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# Ariel Smith, Long-time Public Servant, Steps Closer to Attorney General Role

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## Attorney General Nominee Ariel K. Smith.

The Senate Committee on Rules and Judiciary has voted in favor of the governor's nomination of Ariel M. Smith for the role of Attorney General of the U.S. Virgin Islands.

Smith, who has been a lawyer in the territory for almost 30 years, testified before the Committee on Wednesday, providing details of her educational background, qualifications, experience and personal qualities which make her suited for the role. She has worked as an attorney in the public service for 15 years, having held various capacities since she joined the Office of the Territorial Public Defender in 2006. In 2016 she was promoted to chief of the Civil Division.

During her testimony, the attorney noted that her initial introduction to law was through her now-retired mother, a 30 year employee of the Superior Court of the Virgin Islands.

Ms. Smith's remarks before the Legislature today featured details of the work she intends to undertake, should her nomination be successful. She revealed that in the upcoming weeks the Department of Justice is expected to receive funds from the [Epstein settlement](#), which was procured under the tenure of former AG Denise George. Smith declared, "Once received, I will request that the Department Of Justice be named the administrator of those funds for the benefit of the department's Victims Services Unit." She added, "As per the agreement, these monies must be earmarked to fund projects, counseling services and activities to help Virgin Island residents who are victims of sexual assault, sex trafficking, human trafficking, sexual misconduct and child sexual abuse."

The VI Attorney General is tasked with several critical functions including furnishing legal advice to the governor and all executive departments, rendering written opinions, preparing draft legislation and prosecuting violations of criminal statutes. The AG is also responsible for representing the executive branch of government in all civil actions where the government is a party or has an interest, as well as investigating violations of law for which the executive branch and its departments may invoke penalties, fines or forfeiture.

Smith has also affirmed that she intends to onboard a staff psychologist, additional prosecutors and other professionals to aid children and adult victims of crime and human trafficking. "Crime victims and their families have rights, and under my leadership the Department of Justice will remain committed to ensuring those rights are protected," the nominee asserted before lawmakers.

The attorney also provided insight into other priority areas she hopes to delve into during her tenure as Attorney General. "In the next 180 days I expect to stabilize the staffing at the department, complete the infrastructure for the St. Croix Medical Examiner's Office and formalize my presentation for the development of the long overdue Toro Building to house St. Croix's Department of Justice operations," she stated.

Following her testimony, the committee posed a series of questions to Smith, seeking to establish her viability for the role by virtue of her experience and qualifications, character and vision. Before posing her question, Senator Carla Joseph commended Smith, observing "you started from really humble roots, you attended public school. You are a product of our public education system and you have worked your way up through private and public legal practice to this level of nomination." Joseph subsequently asked, should Smith inherit the office of the AG, "kindly indicate to us where you see your office's major needs are in support of your mandate?" Smith promptly responded, "Right now our major need is to get a full time medical examiner. That has to be done."

She added, "Also, because of the loss of the Acting Attorney General who is now a judge – Thomas Jacobs – I need a support team within the Office of the Attorney General. We also need support in the Special Investigations Divisions; we've lost a number of people for various reasons."

Senator Angel Bolques subsequently posed the question, "What do you see as the most critical legal issue to be addressed here in the Virgin Islands today?" Smith in turn opined "there's a lot. There's firearms which are everywhere. That's a huge issue. That's the biggest one that's the one that we see everyday, that's the one that affects our lives. But I think all of the issues that we have before us are important and I don't want to prioritize one over the other, but that's the one that's

most glaring.” Observing that gun violence continues to spiral in the territory, Mr. Bolques granted Smith his seal of approval, stating, “I do have hope and believe in you and know that you will do an excellent job in this capacity.”

Senator Novelle Francis shifted the conversation to another area of crime, questioning, “How do you feel about rape cases? How do you feel about perpetrators of rape cases? How do you intend to undertake the whole notion of prosecution of those cases?”

“Vigorously,” Smith affirmed, adding, “any violation of another human being whether it's person to person – meaning skin to skin – or if it's from a distance across the street, is a violation that needs to be prosecuted.” The nominee went further, explaining, “The challenge I think that we have is that a lot of the time the victims are unwilling because of the trauma so we have to figure out how to get them to be willing. Under the law they're required to look their perpetrators in the face and say it was him and this is what he or she did, so that is a greater challenge, to get the victims to participate in the prosecution.”

The senators appeared largely satisfied with Smith's responses as she concluded her testimony by asking them for favorable consideration of her nomination for the role of Attorney General. Before the nomination moved to a vote, Committee Chair Diane Capehart voiced her support for Smith, expressing, “You emanate integrity, fairness and I wish you well on the voting.”

Committee members present voted unanimously in favor of the nomination. As the Committee on Rules and Judiciary essentially serves as a vetting arena, the nomination will now proceed to the full legislative body where all 15 senators will vote on the Attorney General candidate.