

Annual report 2020



Openbaar Ministerie
Sint Maarten

Openbaar Ministerie Sint Maarten



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Word from the Chief Prosecutor

Dear reader,

The past year has been the year of COVID-19. The pandemic that started at the beginning of 2020 caused dramatic change in the world and had a great impact on our lives, on the economy, and on our society as a whole. The pandemic caused many of deaths, restrictions on the freedom of movement for residents and visitors, job loss and with that frustration and uncertainties on the island.

Last year, we registered 84 COVID-19-related cases. Majority of the registered cases involved failure to comply with the national decree *Uitzonderingstoestand*, April 4, 2020. This decree is an official government document which provides the measures taken to mitigate the spread of COVID-19.

COVID-19 had a major impact on the effectiveness of our justice system as well. With the temporary closure of the Courthouse, and the “working from home” policy, we suffered a backlog in all criminal cases. Court hearings were held virtually via digital sessions, which was not a suitable option for all cases. Despite the challenging circumstances, we eliminated the backlog.

Last year, our office registered 667 new cases, a significant decline compared to 829 cases registered in 2019. The probable reason for this decline is that less crime was committed, or people were less interested in filing a report to the Police. Our most important partner, Korps Politie Sint Maarten (further KPSM), suffered severely from capacity loss the past year. The end of the enforcement protocol with the Dutch Police left KPSM with less personnel.

With the COVID-19 measurements, more control and enforcement were needed on the streets. This led to a shift from investigation priority to an increase in enforcement priority. Even so, we managed to adapt to the “new way of working” and, together with our partners, we achieved success in solving numerous severe criminal cases.





I am proud of the flexibility, innovativeness, and creativity shown by our personnel, but also of the resilience of our organization and that of our partners in law enforcement. Despite the limitations we had to deal with, we continued on the direction we set out in our annual plan 2020 and achieved success on most of our priorities.

I sincerely hope our Annual Report is insightful and thought-provoking.

Mirjam Mol, Chief Prosecutor



Introduction

The prosecutor examines the grounds on which to bring a suspect before the judge in the Court of First Instance to face criminal charges. This means that investigating violations of criminal acts are part of our daily tasks. In our Annual Report, the Prosecutor's Office (further OM SXM) highlights high impact cases that we brought to Court, and what we have accomplished according to the priorities set in our Annual Plan 2020.

In chapter 1, we highlight cases that had an high impact and describe the trend observed in 2020.

In chapter 2, we report on the different intervention and/or prevention activities that we used together with our partners in law enforcement to achieve our priorities from Annual Plan 2020.

In chapter 3, we give an overview of our performances in figures, and the operational development experienced by our organization.



1. Highlights

Murder case

After four years, the main suspect in the investigation “Cactus” was sentenced in October 2020 to 18 years imprisonment for the murder of “Pepe” L. The main suspect, together with an accomplice, had first robbed the victim and then violently took his life by stabbing him 14 times. The lifeless body of the victim was found on Arlett Peters Road (Old Cake House Road) on July 1, 2016. The night prior to discovering the victim’s body, his car had been set on fire in the vicinity of Oyster Pond. Two days after the murder, the suspects disappeared from the country. In August 2016, United States (U.S) authorities arrested L. in Puerto Rico for another crime. Following an extradition procedure, L. was returned to Sint Maarten at the end of 2019. The suspected co-perpetrator is believed to be deceased and therefore could not be tried. The main suspect is awaiting the verdict of his appeal.

Human smuggling case

In November 2020, the French Border Police SPAF stopped a human trafficking incident. This was executed upon the request of and in collaboration with the Human Trafficking and Human Smuggling Unit of KPSM and the Prosecutor’s Office. The persons were presumably being transported to the BVI/USVI. The persons, including two children, were to be smuggled from Sint Maarten in the middle of the night, thus putting their lives at risk.

Sex offence

On November 12, the Court of Appeal handled the case of a rape and attempted assault in an adult entertainment club. In this case, a visitor to the entertainment club was accused of raping an exotic dancer and hitting her colleague with a bottle on her head leaving a serious head wound. The Court of Appeal sentenced the suspect for 40 months in prison for assault and attempted rape of the exotic dancer.

