IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

2007 JAN 13 P 6:30

PEOPLE OF THE VIRGIN ISLANDS Plaintiff v. **ALRIC V. SIMMONDS** Defendant	)	**CRIMINAL No. /07** **T. 14 V.I.C. § 895(b)** **T. 14 V.I.C. § 1662(1)** **T. 14 V.I.C. § 551(1)**

INFORMATION

The People of The Virgin Islands Charge That:

COUNT ONE

On or about February 20, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWO

On or about March 20, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THREE

On or about May 25, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in

violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT FOUR

On or about June 1, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT FIVE

On or about September 9, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check

payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT SIX

On or about September 11, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT SEVEN

On or about October 1, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of

Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT EIGHT

On or about October 8, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT NINE

On or about November 22, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without

authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TEN

On or about December 14, 2004, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT ELEVEN

On or about February 7, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the

Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWEVLE

On or about February 10, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTEEN

On or about February 25, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of

Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT FOURTEEN

On or about March 4, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT FIFTEEN

On or about March 17, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own

use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT SIXTEEN

On or about April 20, 2005, in St. Thomas, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT SEVENTEEN

On or about October 20, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT EIGHTEEN

On or about October 20, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to

receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT NINETEEN

On or about November 25, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY

On or about November 25, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check

payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY ONE

On or about November 30, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY TWO

On or about December 12, 2005, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of

Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY THREE

On or about January 26, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY FOUR

On or about January 31, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without

authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY FIVE

On or about February 4, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY SIX

On or about March 10, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the

Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY SEVEN

On or about May 23, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY EIGHT

On or about June 16, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the

Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT TWENTY NINE

On or about June 19, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY

On or about June 27, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use

of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY ONE

On or about July 5, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY TWO

On or about July 17, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY THREE

On or about July 10, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in

violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY FOUR

On or about July 11, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY FIVE

On or about July 19, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another

person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY SIX

On or about July 24, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY SEVEN

On or about July 27, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research

checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY EIGHT

On or about August 5, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT THIRTY NINE

On or about August 8, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law,

unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT FORTY

On or about August 11, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT FORTY ONE

On or about August 17, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the

Governor and liaison to the Bureau of Economic Research, the Defendant, without authority of law, unlawfully appropriated government funds from the Bureau of Economic Research checking account upon which he was a signatory, by issuing a check payable to another person, knowing that such person was not lawfully authorized to receive same, in violation of **T. 14 V.I.C. § 1662(1) EMBEZZLEMENT OR FALSIFICATION OF PUBLIC ACCOUNTS.**

COUNT FORTY TWO

On or about February 20, 2004 to August 17, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did appropriate a portion thereof to his own use or the use of another without authority of law in that while being the Deputy Chief of Staff to the Governor of the Virgin Islands, as certifying officer for the Office of the Governor and liaison to the Bureau of Economic Research, without of law, the Defendant knowingly converted money of the United States Virgin Islands, Bureau of Economic Research checking account, upon which he was a signatory, by writing checks payable to another person, who was not authorized to receive same, in violation of **T. 14 V.I.C. § 895(a) CONVERSION.**

COUNT FORTY THREE

On or about February 20, 2004 to August 17, 2006, in St. Thomas, Virgin Islands, ALRIC SIMMONDS, being a public officer or person charged with the receipts, safekeeping, transfer, or disbursement of public monies, did conspire with another person to commit a crime, to wit: embezzlement of public monies from the United States Virgin Islands, Bureau of Economic Research checking account, upon which he was a signatory,

by writing checks payable to another person, who was not authorized to receive same, in violation of **T. 14 V.I.C. § 551(1) CONSPIRACY.**

Respectfully Submitted,

VINCENT F. FRAZER
Attorney General

DATED: June 12, 2007

BY: Claude E. Walker
CLAUDE E. WALKER
Assistant Attorney General

JUN -6 AM 8:35

AFFIDAVIT OF NICHOLAS PERU

Being over the age of 18 years old and duly sworn, I Nicholas Peru state:

1. That, I am employed as a Special Investigator with the Office of the Virgin Islands Inspector General (O.V.I.I.G.) and have so been from August 2002.

2. That, prior to August 2002, I was employed from 1992 with the Virgin Islands Department of Justice, Office of the Attorney General (D.O.J.) in the capacity of Special Agent conducting criminal and civil investigations. From 1999 to August 2002, I was the sole investigator assigned to the Government Fraud and Corruption Task Force formed between the D.O.J. and the O.V.I.I.G.

3. That, the O.V.I.I.G. received information that suggested suspicious activity being conducted by Alric Valdemer Simmonds (SIMMONDS); namely, large checks being cashed by SIMMONDS.

