chairperson
- Pamela L. Colon, Esq. – Vice Chair
- Melanie Turnbull, Esq.
- Eszart J. Wynter, Esq.

DUTIES AND RESPONSIBILITIES OF PUBLIC DEFENDERS

Pursuant to Gideon vs. Wainwright 372 U.S. 335 (1963), the OTPD is required to provide effective representation to indigent defendants. We are mandated to represent our clients at every stage of the process before or after conviction and in any action considered to be in the interest of justice.

STAFFING

The OTPD is comprised of two district offices, one on St. Croix and the other in St.

Thomas representing the St. Thomas/St. John District. Currently, the Office is staffed with twelve (12) attorneys, including myself. The St. Croix District Office has four (4) trial attorneys, one (1) juvenile attorney, one (1) paralegal, one (1) investigator, one (1) administrator, one (1) fiscal officer, one (1) director of information technology, three (3) legal secretaries, one (1) messenger/ receptionist, and one (1) custodian. The St.

Thomas/St. John district office has four (4) trial attorneys, one (1) juvenile attorney, one (1) paralegal, one (1) investigator, one (1) appellate attorney and one (1) appellate legal secretary that serves both districts, one (1) assistant administrator, three (3) legal secretaries, one (1) receptionist, one (1) messenger, and one (1) custodian. The Chief Public Defender serves in a territorial capacity, overseeing both district offices and is also admitted to the Virgin Islands Bar. All employees of the Office are unclassified

and are members of the Government Employees Retirement System (GERS). In total, the entire territorial staff comprises of thirty-two (32) employees. This month in particular will be somewhat difficult, due to the loss of two Attorneys. We have been working diligently to fill the employment gaps and will be conducting interviews beginning this week.

WORKLOAD

Cases are generally divided into two categories, misdemeanors and felonies.

Misdemeanors involve charges that carry a maximum term of up to one year imprisonment and felonies involve charges that carry imprisonment over one year to incarceration for life. Felony cases make up the majority of matters assigned to the OTPD. Those cases are more complex. Thus, they require the most time and resources. As of February 28, 2023, there were Five hundred sixteen (516) cases pending in the St. Croix district and three hundred eighty-one (354) cases pending in the St. Thomas/St. John district. As of February 28, 2023, there has been forty-eight (48) new cases appointed in the St. Croix district and fifty-three (53) new cases in the St. Thomas/St. John district. (See attachments 1 and 2)

This is a brief insight into the tremendous amount of work required in indigent criminal defense. Notwithstanding, the OTPD continues to fulfill its mandate with tenacity and unwavering conviction. At this time, I would like to publicly recognize the OTPD staff for their hard work and perseverance.

COMMUNITY PARTNERSHIPS

For over six years, the OTPD has partnered with various entities locally and on the mainland to administer programs geared towards the youth. However, due to potential liability surrounding the Covid 19 global pandemic, we have put these programs on hold with the intent to restart Enterprenow in the near future.

INFRASTRUCTURE ACCOMPLISHMENTS

Our infrastructure solidification includes, but is not limited to, implementation of a Business Continuity/ Disaster Recovery (BCDR) solution. Some key functions are the successful back up of all mission-critical data locally and simultaneously to an offsite remote location that ensures 99.99% uptime, even if there is a server hardware failure. It can also operate as a virtual machine if said failure of a server or workstation(s) occurs. We have implemented additional video-conferencing solutions in both districts.

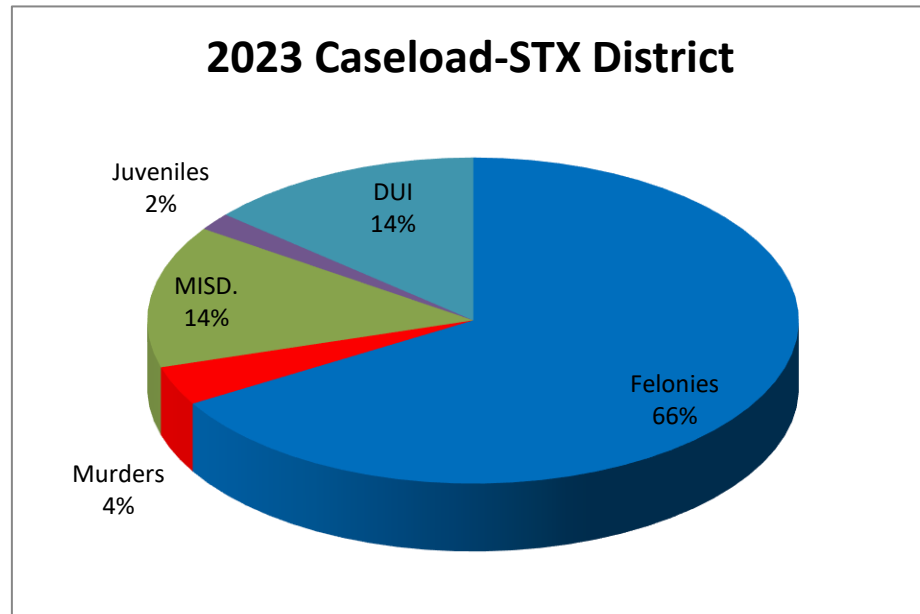
I am proud of the job we as an organization has done thus far, however, the work is far from done. I would like to thank you for the time afforded to the OTPD to present. We remain available to respond to your questions.

