

# ANNUAL REPORT 2019



**Openbaar Ministerie**  
Sint Maarten

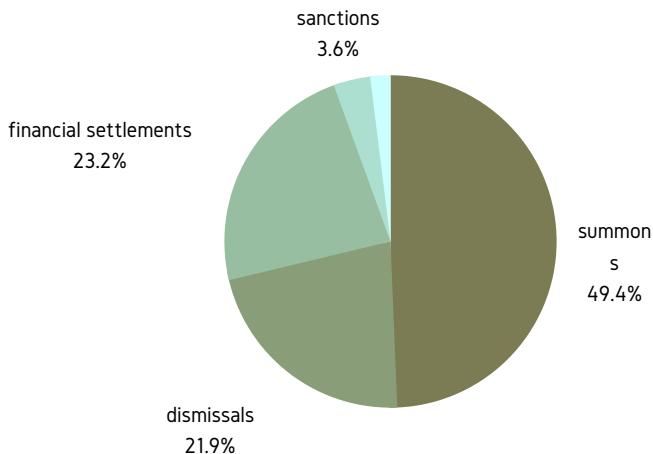
## GENERAL OVERVIEW OF OUR PERFORMANCE

The Public Prosecutor's office Sint Maarten is a dynamic and small organization. Our strength, but also a fragile point in our organization, is the high rotation of professionals. This may lead to loss of knowledge, network and consistency. In the last year eleven (11) employees left and other nine (9) were introduced in the organization. The high turnover is mainly because of contract terminations of Dutch Prosecutors.

# 18%

more cases in 2019

In 2018 our organization registered 700 cases and handled 552 cases. In 2019 we registered 829 cases and handled 612 cases. This means that our organization received 18% more cases in 2019. In 2019 we registered 454 cases that received a verdict.



The pie chart shows how our organization has handled the cases in 2019. It can occur that the public prosecutor decides not to prosecute a case, this is a dismissal. The percentage of dismissals for the past year was 21.9%. The most common reason for the prosecutor to choose to dismiss a case, is because of insufficient evidence to achieve a conviction. However, 49.4% of the cases have been summoned to appear before court.

The past year we have set our focus on the following policies:

- Youth delinquency
- Domestic violence
- Professionalism

2019 was a very busy year regarding youth delinquency. The number of cases involving suspects under the age of 18 has declined from 76 in 2018 to 72 in 2019. The school boards registered 41 school fights in and around schools only in the South Reward- St. Peters region, in the first school term of 2019. This number is alarming. The trend around the school fights is that more sharp objects are used to injure, fights are recorded for amusement and adult interference is not tolerated or respected.

The number of fatal violent crimes over the past year was 8 in comparison with 10 in 2018, and 9 in 2017. The trend from the past years has thus continued. Illegal gun possession has declined since 2018, from 32 to 26 confiscated firearms.

The decline in numbers compared to 2018, does not necessarily mean that crime has declined in St. Maarten. Investigations usually do not start and end in the same year, which means that cases of 2019, might continue under investigation in 2020.

In 2019, 2001 fines were imposed by KPSM, Coastguard and Teat. Our system registered a total of Naf. 320.950,- unpaid fines. These are fines from 2019 and previous years. Naf. 180.766,- fines were paid in 2019. The asset recovery team had great success with seizing 10 vehicles and 2 boats in the past year.

## WORD FROM THE CHIEF PROSECUTOR

Dear reader,

I present to you the annual report of the Public Prosecutor's Office Sint Maarten for the year 2019. This annual report gives you the opportunity to look back on the results of the policy pursued by our office and shows our performance in figures.

In 2019 we set different priorities to work on. Unfortunately we realized that we could not focus on all the priorities set out in our annual plan due to different challenges we faced:

- high turnover of personnel;
- backlog in our administration department;
- increase of criminal cases;
- shortage of personnel.

Our partners within the justice chain had to face similar challenges such as shortage of resources and qualified personnel. But regardless, we managed to intensify our relationship and to continue to do our job with the limited resources.

Besides our goal to strive for security and justice, we also see our task to make an active contribution within society. In the past year, I focused on the goal to actively prevent violence against women and domestic violence. Therefore our organization hosted a work conference for our partners within the judicial chain on November 27th, 2019.

This conference led to several action points that will be reported in 2020. One of them being a protocol between our organization and KPSM on dealing with victim support.

