



# Legislature of the Virgin Islands

## Office of Senator Kenneth L. Gittens

Capitol Building, Charlotte Amalie, VI 00804 • 3022 Golden Rock, Christiansted, VI 00820

**Kenneth L. Gittens**

**Senate Majority Leader**

### COMMITTEES

Homeland Security,  
Justice & Public  
Safety

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Health, Hospitals &  
Human Services

**Vice-Chair**

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Rules & Judiciary

**Member**

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Disaster Recovery,  
Infrastructure &  
Planning

**Member**

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Government  
Operations, Veterans  
Affairs, & Consumer  
Protection

**Member**

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Committee of the  
Whole

**Member**

**TO: Kurell A. Sheridan, J.D.**

**FROM: Kenneth L. Gittens**  
Chairman

**DATE: March 23, 2023**

**SUBJECT: March 15, 2023**

Homeland Security, Justice and Public Safety Committee Report

Find attached committee report from the February 7, 2023 hearing of the Committee on Homeland Security, Justice and Public Safety, submitted pursuant to Rule 605 of the Rules of the 35th Legislature of the Virgin Islands.

### **COMMITTEE REPORT- Homeland Security, Justice and Public Safety**

The Committee on Homeland Security, Justice & Public Safety held a legislative committee hearing at **10:00 a.m., Wednesday, March 15, 2023**, in the **Earle B. Ottley Legislative Hall**, on **St. Thomas, V.I.** to hear overview testimony from the Office of the Public Defender, Office of Gun Violence Prevention and the Virgin Islands Police Department.

The meeting called to order at 10:18 a.m.

### **All Committee Members were in Attendance at Roll Call:**

Senator Angel L. Bolques, Jr.  
Senator Franklin D. Johnson  
Senator Alma Francis Heyliger  
Senator Ray Fonseca  
Senator Javan E. James, Sr.  
Senator Kenneth L. Gittens  
Senator Dwayne DeGraff

### **Non-Committee members in Attendance:**

Senator Diane Capehart  
Senator Carla J. Joseph  
Senator Novelle E. Francis, Jr.

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***“Lead By Example”***

Senator Donna A. Frett-Gregory  
Senator Marvin Blyden

**Legislative Reporters:** Joanne Samuel, Tricia D. Sealey, Vashti Gerald-Berry

**Legal Counsel:** Sharlene Rogers

**Public Affairs / Media:**

Omari Hicks  
Chaunte Herbert  
Melissa Gustave  
Alwyn Baptiste  
Alvin Burke  
Bernard Matthew  
Eustace Browne  
Barry Leerdam  
Africah Harrigan  
Jamal Potter

**Security / Sergeant-at-Arms:** Delvin Fleming

**Clerked by:** Fiona Z. Stokes

Chairman called the meeting to order and recognized Virgin Islands History Month and Women History Month by paying tribute to Aviation Captain Orchydia Sackey, Brigadier General Sally Petty and Deborah Howell, the first female adjutant general of the V.I. National Guard.

Chairman gave remarks and asked for clerk to call the attendance and read the agenda into the record.

Non committee members welcomed:

Senator Diane Capehart  
Senator Carla J. Joseph  
Senator Novelle E. Francis, Jr.

Agenda and all correspondences read into the record. VIPD sent an excusal letter saying they cannot appear for participating for overview but sent a representative to participate in the testimony given on Bill 35-0013.

**BLOCK I**

**10:00 A.M.**

The committee received overview testimony on the Office of the Public Defender's operations, capital projects, and other initiatives.

**Invited Testifiers:**

Samuel Joseph, Chief Public Defender was allowed to introduce himself.  
Keiran Isadore, OPD Office Administrator, was allowed to introduce herself  
Ronald Moorehead, OPD Fiscal Officer, was allowed to introduce himself.

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Chief Public Defender Joseph was allowed to put his testimony on the record. He spoke of the operations of the department. Staffing includes a juvenile attorney and four general attorneys on each island and there is a need for salary increases. Possession of land on St. Thomas while they own the building on St. Croix. He testified that his office has a caseload of over 800 defendants.

Once completed, senators were allowed to ask questions in a 7-minute round.

Senator Bolques requested the number of murder statistics as held by the OPD.

Senator Johnson in his questioning asked the CPD if the office would support the Speedy Trial Legislation, to which they answered “Yes”.

Senator James was recognized for a point of inquiry and advised that he sponsored a bill that made it mandatory that persons with drunk driving convictions shall have their drivers licenses suspended.