Samuel L. Joseph, Esq.
Chief Territorial Public Defender

St. Croix District Total Case Load 2023

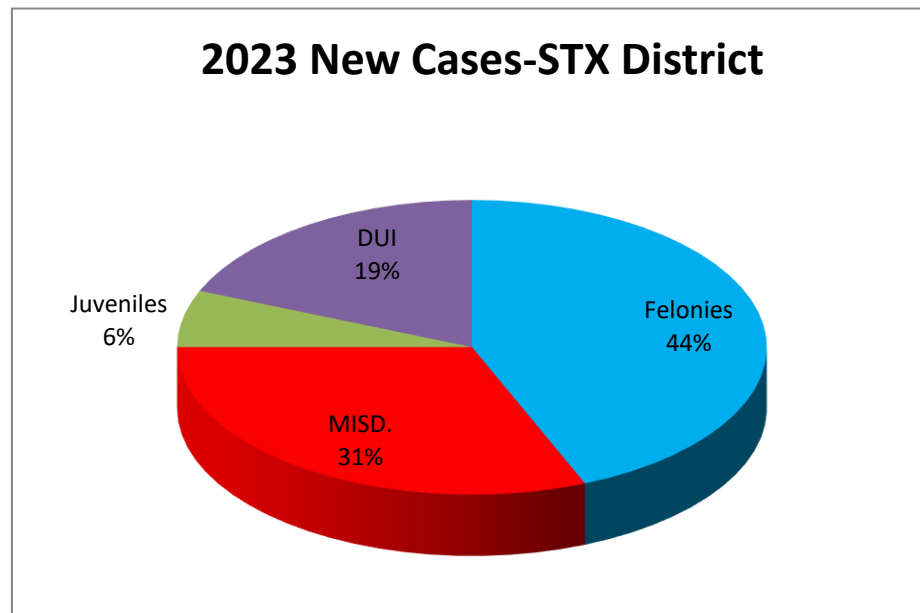
Total Cases as of February 28, 2023

Felonies	343
Murders	20
MISD.	73
Juveniles	9
DUI	71
Females	72
Males	444



Total New Cases as of February 28, 2023

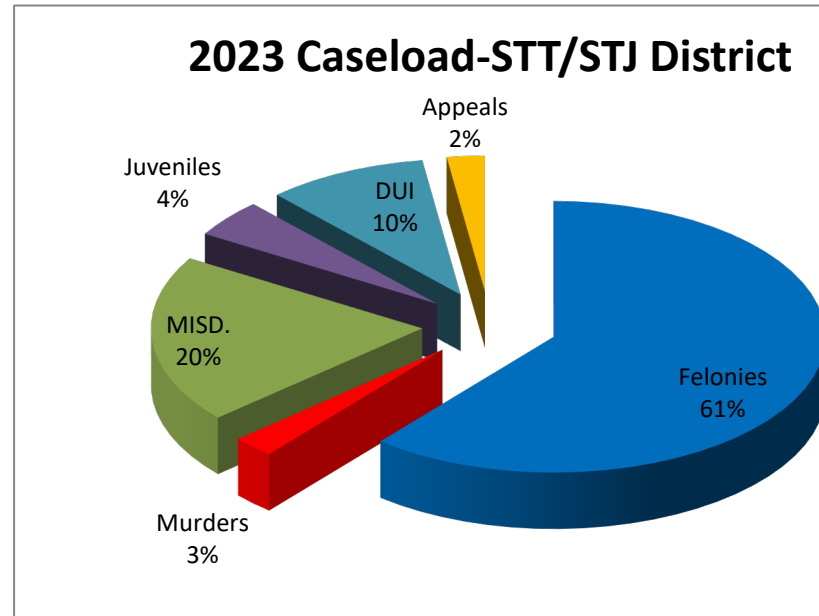
Felonies	21
MISD.	15
Juveniles	3
DUI	9



Attachment #2

St. Thomas District Total Case Load 2023

Total Cases as of February 28, 2023	354
Felonies	216
Murders	9
MISD.	71
Juveniles	16
DUI	34
Appeals	8
Females	42
Males	290



Total New Cases as of February 28, 2023

Total New Cases as of February 28, 2023	53
Felonies	35
MISD.	9
Juveniles	3
DUI	6