Internally I have set the priority to focus on professionalism within our organization. This led to review of procedures and refocus on better ways to improve our work. The digitization process also continued in the past year.

The bottleneck of 2019 was our detention center. The situation of the prison in Point Blanche was a hot topic in different key partner meetings, and on the political agenda. Not only has the deplorable situation of the prison become a topic of discussion, but the prison reaching its full capacity has created constraints for our work.



The figures are out and they show a reality that is alarming. Some figures have dropped slightly like vehicle theft and robberies, but we cannot let down our guard. The fatal violent crimes and youth cases are still high, the school fights have been alarming in 2019 and crime in general has intensified.

We look back on all we have accomplished with the limited resources in our means and are proud of the stronger relationships we build with our key partners to benefit our justice chain.

April, 2020  
Mirjam Mol

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# Highlights 2019

## The Public Prosecutor's Office Sint Maarten



Openbaar Ministerie  
Sint Maarten

### 26 ILLEGAL FIREARMS CONFISCATED



Sentencing guideline when carrying a firearm on the street (in a bag or under clothes) is 21- 24 months imprisonment, 6 months conditional, 3 years probation

- 5 fatal traffic accidents
- 79 burglaries
- 141 car thefts

### TACKLING YOUTH DELINQUENCY

- 72 Youth cases registered
- new Youth Task Force formed
- 41 schoolfights registered in 1st school term 2019



Five young speakers were coached and prepared by the board of SXM Moot Court, to compete in front of a real International Criminal Court (ICC) in Poland. We are proud to contribute as a board member.

### UMM : UNIT HUMAN SMUGGLING AND HUMAN TRAFFICKING

- 6 human smuggling investigations started
- 2 human trafficking investigations started
- Investigations into illegal brothels and forced labour and illegal immigrants

### PRIMARY PARTNERS:



### OUR PERFORMANCE

#### 601 ASSESSED CASES

- 302 summons
- 131 dismissals
- 135 financial settlements
- 71 appeals



- Total Naf. 193.350,- traffic fines registered ★
- Naf. 183.326,- traffic fines paid ★
- Naf. 84.113,- victim compensation imposed by court order

### LIFELONG PRISON SENTENCE

FOR MANSLAUGHTER AND MURDER.  
THE 2 BODIES WERE FOUND IN THE  
BELAIR LAGOON ON AUGUST 2017



### DOMESTIC VIOLENCE CONFERENCE 2019

- hosted by the Prosecutor's office
- 50 professionals within the justice chain attended
- 5 expert presentations
- interactive space to network and exchange knowledge

★correction of the numbers are on page 14



- 7 investigations started
- 5 solved cases
- 10 vehicles and 2 boats seized
- Money laundering was the most common type of crime
- All profits are returned to country Sint Maarten

### 3052 PROOF OF GOOD CONDUCT REQUESTED

#### DID YOU KNOW THAT WE :



- Lead the police investigations
- Deal with criminal cases in court
- Monitor execution of sentences
- Inform the general public
- Advise the Minister of Justice
- Support an integral approach

### ADVICE ON SHORTAGE OF PRISON CELLS

- AT LEAST 5 OFFICIAL LETTERS SENT TO THE MINISTER OF JUSTICE
- AT LEAST 12 MEETINGS WITH THE MINISTER OF JUSTICE



### 1 PROSECUTOR IN TRAINING (OIO) STARTED IN SXM

Emmaplein 1, Philipsburg  
Telephone: 542-2243  
Web: om-sxm.org  
www.facebook.com/OMSXM

# HIGHLIGHTS

## MEMORABLE COURT CASES

### MURDER CASE

#### LIFE SENTENCE FOR MAIN SUSPECT IN MARS INVESTIGATION

The number of (fatal) violent crimes has decreased compared to 2018. In 2018 our office registered 10 violent crimes with fatal result. In 2019 we registered 8 cases.

One of the most famous court cases of 2019 has been the case MARS.

After a 2.5 year investigation, the Court held K.F alias "Cuchi" responsible for the manslaughter of one victim and the murder of the other victim, removal of their bodies and for fire arm possession. The victims were killed in a room at the Simpson Bay Resort. The bodies of the victims were discovered in the Belair lagoon on August 1st, 2017. On the 5th of June 2019 the Court also found K.F guilty for escaping the Point Blanche Prison in 2016. The court concluded that K.F. is a danger to society and a life sentence justified the severity of the crimes committed. K.F. remains imprisoned in the Netherlands.