4. That, SIMMONDS was employed by the Government of the Virgin Islands (GVI) on June 21, 1999 as the Deputy Chief of Staff to Governor Charles W. Turnbull at a salary of $64,000.00. He retired effective October 6, 2006 at a salary of $80,000.00 in the same position. SIMMONDS was a Certifying Officer for the Office of the Governor.

5. That, the Bureau of Economic Research (BER) is a division of the Office of the Governor and is charged with providing statistical information on the state of the Virgin Islands economy. In addition, the BER regularly conducts special research projects in the form of briefing papers, analyses and surveys. The BER is headed by Lauretz Mills, (MILLS) Director. SIMMONDS was also the Governor's liaison to the BER.

6. That, affiant was informed by MILLS that SIMMONDS, as liaison to the BER knew that a grant was forthcoming for the research and development of a Universal Health Care study. SIMMONDS established a checking account at Banco Popular de Pureto Rico in the name of the BER under the account number 193-042584. SIMMONDS and MILLS were the only signatories and only one (1) signature was required to sign a check regardless of the amount. MILLS provided negotiated checks for the period November 14, 2002 to August 26, 2006 returned from the bank and in her possession, together with accompanying bank statements.

7. That, Mills stated that SIMMONDS told her that he had a $30,000.00 check that he had to deposit and that money was to be used to pay for "road side clean-up" and that he would use that account for that purpose until the grant funds came in. On November 14, 2002 account number 193-042584 was opened by SIMMONDS with a deposit of $30,500.00 using a check issued by the GVI.

8. That, as a Certifying Officer for the Office of the Governor, SIMMONDS had access to all accounts held by that office. Legitimate payments were made by the issuance of a Miscellaneous Disbursement Voucher (MDV) document listing among other things the payee, amount to be paid and the purpose for the payment. All MDVs are signed by a certifying officer signifying that the information is correct, accurate and that funds are available to pay the amount on the MDV.

9. That, affiant has been informed that there are accounts accessible to the Office of the Governor by way of account titles and codes e.g. Microsoft Licensing Fee-code DM3103; Removal Abandoned Vehicle & Beautification-code S46805 (St.Croix) and S46804 (St.Thomas/St.John); BVI/VI Friendship Day-code GE1103. These accounts are established by the Office of Management and Budget and the Department of Finance. Funding for all accounts is from Territorial or Federal Funds. If a check is issued from the Department of Finance for a particular account/fund to a government agency, that check is deposited by way of a statement of remittance sent to the Revenue Collection Division of the Department of Finance for deposit to the specific fund.

10. That, subpoenaed deposit items received from Banco Popular de Puerto Rico revealed that ***all checks*** deposited into the BER account number 193-042584 were due to, and belonged to the GVI. These checks totaled $2,094,492.04 from inception, i.e. October 3, 2002 to August 17, 2006.

11. That, a review of deposits received from the bank revealed that two (2) cash deposits totaling $12,566.00 were made. The source of the cash deposited is not known. In addition to checks from the GVI being deposited, nine (9) checks totaling $15,167.82 were deposited which were received from sources (e.g. refunds from American Airlines, refunds from travel agents, checks from W.I.C.O.) other than from the GVI, however, all of these checks with the exception of one check payable to Charles Turnbull and Fred Braithwaite from American Airlines were made payable to the Office of the Governor and therefore belonged to the GVI. Additionally, nineteen (19) checks totaling $159,624.67 which were deposited were drawn on an account owned by the Government Development Bank (GDB) payable to the BER.

12. That, SIMMONDS caused checks to be issued to Office of the Governor by way of MDVs and deposited those checks into the BER account and wrote checks to various entities including him-self and to cash against the funds deposited One such entity is an individual who, due to continuing investigation shall remain unnamed, but for the purposes of this affidavit, will be addressed as VAL. All checks were signed by SIMMONDS

13. That, VAL received forty-one (41) checks from February 20, 2004 to August 17, 2006, all signed by SIMMONDS totaling $230,610.00. Of the 41 checks, 16 had no notation in the memo portion, 21 stated cleaning services or related services, 1 check had transfer in the memo portion.

14. That, in reviewing these 41 checks in detail, it became apparent that there were several suspicious checks written wherein the amounts were somewhat large and quite frequent. Listed as examples are the following:

- On 9/9/04, check number 1199 was issued in the amount of $6,000.00 for Cleaning and Hauling Services.
- On 9/11/04, check number 031 was issued in the amount of $4,800.00 for Cleaning Services. Two days later.
- On 10/1/04, check number 1203 in the amount of $4,000.00 was issued with no notation.
- On 10/8/04 check number 032 in the amount of $2,500.00 was issued for Cleaning Services. The dates on check numbers 031 and 032 are almost a month apart, yet checks were written in between.
- On 10/20/05 check number 1303 in the amount of $8,000.00 was issued with no notation.
- On 10/20/05 check number 1311 in the amount of $7,500.00 was issued with the notation Transfer, a total of $15,500.00 in one day.
- On 11/25/05 check number 1318 in the amount of $5,065.00 was issued with no notation.
- On 11/25/05 check number 1327 in the amount of $7,000.00 was issued with the notation Cleaning and Disposal Services, a total of $12,065.00 on that day.
- On 11/30/05, check number 1340 in the amount of $6,800.00 was issued with the notation Cleaning & Beautification.

