



| Legislative Session - Whole

Legislature USVI

January 28, 2022 · 3.2 hours · gov

Source recording	https://youtu.be/iEB53flqFpw
Status	This is a working transcript produced by machine from a recording of a public proceeding. It is a finding aid, not an official record of the Legislature.
Transcribed by	VI Update, using OpenAI Whisper large-v3-turbo, run locally. Not reviewed by a person.
Reliability	Automatic transcription, UNVERIFIED. Verify every quotation against the recording before relying on it. Speech recognition splits spoken digits and wraps figures mid-number, so a dollar amount, a vote count or a bill number can be wrong in a way that reads as correct. Speakers are not identified: automatic speaker labelling was measured unusable and removed.
Public record	The underlying proceeding is a public record of the Legislature of the Virgin Islands. 3 V.I.C. § 881(a) defines public records to include all records and documents of or belonging to this Territory or any branch of government, or any "department, board, council or committee of any branch of government" · which names legislative committees by category. § 881(b) gives every citizen the right to examine and copy such records, and the news media the right to publish them. (The open-meetings chapter, 1 V.I.C. § 254, does NOT reach the Legislature: § 253(b) expressly excludes it and its Standing and Special Committees. § 881 does, and it is § 881 that confers the right to copy and publish.) The Legislature broadcast this proceeding publicly itself. The source recording is not ours, is not hosted here, and remains with its publisher at the link above.
Rights	To what we added · the transcription, its arrangement and its description · we assert nothing. A verbatim transcript is mechanical rather than authored, so there is likely nothing in it to own; to the extent any copyright is nonetheless found to subsist, it is dedicated to the public domain under CC0 1.0. Please copy it, quote it, index it, train on it, republish it, mirror it, sell it. Redistribution is the point: a public record with one copy is one fire from gone. No permission is needed, and none is ours to grant or withhold.

- 0:00:00 Intro Intro Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. The meeting of the Committee on Homeland Security, Justice and Public Safety is here by call to order.
- 0:03:55 Good morning, good morning, good morning to the people of the Territory. Before we begin, I'd like to take this opportunity to take a moment of silence for Ms. Stacey Shang, who lost her life on the island of St. Croix when a stray bullet entered her home, killed her instantly, and also for Anais Kuz, the mother of baby Logan, the two-year-old who lost in his battle with childhood cancer leukemia. A moment of silence, please. The Logan Miracle Foundation was created in memory of the superhero baby Logan to bring awareness of childhood cancer, and I urge everyone within the sound of my voice to please support this most worthy and relevant foundation. Also condolences go out to Melissa Charles from the Media Department at St. Croix and the loss of her brother, Francis Gustave. Condolences also go out to Ms. Sonia Andrews, the Chief of Staff for Senator Carl Jung who lost her mother. Condolences also go out to Senators Johnson, Legislative Assistant, Constanca Imangs-Hodge, and the loss of her mother as well. Condolences also go out to Senator Kerry Young and the loss of his uncle.
- 0:05:32 Heartfelt condolences go out to the family of O'Neill Molina, the former chief at the Port Authority. Condolences also go out to the family of Elroy Pico Pickering, who was a retired firefighter and my neighbor ever since I was a child growing up in S.J. Bovoni. I mean, it was like a Bovoni custom that when you enter our neighborhood, actually, you'll pass Pickle's house. You had to either blow your horn or whistle and shout out, Hey, Pickle! A Bovoni tradition that will barely be missed. Also, condolences to God to the Harrigan family and the loss of one Harrigan. He was one of my childhood friends and a fellow trumpet player who played music with me for many, many years.
- 0:06:15 uh one harrigan who i gave the nickname big chief was small in stature but had a heart of a size of a mountain we also taught together at the cancrime school he was also the band conductor for the national guard for many many years big chief bro they are in eternal peace until we meet again you have my word i'll keep the trumpet polished for you my friend

let's also keep the family of those who lost their loved ones within the past two weeks due to COVID and our prayers. I believe we lost about eight or nine persons from COVID in the past two weeks. I'm going to do things a little different this morning and ask my researcher, Mr. Brown, who's an ordained pastor at the AME Church, to pray over us this morning. I feel that this year is a year that we can use as much prayer warriors as possible to take us through these trying times. Mr. Brown. Let every heart pray. Father, we stretch our hands to thee, no other help we know if you withdraw yourself from us where shall we go God with the cloud of death that seems to be hovering over our territory whether it is through the coronavirus whether it is through gun violence whether it is through domestic violence God we need to feel you in a special way we need you to remind us that of who we are and whose we are we need you to break into this body and help them deliberate over policy and practices such that folks will understand in every corner of our territory that violence is unacceptable