Trends in 2020

The COVID-19 pandemic has changed the lives of people on Sint Maarten and other countries dramatically. The restriction on freedom of movement shaped the behavior of residents and that of criminals.



The borders were temporarily closed and thereafter restricted access. Thus the opportunity to commit crime was considerably less. This resulted in a positive development. Less crime were registered in 2020. The question is if this is a correct conclusion, or that less police reports (“proces verbalen”) were sent to our office due the police’s lessened criminal investigation capacity. The COVID-19 preventive measures have caused the police to redirect its focus to aid the community and maintain public order.

In youth cases, OM SXM has seen a worrisome trend of an increase in the use of violence in criminal offences i.e., sharp objects were used to deliberately hurt others in fights. The trend is also to record the fights and upload it to social media for the dramatic effect and public humiliation.

More often, we seen that robberies are carried out amongst teenaged boys (ages 16-18) . Sint Maarten has even registered one murder case committed by a minor (age 16).

The illegal possession of firearms is troubling, especially amongst teens. Without commitment and attention to the young(er) generation and a sharp integral approach with the contribution of Government, the problem will become worse.

Besides the increase in violence among young adults and underage boys, we see a dearth of children’s homes (group foster care places) since the closure of the I Can Foundation, as an upcoming issue for the youth. This leaves them no other place to go than the street. There is no imprisonment facility for underaged girls. Which means that they can walk freely in the community after committing crimes. The lack of resocialization and prevention institutions for the youngsters may lead to (more) behavioral problems amongst the youngsters and the feeling of insecurity within the community.

There is no psychological treatment available for prisoners with a mental problem, the so-called “forensic treatment”. The forensic treatment is especially aimed at protecting families and the prevention of repeat conviction. There is no institution that can provide supervised living for adults as well as for underaged persons. This means that people with serious psychiatric problems, who are violent, but do not want to be treated, cannot be secured from causing societal harm. This leads in some cases to serious (violent) incidents followed by imprisonment. The prison is not equipped for people with psychological problems.



2. Policy and Strategy

In this section, different intervention and/or prevention strategies that the Prosecutor's Office has implemented together with our law enforcement partners is reported. The following themes were set as priority in the Annual Plan 2020:

- Integrative approach for youth delinquency
- Domestic violence
- Integrative approach for severe violent crime
- Integrative approach for handling financial crimes
- Seizure of criminal assets
- Integrative approach for crimes integrity crimes
- Integrative approach of human smuggling and human trafficking
- Victim support
- Internal affairs

2.1 Youth delinquency

In 2020, we aimed to strengthen our cooperation with partners working in this field by focusing on the following prevention strategies:

- to refocus on the compliance with the o compulsory education ordinance, and to meet with the related partners to acknowledge the problematic behavior of underage persons and adolescents
- to utilize the JCO (jeugd casus overleg) to create integrative action plans for youngsters who portray problematic behavior

Performed activities in 2020:

Towards the end of 2019, several meetings were held with various schools, representatives- of the Ministry of Education, Culture, Youth and Sports' Truancy Department; Court of Guardianship; KPSM, and OM SXM. A significant rise in fights in and around schools was the direct cause for these meeting.



The meetings and a workshop culminated in the draft of a “green paper”, that was submitted by the Prosecutor for Youth Offences to the Ministry of Education in January 2020. The green paper gave an outline of the causes and consequences of the problem of youth violence and was intended as a stimulus for future discussions on strategic level. The final green paper was presented to the Minister of Justice in August 2020.

In 2020, OM SXM noticed a worrying trend in robberies and theft mainly by 16- to 18-year olds in the Cul de Sac (St. Peters) region. The youngsters are causing unrest in the neighborhood and some of them have been in contact with the justice system before because of recidivism behavior.

Last year, a 16-year-old was arrested for the murder and attempted murder on four others in Sucker Garden. This case reflects the alarming observation that possession of firearms is a serious problem on Sint Maarten. Also, that the number of cases may have declined, the offences are severely violent amongst the youth.