A complete list of checks written to VAL is attached as exhibit 1.

15. That, affiant spoke with an individual who has been employed by the Office of the Governor for over 20 years. This employee has worked in the Accounting Division, now called the Business Office for her tenure and among other duties handles the processing of payments on behalf of Government House. Affiant was informed that all legitimate payments to vendors are made by way of MDVs and that in order for a payment to a vendor to be made, the vendor must submit an invoice, that invoice together with the MDV is sent to the Department of Finance

and a check is issued to the vendor. The true name of VAL was not known to this employee, neither were there any invoices or MDVs in that individuals' name. Further, all cleaning within Government House is done by the employees of the housekeeping division. During the previous administration as with the current administration, all legitimate payments are made through this office for the Office of the Governor.

16. That, based on the foregoing, affiant believes that there exists probable cause to Arrest ***ALRIC V. SIMMONDS*** and charge him with the following violations of law:

- Conversion in violation of T 14 VIC § 895 (B).
- Embezzlement or falsification of public accounts in violation of T 14 VIC § 1662 (1).
- Conspiracy in violation of T 14 VIC § 551 (1).

FURTHER AFFIANT SAYETH NOT

NICHOLAS PERU — DATE 6/5/07

Subscribed and Sworn to this 5th day of June, 2007.

Notary Public

CHECKS PAID TO VAL
BY ALRIC V. SIMMONDS
FROM BER ACCOUNT 193-042584

	Date	Check #		Amount	Memo Portion
1	02/20/04	1172	$	2,500.00	Cleaning Svc
2	03/20/04	1176	$	3,000.00	Cleaning Svc
3	05/25/04	1181	$	5,500.00	Cleaning Svc
4	06/01/04	1188	$	3,800.00	Cleaning Svc Disposal
5	09/09/04	1199	$	6,000.00	Cleaning and Hauling Svcs
6	09/11/04	031	$	4,800.00	Cleaning Svcs
7	10/01/04	1203	$	4,000.00	
8	10/08/04	032	$	2,500.00	Cleaning up Svcs
9	11/22/04	1211	$	4,000.00	
10	12/14/04	1225	$	5,000.00	Cleaning Svcs
11	02/07/05	1241	$	4,990.00	
12	02/10/05	1245	$	1,500.00	
13	02/25/05	1258	$	3,785.00	Cleaning and Debris Removal
14	03/04/05	1261	$	4,300.00	
15	03/17/05	1265	$	2,500.00	Svcs
16	04/20/05	1269	$	7,570.00	Various Cleaning Svcs
17	10/20/05	1303	$	8,000.00	
18	10/20/05	1311	$	7,500.00	Transfer
19	11/25/05	1318	$	5,065.00	
20	11/25/05	1327	$	7,000.00	Cleaning & Disposal Services
21	11/30/05	1340	$	6,800.00	Cleanup & Beautificaion Project
22	12/12/05	1347	$	6,000.00	Cleaning & removingal of debris
23	01/26/06	1363	$	5,000.00	Cleaning Services
24	01/31/06	1375	$	5,000.00	Cleaning & removal of debris
25	02/04/06	1377	$	6,000.00	Cleaning & Debris Removal
26	03/10/06	1323	$	6,000.00	
27	05/23/06	1429	$	6,000.00	
28	06/16/06	1421	$	5,000.00	
29	06/19/06	1427	$	8,000.00	Cleaning & Debris Service
30	06/27/06	1431	$	7,000.00	
31	07/05/06	1437	$	6,000.00	
32	07/17/06	1440	$	7,000.00	Cleaning & Debris Removal
33	07/10/06	1443	$	6,000.00	Cleaning Services
34	07/11/06	1447	$	7,000.00	
35	07/19/06	1448	$	8,500.00	
36	07/24/06	1452	$	6,000.00	
37	07/27/06	1456	$	7,000.00	
38	08/05/06	1602	$	8,000.00	Cleaning & decris removal
39	08/08/06	1606	$	8,000.00	Cleaning Svcs
40	08/11/06	1611	$	6,000.00	Debris removal
41	08/17/06	1616	$	7,000.00	Cleaning debris removal
		TOTAL TO VAL	**$**	**230,610.00**	