### VIOLENT ROBBERY

The case Mesoliet concerned a robbery on July 4th 2019 at the Econo Supermarket in Cay Hill.

An off-duty officer drew her service weapon and shot two of the robbers. One of them later died of his injuries. The other two robbers, R.A.C.F (27) years and D.D.K. (30) years, received respectively four and two years of prison sentence.

### SENSELESS ACT OF VIOLENCE

In June 2019 a young man of 20 years was sentenced to prison for 14 years by the Court of First Instance. An altercation between the defendant and another person about the theft of a motorcycle, led to the defendant to drive his car into a group of people.

A two (2) year old boy, who was playing in his toy car at the same location, also landed between the car and the wall, and died of his injuries on the spot. The Court held it against the defendant that his "ill-considered" actions had such "disastrous" consequences.



**" HIS ILL-CONSIDERED ACTIONS HAD SUCH DISASTROUS CONSEQUENCES"**

*Court of First Instance*

# HIGHLIGHTS

## MEMORABLE COURT CASES

### DOMESTIC VIOLENCE/ MALTREATMENT

*IN 2019 WE REGISTERED 207  
SUSPECTS FOR MALTREATMENT*

*IN 2018 WE REGISTERED 149  
SUSPECTS*

One of the heaviest domestic violence cases of 2019, was that of a mother (38) who mistreated her son of 14 years.

Neighbors have submitted charges against the mother. Son was assaulted by the mother with a hot spoon and was cut and beaten severely. Three other siblings were also being assaulted by mother. Psychological reports of the mother have shown seriously disturbed behavior.

The Court sentenced the mother to four (4) years of prison sentence and two (2) years conditional. And a probation of five (5) years .

### INTEGRITY AND FRAUD CASE

The Court handled a case of fraud on the 14th of August. The suspect of 32 years old was accused of embezzling an amount of Naf. 87.000,- from PSB Bank N.V.

The suspect worked as a cashier of the bank and had daily access to money and accounts. The suspect was accused of withdrawing amounts from the intermediary bank account. The Prosecutor considers the act to be in breach of the company's integrity guidelines.

The Court sentenced 200 hours of community service and conditional prison sentence of three (3) years with a probation of two (2) years.

### HUMAN TRAFFICKING AND HUMAN SMUGGLING

Sint Maarten is the first island within the Kingdom with its own special Unit Human Trafficking and Human Smuggling (UMM: Unit Mensenhandel en Mensensmokkel) within the police force.

In 2019 the unit worked on two (2) human trafficking cases and six (6) human smuggling case. In the case UIL, which was a human smuggling case, a sailboat with fourteen passengers was intercepted. The passengers of the sailboat were originally from Haiti without valid residence documentation. Three suspects are on trial for the smuggling activity.

*CURRENTLY SINT MAARTEN DOES  
NOT HAVE THE PROCEDURES AND  
FACILITIES IN PLACE TO PROVIDE  
VICTIM SUPPORT TO VICTIMS OF  
HUMAN TRAFFICKING AND  
SMUGGLING.*

5

FATAL TRAFFIC ACCIDENTS

8

FATAL VIOLENT CRIMES

8

HUMAN SMUGGLING/HUMAN TRAFFICKING  
CASES



# Policy and Strategy

## Internal Procedures



### Digitization

In order to adequately serve our community, we have to focus on our internal organization. In the last year we have continued our digitization process. The objective is to introduce digital communication between the Public Prosecutor's Office and the Court. After this, the criminal lawyers and police force KPSM will participate in the digitization process.

### JASAP

In August 2019, the Prosecutor's office relaunched the method Justice As Soon As Possible (JASAP). This approach enables the Prosecutor's Office, police and probation officers to work together to speed up the process of common criminal cases. This new cooperation with the police station makes it possible to make optimal use of the scarce police capacity and to handle simple crimes out of Court in a timely manner. In this way, more cases have a shorter turnaround time and allows for more meaningful interventions in common crimes. It allows clarity to the suspect and victim about the case.