Interim verdict for minor who shot teen

In the investigation “Leo”, the Court sentenced a 16-year-old to a clinical juvenile institution for the deadly shooting of a 19-year-old man on Pendant Cactus Road on March 9, 2020. However, the Court is examining possible treatments or guidance programs for the suspect which could be combined with a sentence for crime. Therefore, an interim verdict was made by the judge.

The suspect walked into his cousin’s house and began firing shots. A 22-year-old woman, who was also in the house, was shot at and badly injured. Another 16- year-old and 27- year-old victim were shot at, but not injured. The lead up to the shootout appears to have stemmed from previous quarrels.



OM SXM has continued coordinating the JCO. The JCO is a monthly meeting of the Court of Guardianship, SJIB officers, Truancy and KPSM, and coordinated by the youth specialists at OM SXM. The COVID- 19 pandemic did not impede these meetings. In 2020, there were 10 meetings held via video conference.

In the JCO meetings, juveniles who came into contact with criminal law (or are in danger thereof) are discussed with the purpose to achieve an integrative approach to prevention and optimal development of the specific child.



The prosecutor for youth offences has been monitoring and constructively engaging in the development of the Miss Lalie Centre (MLC) since its reopening in August 2019. In December 2020, the JCO has raised concerns about the continuity of MLC. In a letter to the Minister of Justice, the JCO underlined the need for resocialization-, educational- and prevention policies. The letter expressed concern about the availability and continuity of skilled staff at MLC such as educational experts and behavioral specialists. In the same letter, the JCO pointed to the lack of a children's home since the closure of I Can Foundation. Without such a home for some children, there is nothing, but the street.

2.2 Domestic violence

In 2020, we aimed to prevent and fight against domestic violence (Istanbul Convention) by:

- developing a work method together with KPSM on handling victims
- working together with the Victim Support Agency and other partners in this field

Performed activities in 2020:

Last year was a successful year in the fight against domestic violence. Even though Sint Maarten does not have a victim support agency, OM SXM has been working actively with our partners to do what is in our means regarding victim support. Our internal specialists met with stakeholders in the domestic violence field to gather information and have worked towards working agreements between OM SXM and KPSM, and OM SXM and the probation office. The agreements are in line with OM Carib's *Aanwijzing Relatieve Geweld* of 2017. The working agreements provide clarity on the terminology of domestic violence, the appointed contact persons, the process for handling cases, and victim support within the designated organizations.

The renewed working agreements have also led to a bi-weekly case meeting of OM SXM, KPSM, the probation office, and the Court of Guardianship. The accumulated information during these meetings is shared with the other prosecutors and legal assistants to stimulate information-driven work. This bringing of all the relevant information together contributed to substantiated decisions.



During the Domestic Violence Awareness Month in November, the prosecutor and legal assistant specialized on this topic made several awareness presentations on several radio stations and to departments of KPSM. A domestic violence information and awareness session with specialized police officer, organized by the prosecutor and legal assistant, was held for employees of the Prosecutor's Office earlier in the year.

The year ended with successful workshops between the Prosecutor's Office and government representatives on the draft of a violence policy and domestic violence policy. Follow-up is expected in 2021.

2.3 Violent crimes

In the Annual Plan 2020, the Prosecutor's office set out to continue to work with the Special Unit Robberies of KPSM to combat violent crimes and to focus on confiscating goods by:

- committing to prosecute heavily on the possession of illegal firearms
- focusing on confiscating proceeds of crime (Also see 2.5 financial crimes)
- actively prosecuting violations of the compulsory education regulation
- inform the community and business owners about the use of electronic payment methods as crime deterrent

Performed activities in 2020:

The number of (fatal) violent crimes is high on Sint Maarten and remains a continuous alarming trend over the past three (3) years. Last year, OM SXM registered 7 homicide cases. High impact crimes exert a significant influence on the feeling of safety for residents. The community relies on protection from authorities and is desperate for resolute action from the authorities. Violent crimes, such as murder or armed robberies are usually committed with an weapon/illegal firearm.

