

Prosecutors Seek Over 12 Years for Calvert White in Federal Corruption Case

Federal prosecutors are seeking a 151-month prison sentence for former DPSR Commissioner Calvert White, arguing he abused public trust in a bribery scheme tied to a \$2.1 million contract, while defense attorneys urge a sentence of less than three years.

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Former DPSR Commissioner Calvert White.

On Friday, prosecutors and Calvert White's defense counsel filed their suggestions ahead of the January 22 sentencing hearing for the former Department of Sports, Parks and Recreation Commissioner convicted last year on fraud and bribery charges. Prosecutors have recommended a sentence of 151 months for Mr. White, a timeframe they declare is “at the low end of the

applicable guideline range” for his offenses.

Last July, Mr. White was convicted, alongside co-defendant Benjamin Hendricks, of honest services wire fraud and bribery concerning programs receiving federal funds. Jurors agreed with prosecutors that the two men had, alongside government witness David Whitaker, co-ordinated a bribe payment from Whitaker to White through Hendricks, in order that Whitaker's company Mon Ethos be awarded a DPSR contract for security cameras worth \$2.1 million.

After the sum of \$5,000 - just over a quarter of the \$16,000 that was agreed – was transferred from Whitaker to Hendricks, White met with Whitaker to provide “confidential bid information” regarding the other respondents to DPSR's request for proposals. Mr. White, either directly or through Mr. Hendricks, continued to assist Mon Ethos through the bid evaluation process, and eventually selected the company as the winner of the contract. Once that was done, Mr. White deposited the \$5,000 bribe into his own bank account.

Prosecutors say that Mr. White lied to law enforcement during their investigation, claiming to have recused himself from the bidding process at DSPR, and denying that he had received the bribe payment from Whitaker via Hendricks.

For his transgressions against the law, prosecutors say that a sentence “at the low end of Offense Level 34” is warranted, according to prevailing guidelines. Their recommended sentence of 151 months, or just over 12.5 years, will “sufficiently reflect the seriousness of the offense” and provide “adequate deterrence to criminal conduct.” Prosecutors note that the former DPSR commissioner was a “longstanding public servant” who “abused his position of trust to enrich himself.”

They argued that Mr. White's lies to investigators and his refusal to plead guilty show that he “ultimately failed to accept responsibility for his role in a criminal enterprise that he devised.” Highlighting his origins “in a privileged family,” Calvert White's “willingness to betray his duty to the people of the Virgin Islands came not from any personal difficulty, but rather his own greed and selfishness.” This is why a “significant custodial sentence” is warranted here, the government's prosecutors argue.

In his own sentencing memorandum, Mr. White's defense counsel Clive Rivers argues that his client should only be sentenced to between 21 and 27 months in prison. Prosecutors have wildly overstated the “loss amount” from Mr. White's crimes to incorrectly increase his offense level far beyond what it should be, Mr. Rivers argued, especially because the intended bribe was never paid in full, and the actual contract was never awarded. Another sentencing enhancement relied on by prosecutors was null and void, defense argues, because Mr. White was not shown to have controlled Mr. Hendricks's behavior as his supervisor, manager, or leader in an organizational hierarchy.

On the part of Mr. Hendricks, prosecutors have recommended that the court impose a sentence of 108 months – nine calendar years. Following their terms of incarceration, both Mr. White and Mr. Hendricks have been recommended to serve three years of supervised release. A sentencing recommendation from Mr. Hendricks' defense counsel has not yet been submitted as of press time.