### TRAINING FOR LOCAL PROSECUTORS

In September 2019 OM Carib started the OIO course. This training for a Public Prosecutor last two to three years. During this period, in order for a broad based training, the OIO candidate will rotate between the Public Prosecution Offices of OM Caribbean. The goal of this course is to train local potential Prosecutors. The selection of candidates led to one (1) candidate that started his training in the Prosecutor's office in Sint Maarten. Sint Maarten will be his home office during the training

### Fines Recovery Project

In September the Ministry of Justice initiated a pilot project to recover outstanding fines. The pilot project was intended to recollect funds of imposed fines that are currently not being recovered. The objective was to deposit the received fines into the Crime Fund as to serve to finance other law enforcement activities against crime. Partners in this project were KPSM, Receivers office and OM SXM. The first 2 weeks into the project already showed the succes of the project. At our office alone we collected Naf. 2975,- fines in two weeks. After only two (2) months the project was halted, due to the fall of the Government.

### DOMESTIC VIOLENCE CONFERENCE

In its 2019 strategic plan, the Prosecutor's Office set as priority to assess the situation of violence against women and domestic violence on the island. For this reason the Prosecutor's Office hosted a work conference on November 27th, 2019. The goal of this conference was to create awareness within the judicial chain and to enhance professional skills in handling domestic violence cases.

A total of 50 professionals consisting of operational personnel from KPSM, Prosecutors and Legal Assistants from the Prosecutor's Office, Social Workers from the Court of Guardianship, Probation Officers and Caretakers of the Woman Shelter were invited to an interactive afternoon, which consisted of:

- five expert speakers;
- a group problem solving exercise;
- role play by professional actors;
- testimonials and discussion.

This conference serves a starting point for us to address the issue of Domestic violence and the effects thereof. Just by organizing the event we achieved success:

- **the Chief of Police will implement training on dealing with Domestic Violence, for all new police officers.**
- **KPSM and the Public Prosecutor's office are going to work on collaborations to provide victim support.**

A review of the event showed us how important it is to create opportunities for professionals to network and exchange knowledge. As follow up to the conference, the participants would like to see:

- a work group that will focus on awareness in the community;
- more understanding on how to help victims;
- more preventative programs and police training;
- implementation of a victim support unit and a mandatory program for perpetrators.



**DATE: NOVEMBER 27TH, 2019**

**PLACE: BELAIR COMMUNITY CENTER**

**TIME: 1:00-5:00 PM**



# Policy and Strategy

## Youth and adolescent

### MOOT COURT

The SXM Moot Court Foundation was founded in 2015 to help introduce Sint Maarten students to (international) law, (legal) debating skills and possibly a legal career in Sint Maarten or abroad.

Every two years the High School International Moot Court takes place, organized by the American Justice Resource Center. During this international contest an international criminal case is simulated.

In May 2019, the national moot court among delegates of the secondary schools in Sint Maarten took place. The five best individual speakers were selected to represent Sint Maarten in the international contest in Poland in January 2020.

Students from 15 different countries will compete to showcase their debating talents and knowledge of international law in front of legal professionals and real judges of the International Criminal Court (ICC).



ON THE PICTURE: SINT MAARTEN TEAM

From September 2019 till January 2020 the Sint Maarten team has been thoroughly prepared and coached for the international contest by the board of SXM Moot Court Foundation, consisting of Sint Maarten based attorneys and one of our colleagues of the Prosecutor's Office.

We are proud to contribute to this project as a member of the Board of the SXM Moot Court. The Sint Maarten team has proudly achieved a third (3) place in the top five (5) as being the sole representative for the Caribbean.

### YOUTH TASK FORCE

The Prosecutor's Office together with KPSM started a Task Force in September to tackle the surge in violence in and around the schools. In the first school term of 2019, the school boards registered 41 school fights for the area of South Reward and St. Peters. In 2019 the school fights did not only increase in numbers, but also in severity. The Task Force organized a meeting with the various schoolboards and stakeholders in education and justice in October 2019. During this meeting the participants discussed the challenges the schools were facing in regards to violence.

The Prosecutor handling youth violence summarized in a document the challenges discussed in the meeting of October, in order to present this to the Minister of Education. The document aims to create a sense of urgency to the matter and pleads for the implementation of a policy on combatting school/youth violence.

The re-opening of the Youth Detention center, Miss Lalie Center, has created an option to address the increase in Youth violence. The facility accommodates only males who commit criminal offenses. Sint Maarten does not provide detention facilities for females till 18 years.