OM SXM aims to combat the use and possession of illegal firearms. Due to less capacity at KPSM, no control on illegal firearms/weapons were carried out in 2020. Nevertheless, the police confiscated 23 illegal firearms. The problem of illegal firearms in the country is also a concern picked up by the Court. Last year proved that heavy penalties demanded by the prosecutors in cases concerning possession of illegal firearms have been awarded in most cases by the Court of Appeal.



Due to the pandemic, schools were closed and remote teaching was introduced. Therefore, the intended aim to work more intensely with the truancy officer on the violation of compulsory education regulation could not be executed.

The pandemic and the restrictive measurements imposed by Government has led to “new way of working” and redirection of priority. Therefore, OM SXM could not execute the awareness campaign on the electronic payment methods.

4 Islands THE DAILY HERALD, Thursday, October 22, 2020

Fifteen years imprisonment for shooting in Union Farm

15 years prison time for murder of DJ Geovany Vichi Machado

The Court of First Instance on October 21, 2020, sentenced J.M.H. (29), the main suspect in the investigation “Lamantijn”, to 15 years imprisonment for the murder of DJ Geovany Vichi Machado (47).

Following a performance at Little Bamboo on the night of March 25, 2019, Machado had come into contact with H. and another individual. Those individuals drove with Machado in his vehicle prior to robbing him. H. later shot him dead on Brasilia Road.

The investigation was a lengthy one, however DNA found in Machado’s vehicle and camera footage resulted in a breakthrough leading to this conviction.



2.4 Confiscated goods

In cases where a crime is committed, law enforcement has the task to confiscate evidence or stolen goods until the end of the investigation or until a court decision.

The confiscated stolen goods as well as those collected as part of the criminal investigations have accumulated significantly in 2020 and created a storage challenge for KPSM. OM SXM appointed one (1) prosecutor to take charge of seizure cases. A start was made to review the procedures concerning the confiscated goods and reinforcing guidelines when dealing with stolen goods. This will eventually lead to a faster handling of confiscated goods and probably less long-term storage at the police station.



2.5 Financial crimes

In 2020, OM SXM's aim was to work efficiently with the investigation capacity available by:

- working more intense with the Financial Intelligence Unit (Meldpunt Ongebruikelijke Transacties MOT)
- working with the investigation department of the Tax Department.

Performed activities in 2020:

The regular meetings with MOT continued digitally in 2020 and have been beneficial for starting research into financial crimes. At least one (1) of the cases that has been assigned to the Asset Recovery Team is a result of reporting of irregularities by MOT.

The Prosecutor's Office is awaiting the legal documents to assign an inspector of the Tax Office to the Asset Recovery Team to be approved by the Ministry of Finance.

Man to pay back more than NAf. 300,000 for SZV fraud

D.J.W. was convicted of a large-scale employment and immigration fraud, where illegal Social and Health Insurance SZV cards were issued under a fake company.

The judge ruled that W. has to repay the country of Sint Maarten a total US \$18,850.00 and NAfl. 306,208.00 for the proceeds he accumulated from his crimes.

He was sentenced to 15 months prison time, where 10 months are conditional with 3 years' probation. Failure to make payment will result in an additional 3 years' prison time.





2.6 Criminal assets

In the Annual Plan 2020, OM SXM emphasized the importance of confiscating criminal assets such as property, bank accounts, cars, and boats. With the motto: “Crime does not pay”, the focus has been to confiscate proceeds of crime to hamper criminal activities and provide funds for the country’s coffers.

Performed activity in 2020:

The Asset Recovery Team consists of one (1) police detective, one (1) coastguard officer and one (1) customs officer. In 2020, the team started three (3) new cases. Due to all law enforcement officers being needed to enforce the COVID-19 measures and restrictions, this team had to scale back ongoing- and new investigations for the second part of 2020.