Senator Frett-Gregory was acknowledged upon her arrival and allowed to ask her 7 minutes of questioning.

Additional questions were asked by senators out of turn before the end of the block.

Testifiers were allowed to give a closing statement for 30 seconds and the chairman recessed for lunch.

## **LUNCH**

**12:20 P.M. – 1:15 P.M**

## **BLOCK II**

**1:30 P.M.**

The committee received testimony on Bill 35-0013 – An Act amending title 20 Virgin Islands Code, part II, chapter 35, relating to the issuance of operators’ licenses and identification cards to allow applicants to obtain limited local-purpose identification cards and operators’ licenses without providing certain federally required documentation.

<b>Testifier:</b>	<b>Title:</b>	<b>Department/Agency:</b>
Hon. Barbara McIntosh	Director	Bureau of Motor Vehicle
Carol Thomas-Jacobs, Esq.	Acting Attorney General	V.I. Department of Justice
Glendina Matthew, Esq.	Director	Banking & Insurance
Sandra Harty-Gutierrez	President	V.I. Insurance Association
Honorable Ray Martinez	Commissioner	V.I. Police
Department		
Paul Alexander	Resident	Native of Dominica
Eddy Fleury	Resident	Native of Haiti
Adriana Veliz	Resident	Native of Venezuela
Ivor James	Resident	Native of St. Vincent
Luther Renee	Resident	Native of St. Lucia
Jerome Pineda	Resident	Native of the Philippines
Dioniso Lorenzo	Resident	Native Dominican Republic

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The chairman allowed Senator Carrion to introduce the bill. He then asked that each testifier put their written testimony on the record. All proceeded in order as they were called upon. Mr. Alexander did not have a written testimony by proceeded to make statements from his head to the committee. Ludrick Thomas, special assistant to the the Police Commissioner testified in his place. Leon Lafond Testified on behalf of Barbara McIntosh and BMV. The Chairman asked that additional testimonies submitted by read into the record by the clerk. There was a letter send from Business Owner Pash Daswani from India, UVI Student from Philippines A. Saret and Majer Addiljibar from the Islamic Society that were all read into the record by the clerk.

Senators present were given a 5 minute round to ask questions. That was followed by a three minute follow up round. There were concerns about discrimination and immigration status and reporting. There was discussion about the length of time it should take before the special card is issues and how long it should be valid and renewed. Bill sponsor carrion thanked all of the open dialogue and support of the bill. The committee then went into recess and senators left the room. They returned and Senator Bolques made an amendment to the bill which was approved by with no objections. He then made the motion to have the bill approved as amended and forwarded to the Rules and Judiciary Committee. The motion was seconded by Senator Fonseca and the bill was voted on favorably 5:12 p.m. Senators James, DeGraff and Francis-Heyliger asked for points of personal privilege to state why they voted how they voted and did not support the bill.

<b>Bill 35-0013 Roll Call</b>	<b>YEA</b>	<b>NAY</b>	<b>Not Voting</b>	<b>Absent</b>
<b>Kenneth Gittens</b>	<b>X</b>			
<b>Ray Fonseca</b>	<b>X</b>			
<b>Angel Bolques</b>	<b>X</b>			
<b>Dwayne DeGraff</b>		<b>X</b>		
<b>Alma Francis Heyliger</b>			<b>X</b>	
<b>Javan E. James</b>				<b>X</b>
<b>Franklin D. Johnson</b>	<b>X</b>			

**BLOCK III  
5:15 P.M.**

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The committee received overview testimony on the Office of Gun Violence's operations, capital projects, and other initiatives.

**Invited Testifiers:**

Anthony Emmanuel

Director

Office of Gun Violence Prevention

Chair asks clerk to read block III into the record.

Chair asks testifiers to state their names and titles into the record.

Mr. Emmanuel introduced himself along with:

Damian Lang, Violence Interrupter on St. Croix and Bruce Flamon, Community Outreach Coordinator on St. Thomas.

Mr. Emmanuel presented his testimony on the record and senators proceeded with a 5-minute round of questioning.

Senator discussed the role of the department; how effective they believe they have been. How they plan to quell violence and homicides by preventative programs. They were asked for statistics on crime rate involving guns. Senators overall said they were not impressed by the work the office had been doing and had not seen any effective prevention methods at work. They asked for a review of the office and discussed possible abolition of the office and move the resources back under the VI Police Department.

The hearing was adjourned at 7:22 p.m.

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