The introduction of the Task Force also led to the re-launch of KPSM's Cops and Kids program. This program focusses on introducing the community police officers to pupils in primary schools.



## DETENTION SITUATION

The detention facility in Point Blanche has been on the agenda during several meetings in 2019. At least once a month the Public Prosecutor's office would meet with the Minister of Justice and other key partners within the justice chain to address the urgent situation. In 2019 the detention facility had reached its capacity of 80 cells, which led to the question: *what do we do now if someone gets convicted to prison?*

Besides the crucial question, the detention situation created bigger problems such as:

1. Recommendations for early release of convicts in exclusive situations. To create space in prison, the Execution Prosecutor advises the Ministry of Justice on early release by making a selection of convict cases that could be the "lighter cases", such as break ins, simple assault and repeat offenders, making room for the "heavier cases". Early release of convicted persons is an exclusive decision of the Minister of Justice.
2. Instructions given on which cases are moving to pre-trial detention during early stages of an arrest.
3. Cases where there is a high risk for repetition, are not being issued. Often these cases bring most inconvenience for the community. For example the vehicle thefts and small burglaries.
4. Cases settled in court with issuance of fines: In April 2019, the Court decided not to sentence suspects to jail time in 2 different cases (Pompei and Robalo), but instead issued fines. The Robalo case concerns proven charges of human trafficking and firearm possession, for which the judge issued a fine of Naf. 250.000. The Pompei case concerns proven charges of human-trafficking, human-smuggling and unlawful deprivation of freedom. The judge issued a fine of Naf. 1.000.000. The court imposed an unconditional punishment in both cases, due to the detention capacity issues. This motivation was expressed and documented in the verdict.
5. Framing by lawyers: Lawyers are using the current detention situation on Sint Maarten as a reason not to sentence suspects to prison. The human rights situation is emphasized and magnified, as is the limited capacity. On 24 April, in the Pompei case, the lawyer - following the judgment of the Court of First Instance - made the following comment: "so you can't actually detain people in St. Martin". Social media is also picking up on the trend that detainees are not being locked up. The news is spreading like wildfire within society and may have consequences for the feeling of security on Sint Maarten.

## PROGRAM FOR REPEAT OFFENDERS AND OFFENDERS WITH MENTAL ILLNESS

Sint Maarten does not have a facility to treat convicts with mental health problems. Turning Point as well as the Detention Facility in Point Blanche, lacks in qualified staff to accommodate patients in need of mental treatment. These cases can form dangerous situations for the family of the patients as well as for the community, because a lot of these patients show aggressive demeanor. Besides, there is a high risk of re-offending. However, the Public Prosecutor's office is dependent on the facilities and assistance that is available and can be provided.

## VICTIM SUPPORT

The Ministry of Justice of Sint Maarten has not yet set up an agency for victim support to supply victims of crime with the information, treatment or financial compensation. According to the law, the victim support is the duty of the Country. In the 2012 report of the Council for Law enforcement, the advice was given to implement procedures for victim support. After a review research of The Council in 2016 and 2019, the Country still has not implemented a facility nor procedure to accommodate victims of crime nor victims of human smuggling and human trafficking.

## SHORTAGE OF PERSONNEL

Although the relationship between our partners continues to thrive, we must note the grave challenges we are currently facing. We are dealing with enormous shortage of resources and (qualified) personnel in every department of the justice chain. Crime has intensified and criminal acts have increased, but the poor economical situation of the country makes it almost impossible for the Government to increase budgets.

Even in our organization we are unable to keep up with the high workload. We have registered more cases in comparison to 2018. Our administrations department has issued more requests for proof of good conduct this year compared to 2018. The Attorney General's office has seen an increase in the amounts of appeals compared to 2018. And still our organization is working hard to catch up with backlog of previous years. Due to limited budget we were unable to hire more personnel.

**20+** personnel  
**829 +** new cases

# Our Operations

## PERSONNEL

The Public Prosecutor's office Sint Maarten is a dynamic and small organization. Our strength, but also a fragile point in our organization, is the high rotation of professionals. This may lead to loss of knowledge, network and consistency. In the last year eleven (11) employees left and other ten (10) were introduced in the organization. The high turnover is mainly because of contract terminations of Dutch Prosecutors. The high rotation led to backlog and pressure on the remaining personnel. The confirmed plan for staffing states 20 fte in 2018 and 2019.