2.7 Integrity crimes

The COVID-19 pandemic had negative impact on the capacity available for investigations within the National Detective Bureau (Landsrecherche). Nevertheless, the National Detective Bureau was successful in the “Seabass” investigation where the Head of ICT of the Country Sint Maarten, M.D., was accused of abuse of his position when awarding public ICT tenders and money laundering of the unlawful proceeds. In addition, amounts of money, and a plot of land and vehicles were seized. We expect this case to be ready for Court in 2021.

2.8 Human trafficking and human smuggling

In the annual plan, OM SXM continue to prioritize the fight against human smuggling by:

- implementing preventative measures together with the Ministry of Justice (integrative approach)

Performed activity in 2020:

In 2020, the UMM (Unit Mensenhandel Mensensmokkel) together with OM SXM achieved significant results. Collaboration with Coastguard and the French coastguard has intensified just like the international collaboration with the USA. The intense working relationships have led to five (5) suspects on trial and in four (4) cases the Court ordered payment from the proceeds of the crime of **NAfl. 55,342.**



Due to the COVID-19 measures, Government had to prioritize the mitigation of the pandemic. Therefore, the integrative approach with the Ministry of Justice has been on hold.

Court sentences human smuggler to 38 months

Prison time for human smuggling

J.A.P., the main suspect in the investigation “Eagle”, was sentenced to 38 months’ imprisonment on September 24, 2020, for leading a human smuggling ring, which spanned between October 2019 and February 2020.

P. was convicted as the leader of the organization which transported undocumented individuals from Sint Maarten/St. Martin to Tortola, BVI. He was found responsible for this incident of human smuggling, when a go-fast was discovered washed up on a reef, after encountering bad weather earlier this year. The group of individuals, which included a baby, arrived unharmed.

P. was arrested two weeks later, while organizing another transport. In addition to the prison sentence, P. was sentenced to pay US \$29,350.00, as proceeds of his crimes. ❖

2.9 Victim support

The aim of OM SXM in 2020 has been to improve our service to victims of crimes by:

- playing a bigger and better role when it comes to providing information and raising awareness within Government.

Performed activities in 2020:

In 2020, OM SXM charged **61 persons** with domestic violence abuse. The absence of a victim support agency on Sint Maarten and the fact that victims are not consistently informed about their rights and the decision in their case, have led to OM SXM to take a closer look at how service has been provided to victims in the past years and to take a closer look at our internal approach to victims.



OM SXM has an ethical responsibility to inform victims consistently about the handling of their case and the verdict. Victims also have to be informed about the possibilities of damage compensation. Therefore, an internal policy on victim support was introduced in November 2020. The implementation of the policy also served as an awareness point for the concerned employees.

To stimulate the information service to victims, a registration of the consultations in the cases with individual victims, the legal assistants and prosecutors is kept by OM SXM. In 2020, 13 consultations were logged in the registry.

2.10 Internal affairs

In 2020, OM SXM had the following internal priorities:

- handling cases faster with JASAP (justice as soon as possible)
- pro-active communication with the community
- improvement in preparation of cases
- actively execute verdicts
- digitalizing of case files

Performed activities in 2020:

Since March 2020, the beginning of the COVID-19 pandemic on Sint Maarten, OM SXM has been taken prevention measures to ensure the safety of its employees and visitors to the office. However, the public has been encouraged to make use of online services, instead of visiting the office. Payment of fines via online banking is encouraged.

The office was closed to the public from March 30 until August 3; visitors, when extremely necessary was by appointment only.

To help mitigate the spread of the virus, employees have been working in shifts, and from home since March and until further notice. The preventive measures of the Prime Minister, for example, the lockdown at the end of March, the closing of non-essential businesses and the stop to all public events, have created challenging situations for the law enforcement. JASAP meetings usually occurs daily; the prosecutor goes through the “proces verbalen” at the police station and decides at that moment what will be done with the case.



This aids with speeding up the process of handling cases in a timely manner. The usual JASAP routine was not followed consistently in 2020, due to the pandemic.

