

09/26/2024-REPORTED OUT TO THE FLOOR

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RULE

BILL NO. 35-0381

Thirty-Fifth Legislature of the Virgin Islands

September 26, 2024

An Act providing an appropriation to the Attorney General of the Virgin Islands' Crime Prevention/Prosecution Fund pursuant to Section 6b of the Master Settlement and Release Agreement; establishing a separate and distinct interest-bearing fund to be designated the "GVI/JPMC Charitable Fund"; and transferring the sum of \$5,339,500 to organizations that support vulnerable and disenfranchised individuals

PROPOSED BY: Senators Donna A. Frett-Gregory, Novelle E. Francis, Jr.,
Marvin A. Blyden, Javan E. James, Sr., Samuel Carrión
Angel L. Bolques, Jr., Diane T. Capehart and Ray Fonseca
Co-Sponsor Dwayne M. DeGraff,

WHEREAS, December 27, 2022, the Government of the Virgin Islands ("GVI"),
through its Attorney General, filed a complaint in the United States District Court for the
Southern District of New York ("SDNY") captioned *Government of the United States Virgin
Islands v. JPMorgan Chase Bank, N.A.*, No. 22- CV-10904 (S.D.N.Y.) (the "Litigation"); and

WHEREAS, the Litigation involved claims brought by GVI pursuant to the Trafficking
Victims Protection Act ("TVPA"), 18 U.S.C. §§ 1591 to 1595; the Virgin Islands Criminally
Influenced and Corrupt Organizations Act, 14 V.I.C. §§ 600 to 614; and the Virgin Islands
Consumer Fraud and Deceptive Business Practices Act, 12A V.I.C. §§ 301 to 336, arising from
JPMC's relationship with Jeffrey Epstein and associated individuals and entities (together,
"Epstein"); and

WHEREAS, on March 20, 2023, the Court denied JPMC's motion to dismiss the TVPA
claim and granted JPMC's motion to dismiss the claims under the Virgin Islands Criminally

Influenced and Corrupt Organizations Act, 14 V.I.C. §§ 600 to 614, and the Virgin Islands Consumer Fraud and Deceptive Business Practices Act, 12A V.I.C. §§ 301 to 336; and

WHEREAS, on April 24, 2023, JPMC filed an answer denying any liability and asserting affirmative defenses; and

WHEREAS, GVI as plaintiff and JPMC as defendant in the Litigation fully, finally, permanently, and irrevocably resolved the Litigation between them and settled all past, present, and future claims by GVI against JPMC that are related to, arise from, or are in any way connected to Epstein, including but not limited to Epstein's residence in the Virgin Islands ("VI"), Epstein's relationship with JPMC, Epstein's alleged sexual abuse of any person, and Epstein's alleged sex trafficking venture; and

WHEREAS, on September 29, 2023, a Master Settlement Agreement and General Release was entered into between the Government of the Virgin Islands ("GVI") and JPMorgan Chase Bank, N.A. ("JPMC"); and Now, Therefore,

Be it enacted by the Legislature of the Virgin Islands:

"SECTION 1. The Governor of the Virgin Islands, acting through the Commissioner of Finance, may contribute \$25,000,000 to the Attorney General of the Virgin Islands' Crime Prevention/Prosecution Fund pursuant to Section 6b of the Master Settlement and Release Agreement to finance the architectural and engineering design and the construction and furnishing of the Toro Building on St. Croix and any other capital improvement measures in fulfilling the statutory mandates of the Virgin Islands Department of Justice.

SECTION 2. There is established within the Treasury of the Virgin Islands a separate and distinct interest-bearing fund to be designated the "GVI/JPMC Charitable Fund". The Commissioner of Finance shall provide for the administration of the Fund as a separate and distinct fund and no amounts in the Fund are available for expenditure or disbursement except as outlined by the Master Settlement Agreement or by appropriation by the Legislature of the Virgin Islands. All proceeds the Government of the Virgin Islands receives pursuant to all court actions related to the JPMorgan Chase Bank, N.A. must be deposited in this Fund. The

GVI/JPMC Charitable Fund sunsets when the balance is zero. The funds expended in this Fund must comply with Section 6c of the Master Settlement and Release Agreement. Twenty million dollars of the funds received must be deposited into this Fund.

SECTION 3. The sum of \$5,339,500 is transferred from the monies receive pursuant to Section 6c of the Master Settlement and Release Agreement to the General Fund of the Treasury of the Government of the Virgin Islands in fiscal year 2025 to those organizations, programs and services that the Government of Virgin Islands funds through its miscellaneous section of the fiscal year 2025 operational budget. These organizations, programs and services must enhance the delivery and advocacy of support services to vulnerable, disenfranchised individuals, address social ills in the community, including but not limited to, sex trafficking, human trafficking, mental health initiatives, domestic violence, and poverty and are inclusive to all.

SECTION 4. Not later than 30 days after enactment, a report must be submitted to the Legislature of the Virgin Islands detailing the expenditure of the GVI/JPMC Charitable Fund and thereafter annual expenditure reports must be provided to the Legislature not later than 30 days after the close of the fiscal year.

BILL SUMMARY

This bill appropriates \$25,000,000 to the Attorney General of the U.S. Virgin Islands' Crime Prevention/Prosecution Fund pursuant to Section 6b of the Master Settlement and Release Agreement to finance the architectural and engineering design and the construction and furnishing of the Toro Building on St. Croix; establishes a separate and distinct interest-bearing fund within the Treasury of the Government of the Virgin Islands to be designated the "GVI/JPMC Charitable Fund"; and transfers the sum of \$5,339,500 in FY 2025 to organizations that support vulnerable and disenfranchised individuals pursuant to section 6c of the Master Settlement and Release Agreement.

BR23-0816/September 26, 2024/NS