The past year our organization did not have the necessary procedure, digital system in place in order to register cases of execution and repossession. For the coming years, our organization will be focused to get everything in place in order to fulfill this task properly. The Plan for staffing of 2020/2021 is adapted according to the year plan of 2020/2021. In this plan we set out our need for two(2) extra fte in the administration department.

Funcție benaming	Aantal personeel 2019	Aantal Personeel 2020	Aantal Personeel 2021
<b>Parket in 1ste aanleg St. Maarten</b>	<b>20</b>	<b>21</b>	<b>22</b>
<b>Hoofdofficier van Justitie en sec.</b>	<b>4</b>	<b>4</b>	<b>3</b>
Hoofdofficier van Justitie	1	1	1
Office manager	1	1	1
Administratief medewerker financiën	1	1	
(Senior) Beleidsmedewerker	1	1	1
<b>Team Operatie</b>	<b>16</b>	<b>17</b>	<b>19</b>
Officier van Justitie	1	1	1
Officier van Justitie	1	1	1
Officier van Justitie	1	1	1
Officier van Justitie	1	1	1
Senior Parketsecretaris	1	1	1
Senior parketsecretaris	1	1	1
Senior parketsecretaris	1	1	1
Senior parketsecretaris	1	1	1
Parketsecretaris	1	1	1
Parketsecretaris	1	1	1
Coordinator Administratie	1	1	1
Strafdeurwaarder	1	1	2
Senior administratief juridisch   BOB medewerker		1	1
Senior administratief juridisch medewerker	1	1	1
Senior administratief juridisch medewerker	1	1	1
Administratief Medewerker	1	1	1
Administratief Medewerker	1	1	1
Executie medewerker			1

Plan for personel

## HOUSING AND ICT

In 2019 plans for expansion of our office has been made. The prospects for the coming years state a shortage of adequate space. This adaptation is not set in our annual plan of 2019. The goal is to finish the expansion project in 2020.

In our annual plan of 2019 we set out the goal to continue the digitization process and to train our personnel on the security risks of handling sensitive information. This training has been postponed to 2020. The digitization is still in process. The reason why we are still in process is because, there are a lot of documents that have to be scanned and processed properly in our processing system called PRIEM. This procedure is time consuming. In 2020 we expect to expand our administration department in order to be able to tackle the backlog and administrative work for BOB (bijzondere onderzoeksbevoegdheden), that currently is being done by the parketsecretaris.

## PROFESSIONALISM

OM Carib organized OM Academy in November for all employees, including the Prosecution Service of Aruba. The goal of this Academy is to provide Learning & Development programs according to the internal needs and to do team building activities to create better work relationships within OM Carib. The OM Academy of 2019 was a two-day program on Curacao filled with workshops, training and fun.

# Our Statistics

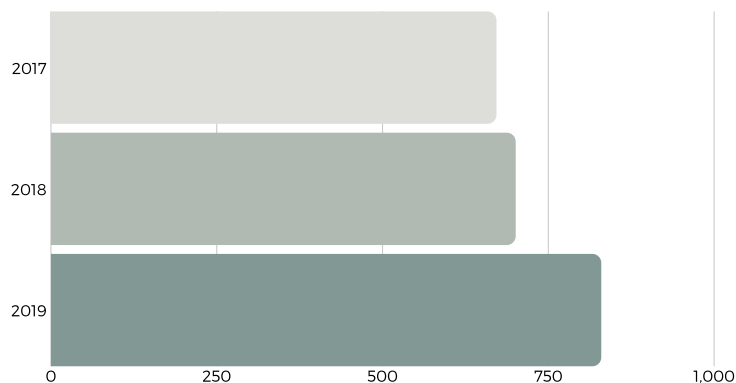
## The numbers

### The Numbers

In 2018 our organization registered 700 cases and handled 552 cases. In 2019 we registered 829 cases and handled 612 cases. This means that our organization received **18%** more cases in 2019.

From the new registered cases, we had 131 dismissals. This number is lower than in 2018, but still very high according to the norm of 13%. The percentage of dismissals for the past year was 21.9%. The most common reason for the prosecutor to choose to dismiss a case, is because of insufficient evidence to achieve a conviction.

However, 49.4% of the total assessed cases have been summoned to appear before court. In 2019 The Court had issued a verdict in 454 cases.