Police capacity had to be assigned to enforce the COVID-19 measures. Even prosecutors and the Court had to adapt to handling “Corona” cases and having online court hearings. The measures also brought challenges to the management team of the different judicial organizations. Numerous crisis meetings with law enforcement partners and adapted internal working processes have been adapted. With the absence of a communications officer in the second half of 2020, communicating about cases and developments to the community was lessened.

The “new way of working” together with the reduced capacity at OM SXM has led to challenges for the administrative process. The administration department worked in shifts every other day. The team, therefore, could not work at full capacity, but was challenged to complete the same volume of work while working less hours due to the pandemic. Despite this, the team registered all new cases within a week of receipt and prepared cases for arraignments, and court hearings in a timely manner. In addition, the administration created an overview of all cases wherein restitution and/or compensation was granted to a victim, as well as an overview of all cases from 2014 to 2019 wherein community service was ordered.

In the second half of 2020, two administrative judicial workers were hired. With the addition of these two new members, performance was improved in key areas, such as the execution of decisions in ongoing cases and preparing cases for/in appeal. The digitalization of files is an ongoing process.



3. Operational report

In this section, OM SXM reports on the developments concerning internal business operations.

3.1 Personnel

In 2020, three (3) employees left OM SXM, since their contract was ended. In addition, two (2) administrative assistants and two (2) legal assistants were employed. With regards to formation expansion, we have indicated to the Ministry of Justice, that our office needs staff to enforce the execution process.

Our administration department has partially performed execution next to their regular tasks. The department has been understaffed, which has led for many years to inconsistency in registration and follow-up of the execution process. Therefore, our organization has been unable to report actual figures of outstanding- and paid penalty revenues. Follow-up is expected in 2021.

The pandemic led to restrictions on the freedom of movement for employees as well. Working from home put us at a physical distance from each other, but it also came with new possibilities - digital training. Our office was offered the possibility to do personal development trainings via "New Heroes".

3.2 Housing

The building housing OM SXM has undergone several adaptations: according to the Annual Plan:

- Safe consultation room for clients
- Expansion of the administration department
- More flexible office space
- Network security measures

3.3 Financial report

The Office of the Attorney General, which is situated on Curacao, is responsible for the financial administration of the Prosecutor's office SXM and is supported in task by an employee working at Prosecutor's Office SXM. The set-up of the financial administration dates from 2010.



Processes are outdated, not or insufficiently described, maintained or no longer meet the requirements of a financial administration in the year 2022. Also, there has been no/insufficient securing of work processes so that tasks are insufficiently transferable.

One of the consequences was that there was no up-to-date financial administration and finance was insufficiently able to deliver management reports, to realize a good liquidity planning and to make timely adjustments. This in turn has resulted in P&C products not being delivered on time and efficiently to the Management Team. In 2020, finance department started to work towards improving processes and this will continue in 2021.

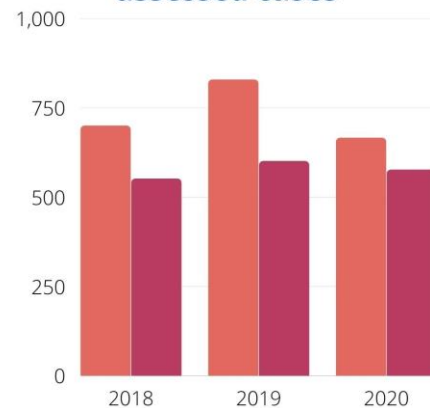


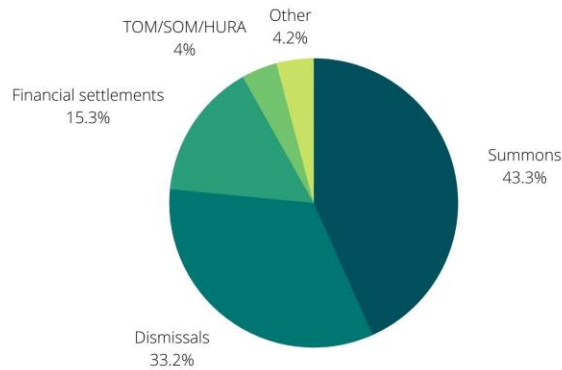
4. Our performance

KPSM is the largest supplier of criminal cases to OM SXM. Our office also receives cases from Customs Department, Immigration Department, Coastguard, Ministry of Tourism, Economic Affairs, Transportation and Telecommunications (TEATT) and Inspectorate of the Ministry of Public Health, Social Development and Labour.