0:08:24 unacceptable that we are a proud people that we are a precious people that we are worthy and priceless in your sight and so help us God as an institution to find ways to communicate a message to each other that we're better than this God this week blood has been shed in so many different ways and our hearts are heavy but you reminded us in your word that in the last days there will be times of difficulty people will be lovers of self lovers of money proud arrogant abusive disobedient ungrateful unholy heartless unappeasable slanderous without self-control brutal not loving good treacherous reckless swollen with conceit lovers of pleasure rather than lovers of God but God show us an excellent a more excellent way today help this body deliberate in such a way that we send the message that this is not who we are that this is a spirit and evil spirit that is trying to tear us down and it at the same time Lord God help us to not see those who have been caught up as enemies but as future kings and Queens that just need to be loved that need to be reminded of the three

0:10:15 Queens that we honored yesterday from Firebird that need to be reminded of of the Hedora Ken student who marched with 1,200 other students down to this body and help raise enough money to have it you we help us to remind ourselves that we can do better even with less that you still arm us with weapons that allow us to do that which we could never imagine in Jesus name we pray amen amen amen amen thank you thank you Mr. Brown After that, the committee will take a brief two-minute recess.

0:11:27 We'll be right back. Thank you. The community is back from recess [3 such phrases repeated 9 times · standby audio before the proceeding, transcribed by the recogniser as speech]

0:15:57 Yes, yes, yes, yes. Good morning, good morning, good morning, good morning. Good morning to everyone within the sound of my voice. Ah, I'm feeling a lot better now after that powerful prayer by our pastor, Pastor Brown. This is TGIF and it's a beautiful sunny day in these beautiful Virgin Islands. This is the first meeting of the year for the Committee of Homeland Security, Public Safety and Justice, so I want to wish everyone in the sound of my voice a happy and a prosperous new year. This committee has decided that since it's a brand new year, we'll do things in our power to start with a clean slate and be productive and informative at our committee meetings. Everything about the Virgin Islands is not doom and gloom, so we'll do our part to showcase the positivity. I want to recognize that most of the time we tend to forget to overlook this institution's most precious commodity which is the employees of central staff happy Friday central staff and as your senator at large I decree today January 28 2022 as a legislature central staff employee day my office has decided to treat an employee from the the St. Thomas St. John District and an employee from the St. Croix District to lunch. Here in my hand I have two envelopes with \$100 in each one. All you have to do to win is answer a simple riddle And text the answer to 340-474-9104. Once again, that's 340-474-9104.

0:17:42 Text the answer on your name, and the first correct answer in this district wins. I can see all you guys and ladies now glued to your monitors in your offices right about now. Okay, here it goes. There are 30 cows in a field 28 chickens How many didn't? Once again There are 30 cows in a field 28 chickens How many didn't? Just text your answer to 340-474-9104 And two of you Would be the lucky winners I'll repeat it throughout the hearing today Until we have a lucky winner Then the next time Maybe we'll do it for the Viewing audience, resilient, able to adapt well in the face of adversity, trauma, tragedy, threats, or significant sources of stress, such as family and relationship problems, serious health problems, or workplace and financial stressors.

0:18:43 If that does not define Virgin Islanders, then I don't know what does. How many hurricanes and storms and floods have we been through? and now on top of that a pandemic too that we are still navigating our way through most other places would have just folded up and possibly collapsed but not the VI as we are different type of strong we are VI strong and when situations blow us down or rock our boats it's only temporary as we are quick to regain our composure and build back better together always and in times of need we come together and work through our differences on behalf of this precious place that we call home. One recent example of this is, take a look, media.

