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James Was Only St. Croix Senator to Vote for Bill Giving Southland Gaming Exclusivity Through 2041 For Video Lottery Gaming

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Senator Javan James. By. V.I. LEGISLATURE

Senator Javan James had a hard time during the evening hours of April 12 explaining to the Consortium why he supported a bill [that gave one company exclusivity to operate video lottery terminal gaming in St. Thomas for two decades](#), the only St. Croix lawmaker to support the measure and thereby becoming the reason it passed in the Senate. Governor Bryan is expected to sign the bill into law.

The bill extends Southland Gaming's monopoly in St. Thomas by preventing any other entity — whether a new resort that would like to include a casino as part of its plans, or a competing firm

seeking to offer VLT gambling options — from running a video lottery terminal operation.

Asked why he supported the bill, Mr. James responded by stating that the exclusivity arrangement was conceived under the Turnbull administration, extended by former Governor John de Jongh during his tenure and challenged by then-Governor Kenneth Mapp, who lost the court battle.

He then said, "What we are dealing with unfortunately is a St. Croix versus St. Thomas-St. John District issue. Unfortunately where we have one territory we have a division... But this thing predates me as far as what transpired in the de Jongh and Turnbull administrations."

Asked why the actions of Turnbull and de Jongh are being linked to his decision, Mr. James said, "Based on the exclusive rights agreement that was passed by the Turnbull administration and extended by the de Jongh administration, the contract isn't up until 2028. So unfortunately the horsemen are being dragged into this, and as of right now it's about reviving the sport. So if you want to speak about reviving the sport, 2028 is when their contract would have been up. We already lost approximately five years of horse racing in the territory, are we going to say we're going to drag out this court case for the next six years knowing that Southland Gaming has the exclusive rights whether we like it or not?"

Mr. James essentially argued that because Southland Gaming's current exclusivity lasts through 2028, he voted to support the measure that extends that exclusivity further to 2041 to revive horse racing. Asked whether the government couldn't have revived horse racing without creating an extended monopoly for 20 years, Mr. James again pointed to Southland Gaming's current exclusivity deal which lasts through 2028, arguing that based on a settlement agreement, the firm could sue the government in court and win.

But while Southland Gaming could sue the government and win on matters regarding its exclusivity because of deals signed with the government in the Turnbull and de Jongh administrations, the government did not need Southland Gaming for repairs at the race track in St. Thomas. Senator Janelle Sarauw [in a release issued April 11](#) pointed out that Southland Gaming was not needed for repairs at the Clinton Phipps Racetrack. "In fact, in 2019 FEMA appropriated [\\$4.1 million](#) for the track, and that money could have been further supplemented using funds from the American Rescue Plan Act. Instead, Southland held horse racing and the track repair hostage via a 2018 lawsuit in order to pursue their own special interest," she said.

The measure Mr. James supported sees Southland Gaming paying for repairs at the racetrack in St. Thomas as part of the VLTs exclusivity deal. However, the situation on St. Croix — the district Mr. James represents — was not addressed in the bill, meaning horse racing on St. Croix remains in limbo even with the passage of the measure.

Mr. James continued, "Trust me, we don't want to mix up horse racing. People think that I'm confused, I'm not confused. It's unfortunate that horse racing is tied onto it."

He then said people who don't like the bill that passed in the Senate could challenge it in court. "You know there are three branches of government, and when the Legislature falls short, and when the executive branch falls short, is a thing called the judicial branch. Anybody, and I repeat, anybody — whether it's VIGL or not — can challenge [the deal]," he said.

For clarity, the Consortium asked Mr. James again why he supported the measure, he said, "Because I know to myself that if we want to play hardball, based on exclusive rights agreement, Southland Gaming would have sued the Virgin Islands government and when you sue the Virgin Islands government and you win, who pays for that?"

Asked whether the government is afraid of a challenge, he said, "It's not [being] afraid of a challenge. A contract is a contract."

The contract the senator is referring to lasts through 2028. His vote was part of the deciding factors to extend the Southland Gaming monopoly on VLTs through 2041.

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