OM SXM registered 667 new cases in 2020, of which 577 cases were assessed. Compared to the previous years, a decline in cases was observed, but there was an increase in handled cases compared to previous years.

Registered cases vs. assessed cases





43 per cent of the cases were summoned to court. 33 per cent were dismissed; the majority were dismissals given when there was insufficient legal evidence to take the case to Court. The decline in new cases OM SXM with more time to evaluate “old” cases: 38 cases from 2013 until 2018, and 140 cases from 2019.

The reason for a drop in cases might be that less crime was committed, because of the restrictions and measurements implemented during the pandemic. There might also be the possibility that due to less capacity at KPSM, there was a priority shift to maintaining public order and enforcing the COVID-19 measures. Overall, the crime figures have dropped significantly, except those for robberies which increased to 64 cases, compared to 2019. The problem of robberies in the country has the attention of KPSM and OM SXM for years. Unfortunately, this is not something that can be mitigated easily. Special attention has to be

given to the developments of upcoming youth delinquency and the problem of illegal possession of firearms. (See table 1 for performance overview.)

In 2020, 42 cases involving minors were registered, a drop of 41 per cent compared to 2019. OM SXM aims to assess these cases within three months.

The largest number of cases handled are assault cases that often are connected to domestic violence. The term “domestic violence” is somewhat misleading, since this type of violence is not limited to violence among people living in the same household. It can include partners and ex-partners, immediate family members, other relatives and family friends.



Therefore, we prefer to use the term “relational violence”. The type of cases that we register under relational violence or assault can include: physical and sexual violence, stalking, and threats. Victims of these type of cases are often woman and children.

2020 has been a successful year when it comes to imposing of fines. A total of **3,673 fines** were issued totaling NAfl. 883,136. The figures show that more fines were issued in 2020 compared with 2019. A total amount of NAfl. 112,725. were paid. The bad economic situation on the country might be the reason for the low payment performance.

Table 1

Year	2018	2019	2020
Registered cases	700	829	667
- Assessed cases	552	601	577
- Summons	257	302	249
- Dismissals	157	131	191
- Financial settlements	70	135	89
Youth cases	76	72	42
Human trafficking case	2	2	0
Human smuggling case	4	6	2
Homicide cases	10	8	7
Car theft	204*	141*	112*
Burglaries	NIA	79	55
Robberies	49	32	64
Confiscated Illegal firearms	32*	26*	23*
Assault suspects/ relational (domestic) violence	149	207	143
- charged	NIA	NIA	61
Amount of damage compensation granted by Court in relational violence	NIA		NAfl. 175,284-
Total of(traffic) fines (KPSM. Coastguard, TEATT)		2605	3673
Total issued fines (ANG)		459.225,-	883.136,-
Total fines collected (ANG)		197.629,-	112.725,-
COVID-19 cases		-	84
NIA= No Information Available *= Records from KPSM			



5. 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, 2020. The amounts relate to the 2020 financial year. The annual figures are derived from the 2020 financial statements. The financial figures presented in this annual report have been audited and provided with an auditor's report.

The total costs in 2020 are lower than budgeted.(▲ NAF. 0.6 mio.↓). This is mainly the result of lower personnel costs. This under-utilization (▲ NAF. 0.5 mio.↓) mainly results from overbudgeted pension premiums and social security premiums (▲ NAF. 0.4 mio.↓).

