

Public Defender Office Struggles with Over 1,000 Cases, Requests \$1 Million in Additional Funding

Lawmakers push back as public defenders handle 1,020 cases, including 14 murders, 419 felonies, and 100 DUIs

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The Office of the Territorial Public Defender (OTPD) is requesting an extra \$1 million for the upcoming fiscal year to address the increasing caseload, particularly in St. Croix. Chief Territorial Public Defender Julie Smith-Todman emphasized the need for additional personnel and funding during Tuesday's hearing of the Senate Committee on Budget, Appropriations, and Finance.

The OTPD is asking for \$6,602,220 for FY2025, which is nearly \$300,000 more than the initial request submitted in April. Ms. Smith-Todman explained that the additional funds are necessary to hire two attorneys in the St. Croix district to manage the higher volume of cases. These new attorneys are expected to start between July and September 2024, enabling the office to maintain

effective representation for its clients.

As of June 30, 2024, the OTPD is handling 1,020 open cases, including 14 murders, 419 felonies, and 100 driving under the influence cases. St. Croix accounts for 648 of these cases. Ms. Smith-Todman attributed the elevated caseload in St. Croix to delays caused by the Covid-19 pandemic, noting that a recent study found the current caseload exceeds reasonable capacity for effective representation.

Committee chair Senator Donna Frett-Gregory pointed out that the executive branch submitted a budget of \$5,636,220 for the OTPD. Ms. Smith-Todman responded that this amount would not allow for increased funding for necessary experts. "We are making use of the funding that we presently have, but because more trials are going forward, we need the additional funding," she stated.



OTPD Chief Territorial Public Defender Julie Smith-Todman (Credit: V.I. Legislature)

Frett-Gregory suggested reallocating existing funds instead of requesting an additional million dollars. She noted that some appropriations are not usually spent in full and suggested that the OTPD could manage their budget categories more effectively.

The committee chair requested a detailed personnel breakdown to assist in the decision-making process. Currently, the OTPD's personnel costs total \$3.6 million, with the two additional attorneys costing an extra \$260,000 annually. Offices for the new attorneys have already been prepared.

Senator Kenneth Gittens advised the OTPD to prioritize resources to address its most critical needs in their budget proposal to avoid such questions. Lawmakers also asked for more detailed information on the OTPD's entire budget to make informed decisions regarding the additional funding request.

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