Row chart: total handled cases from 2017-2019

Year	2017	2018	2019	Realisation in 2019	Norm According to OM Carib guidelines
<b>Registered cases</b>	671	700	829		
- Assessed cases	588	552	601	21.90%	13%
- Summons	270	257	302		
- Dismissals	50	157	131		
- Financial settlements	22	70	135		
<b>Criminal cases</b>	632	643	678	678	550
- Adult	589	567	606		
- Underage	43	76	72		
<b>Youth cases</b>	NIA	76	72		
<b>Human trafficking case</b>	1	2	2		
<b>Human smuggling case</b>	3	4	6		
<b>Homicide cases</b>	9	10	8		
<b>Asset recovery cases</b>	NIA	NIA	7		
<b>Car theft</b>	157	204	141		
<b>Fatal traffic accidents</b>	4	10	5		
<b>Burglaries</b>	112	NIA	79		
<b>Robberies</b>	125	49	32		
<b>Illegal gun possession</b>	NIA	32	26		
<b>Year</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>		
<b>Domestic violence/ maltreatment suspects</b>	NIA	149	207		
- Male suspects		130	174		
- Female suspects		19	33		
<b>Total of traffic fines (KPSM, Coastguard, Teat)</b>	3093	2379	2001	2001	4000
<b>Registered verdicts for traffic fines (ANG)</b>	NIA	374.500	320.950		
- Traffic fines paid (ANG)	NIA	NIA	180.766		
<b>Seized by Asset recovery team</b>	NIA	4 vehicles 1 motor	10 vehicles 2 boats		
<b>Year</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>		
<b>Appeals</b>	NIA	54	71		
- Verdicts	NIA	12	17		
<b>Proof of Good Conduct</b>					
- Requested	NIA	2579	3052		

NIA= No information available

The majority of the cases that the Public Prosecutor's office deal with are criminal cases. 5.4% more cases than in 2018. The Youth cases have decreased slightly, but we cannot let down our guard in regard to youth delinquency. The school boards have been registering school fights more intensely since the second half year of 2019. This led to alarming figures: 41 school fights in the South Reeuwijk- St. Peters region in the first school term of 2019. We do not have access to the figures of previous years.

The amount of human trafficking and human smuggling cases have been almost the same for the past 3 years. These type of cases are very complex and usually take time to be ready for trial. Maltreatment has increased considerably since 2018. Majority of suspects in these cases are still male. Cases of maltreatment are often cases of domestic violence. Our registration system PRIEM does not register cases under domestic violence, but under maltreatment.

In 2019, 2001 fines were imposed by KPSM, Coastguard and Teat. The norm of 4000 fines has not been made for this year. Our system registered a total of Naf. 320.950 unpaid fines. These are fines from 2019 and previous years. Naf. 180.766 fines were paid in 2019. The asset recovery team had great success with seizing more illegal assets this year than in 2018.



# Finances

Presented below are the budget statement and actual figures of the Public Prosecutor's Office of Sint Maarten in Dutch Antillean guilders as of December 31, 2019. The amounts relate to the 2019 financial year. The annual figures are derived from the 2019 financial statements. The financial figures presented in this annual report have not yet been audited and may therefore differ from the final financial statements.

The total costs in 2019 are lower than budgeted. This is mainly the result of an under-utilization of personnel costs.

This is partly due to the fact that a number of vacancies were not filled in a timely manner or were difficult to fill. Some of the vacancies were filled by the end of 2019. In addition, as in previous years, an indexation of salaries was taken into account in the 2019 budget, but this indexation was not implemented in 2019. Since a number of vacancies could not be filled and in connection with additional efforts, temporary staff was used.

The operating costs show an overrun. There are a number of reasons for this. The main ones are listed below. The rent costs in 2019 are higher than budgeted as a result of a rent increase that has been implemented. Telephone and fax costs have also increased due to the purchase of communications equipment for the hurricane plan.

When preparing the 2019 financial statements, no account was taken of any effects of the corona crisis currently

(May 2020) prevailing worldwide. It is presently impossible to estimate whether and if so what impact this crisis will have on the performance of the tasks of the Public Prosecution Service in relation to the available resources. Should circumstances arise that require revisions, these will be included in the 2020 financial statements.