5.1 Totals

Public Prosecutor's Office of Sint Maarten	Budget 2020	Actual 2020	Variance 2020
Description	NAF.	NAF.	NAF.
Totaal	3,959,950	3,384,455	575,495
Personeelskosten	3,050,100	2,533,525	516,575
Salarissen en uitkeringen	2,195,400	2,172,542	22,858
Pensioen en sociale lasten	671,800	253,986	417,814
Inhuur personeel	140,400	83,212	57,188
Overige personeelskosten	42,500	23,785	18,715
Huisvestingskosten	563,550	533,215	30,335
Transportkosten	33,500	32,258	1,242
Algemene kosten	312,800	247,271	65,529
Afschrijvingskosten	0	38,186	(38,186)



5.2 Specifications

Public Prosecutor's Office of Sint Maarten	Budget 2020	Actual 2020	Variance 2020
Description	NAF.	NAF.	NAF.
Totaal	3,959,950	3,384,455	575,495
Personeelskosten	3,050,100	2,533,525	516,575
Salarissen en uitkeringen			
Salarissen en lonen	2,051,000	1,951,712	99,288
Kindertoelage	11,000	2,333	8,667
Vakantie-uitkering/toelage	123,200	66,948	56,252
Overige uitkering en toelage	10,200	175,982	(165,782)
Medische-/keuringskosten	0	-24,433	24,433
Pensioen en sociale lasten			
Pensioen premie	369,200	157,527	211,673
Toeslag AOV/AWW	124,100	71,981	52,119
Toeslag AVBZ	10,900	10,405	495
Bijdrage ZOG	167,600	14,073	153,527
Inhuur personeel			
Schoonmaak pers v. derden	38,400	31,044	7,356
Stagiaires en uitzendkrachten	12,000	8,289	3,711
Vertaal / tolk kosten	15,000	7,031	7,969
Kosten uit- / terugzending	75,000	36,848	38,152
Overige personeelskosten			
Cursus en opleidingen	20,000	16,069	3,931
Dienstkleding	7,500	0	7,500
Kosten maaltijd	0	112	(112)
Overige personeelskosten	15,000	7,604	7,396
Huisvestingskosten	563,550	533,215	30,335
Electra	36,750	11,267	25,483
Water	6,300	3,496	2,804
Huisvestingskosten	484,800	454,158	30,642
Onderhoud Gebouw	15,100	58,894	(43,794)
Verzekeringskosten gebouw	1,400	0	1,400
Onderhoud Airco's	4,100	(2,729)	6,829
Huishoudelijke artikelen	10,100	7,456	2,644
Overige huisvestingskosten	5,000	673	4,327



Public Prosecutor's Office of Sint Maarten	Budget 2020	Actual 2020	Variance 2020
Description	NAF.	NAF.	NAF.
Transportkosten	33,500	32,258	1,242
Brandstofkosten	15,300	12,670	2,630
Onderhoud transport	6,000	19,579	(13,579)
Verzekeringskosten transport	9,900	0	9,900
Overige transportkosten	2,300	9	2,291
Algemene kosten	312,800	247,271	65,529
Reis en verblijfskosten	71,400	26,426	44,974
Vergader- en presentatie kosten	2,500	1,198	1,302
Kantoorbehoeften	1,900	12,458	(10,558)
Papier, druk en bindwerk	7,600	1,646	5,954
Huur/lease Kantoor apparatuur	28,800	23,220	5,580
Telefoon en faxkosten	55,100	108,665	(53,565)
Porto en vrachtkosten	5,000	4,597	403
Abonnementen/lektuur/internet	57,100	33,350	23,750
Onderhoud duurzame roer. goed	2,100	0	2,100
Representatie/voorlicht	3,100	90	3,010
Aankoop kleine inventaris	8,100	1,351	6,749
Specifieke kosten orde/rust	50,000	37,692	12,308
Bankkosten	0	4,076	-4,076
Consultancy	15,000	3,180	11,820
Overige algemene kosten	5,100	(10,678)	15,778
Afschrijvingskosten	0	38,186	(38,186)
Afschrijvingen materiele vaste activa	0	38,186	(38,186)



Contact

Prosecutor's office Sint Maarten

Emmaplein 1, Philipsburg Sint Maarten

Telephone: +1721 5422243/ +1721 5430109

Email: parket.sintmaarten@omcarib.org