	Begroting 2019	Werkelijk 2019	Afwijking 2019
Omschrijving	NAF.	NAF.	NAF.
Totaal Generaal	4.116.100	3.646.882	469.218
Personeelkosten	3.196.300	2.697.477	498.823
Salarissen en uitkeringen	2.633.500	2.096.182	422.455
Pensioenen en Sociale lasten	284.900	264.296	20.604
Inhuur Personeel	215.400	256.793	-41.393
Overige Personeelskosten	62.500	80.206	-17.706
Huisvestingskosten	501.000	548.595	-47.595
Transport kosten	36.400	30.765	5.635
Algemene kosten	382.400	370.045	12.355

# Finances

	Begroting 2019	Werkelijk 2019	Afwijking 2019
Omschrijving	NAF.	NAF.	NAF.
Parket Eerste Aanleg Sint Maarten	4.116.100	3.646.882	469.218
Personeelskosten	3.196.300	2.697.477	498.823
<b>Salarissen en uitkeringen</b>			
Salarissen en lonen	2.208.400	1.772.290	436.110
Kindertoelage	7.700	4.910	2.790
Vakantie-uitkering/ toelage	132.600	118.610	13.990
Medische- en keuringskosten	92.300	-22.563	
Overige uitk. en toelage	192.500	222.934	-30.434
<b>Pensioen en sociale lasten</b>			
Toeslag AOV/AWW	94.800	68.848	25.952
Toeslag AVBZ	9.400	10.228	-828
Pensioen premie	164.700	172.224	-7.524
Bijdrage ZOG	16.000	12.996	3.004
Overige		-	-
<b>Inhuur personeel</b>			
Schoonmaak pers. v. derden	38.400	38.348	52
Stagiaires en uitzendkrachten	12.000	-	12.000
Vertaal /tolk kosten	15.000	6.112	8.888
Kosten uit- / terugzending	150.000	191.051	-41.051
Personeel van derden	-	21.282	-21.282
<b>Overige personeelskosten</b>			
Cursus en opleidingen	40.000	45.599	-5.599
Dienstkleding	7.500	-	7.500
Kosten maaltijd	-	456	-456
Overige personeelskosten	15.000	34.151	-19.151
<b>Huisvestingskosten</b>			
Electra	35.000	20.771	14.229
Water	5.000	3.582	1.418
Huisvestings- en beveiligingskosten	422.000	479.829	-57.829
Onderhoud Gebouw	15.000	13.971	1.029
Verzekeringskosten gebouw	5.000	0	5.000
Onderhoud Airco's	4.000	12.478	-8.478
Huishoudelijk artikelen	10.000	9.334	666
Overige huisvestingskosten	5.000	8.630	-3.630

# Finances

	Begroting 2019	Werkelijk 2019	Afwijking 2019
Omschrijving	NAF.	NAF.	NAF.
<b>Transportkosten</b>			
Brandstof	15.300	17.643	-2.343
Onderhoud transport	9.000	12.682	-3.682
Verzekeringskosten transport	9.900	0	9.900
Lease transportmiddel	-	36	-36
Overige transportkosten	2.200	404	1.796
<b>Algemene kosten</b>			
Reis en verblijfkosten	91.400	113.855	-22.455
Vergader en presentatie kst.	2.500	1.805	695
Kantoorbehoeften	35.000	7.369	27.631
Papier, druk en bindwerk	7.500	4.626	2.874
Huur/Lease Kantoor Apparatuur	29.000	13.147	15.853
Aankoop software/licentie en disc.	-	2.085	-2.085
Telefoon en faxkosten	65.000	111.484	-46.484
Porto en vrachtkosten	5.000	1.802	3.198
Abonnementen/lektuur/internet	57.000	40.007	16.993
Onderhoud duurzame roer. goed.	2.000	0	2.000
Onderhoud hard-software infrastr.	-	0	-
Representatie/voorlicht	3.000	2.741	259
Aankoop kleine invent.	10.000	1.620	8.380
Spec .kost. Orde/rust	50.000	33.914	16.086
Uitbestededwerk	-	-	-
Bankkosten	-	1.659	-1.659
Consultancy	15.000	-	15.000
Overige algemene kosten	10.000	33.931	-23.931

## Abbreviations used

OM	Openbaar Ministerie
OM SXM	Openbaar Ministerie parket eerste aanleg in Sint Maarten
KPSM	Korps Politie Sint Maarten
UMM	Unit mensenhandel mensensmokkel
SXM	Sint Maarten

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