- 0:19:51 there's a lot more work going through this whole week but this thing is moving perfect people from east west north and south is down here in project said putting this park together our children is going to have one of the most beautiful part in the territory yeah and the community coming out to assist assist yes you know me even on sunday and stuff they're making okay we're passing a lot of stuff making right and let's enjoy the week by the weekend come back to the community this is Just as important, stick up and around and see all the different children groups and stuff. They're here participating with us today. We've got LEPC out here. I don't know what people have over there, but we've got LEPC with their group right back of us.
- 0:20:28 Hit the LEPC. Yeah, hit the LEPC group right back of us, please, right here. Yeah, yeah, LEPC right here. LEPC out here, they've got the kids in the tournament out here. They're out here doing a big set of work here. We've got Gentleman of Jones out here. We got the Air National Guard out here, we got the 40 plus out here, we got everybody in the community. This care worker is up there handling her business, everybody gets their three meal service, breakfast, lunch and dinner. Everything is taken care of, so come on out, be a part of making this thing happen. We all over here, we're going to be out there for the whole week. The whole week. We're going to do hours of Friday, just one of hours of Friday, so you have some time.
- 0:21:09 At least at the hour or two of the yesterday, we're going to come and get back to the 3D, This is for our children. It's important for the community we have. Today we're here today. We have a lot of celebrities. Give them their time. Give them back to the community. We have Eric. The future. Like we. We are representing the VA. We talk to the people. I'm here with Senator Steven Payne. Giving back to the community. Since moving to St. Croix, I received a lot, especially through my boxing career, you know. So I keep going, keep striving for greatness, just keep trying to give back and, you know, and just make things happen the best way I can.
- 0:21:54 Thanks a million for your support brother, man. One love, all right? Respect. Blessings for life. All right, brother. Easy. Brothers in the community, St. Croix, stand up. We're out here. We're helping out. We're kids first. We're going to park in Madrid Common Park. We're helping out. We're out here, you know, it's a big thing for our community, and we're asking that the families of St. Croix respect the park after it's done. It's a lot of hard work going into this park, but it's better meant for our kids and our communities, for our children, for the future. So respect it, take care of it, and treat it good. We're out here with a big pain, we're out here with my guys and brothers in the community, and we're doing this for the team, we're doing it for St. Croix. St. Croix, stand up.
- 0:22:38 Stand up! Thank you. We'll be right back.
- 0:24:08 Let's go see the people. Oh, I can't see what you've got. Yes, me recommends Park and St. Cory Waters all together for one primary cause, our children.
- 0:25:38 The members of the Committee on Homeland Security, Justice and Public Safety are Senator Stephen D. Payne Sr., Senator Dwayne M.D. Graff, Vice Chair, Senator Kenneth L. Giddens, Senator Novel E. Francis Jr., Senator Jevon E. James Sr., Senator Alma Francis Heiliger, and Senator Franklin D. Johnson. Madam Clerk, roll call please. Senator Steven D. Payne, Sr. Present Senator Steven D. Payne, Sr. Present Senator Dwayne M. DeGraff Here Senator DeGraff, Present Senator Kenneth L. Gittins Senator Gittins, Absent Senator Novel E. Francis, Jr.
- 0:26:29 Here Senator Francis, Present Senator Javon E. James, Sr. Present. Senator James Sr., present. Senator Alma Francis-Helliger. Senator Francis-Helliger, present. Senator Franklin D. Johnson. Senator Johnson, absent. Mr. Chair, we have a total of five present and two absent.
- 0:27:00 Okay, Madam Clerk, do you have any consequences to be read onto the record? Yes, Mr. Chair. The Honorable Stephen D. Payne, Sr., Chairman, Committee on Homeland Security, Justice and Public Safety. Dear Senator Payne, please excuse my absence at the Committee on Homeland Security, Justice and Public Safety hearing scheduled for January 28 due to a death in my family. Thank you in advance for your understanding. Sincerely, Kenneth L. Gittins, Senator. The Honorable Senator Steven D. Payne Sr. Dear Mr. Chair, please be advised that I will be late in attending today, Friday, January 28, 2022, Committee on Homeland Security, Justice and Public Safety meeting scheduled to begin at 10 a.m. in the Earl B. Otley Legislative Chambers. As I attend Mr. Cruz Santana Sr.'s funeral, one of my very good friends and ex-colleagues of the Barrow of Corrections, Anne Almerick L. Christian, Federal Building and Courthouse. My sincere apologies for any inconvenience might delay a viral make-off.
- 0:28:12 Sincerely, Franklin D. Johnson, Senator. Mr. Chair, that concludes the reading. All right, thank you, Madam Clerk. Please record Senator Giddens as excused and Senator Franklin Johnson as tardy. And give me the card again, please. we have six present and one excuse mr chair okay thank you madam clerk um please read the items in the agenda the committee on homeland security justice and public safety will consider bill number 34-0141 and act amending Title 34, Virgin Islands Code, Chapter 8, to require the Virgin Islands Attorney General's Office to expeditiously notify victims of

crimes against a person of the release of their alleged perpetrator. Proposed by Senator, sponsored by Senator Donna Freck Gregory. Invited testifiers are the Honorable Denise George, Attorney General, Department of Justice, Ms. Clema Lewis, Director, St. Croix Women's Coalition, Ms. Weaney Testamark, Director, Bureau of Corrections, and Ms. Anya Stewart, Director, Family Resource Centre. Removal of Bill 34-0142, sponsored, testifiers are unable to attend. Will be heard on the agenda for February 28, 2022. That concludes the reading of the agenda, Mr. Chair.

0:29:47 Okay, thank you very much, Madam Clerk. Good morning, good morning to the testifiers. Good Good morning, Honorable Denise George. Good morning, I'm gonna quickly do a sound check quick to make sure everyone's mics are working. Start with you, Attorney General. Good morning, good morning everyone. Okay, can we have a little more volume on the audio, please, and on this end. Say it again?

0:30:13 Oh. No, that was for media. Is there anyone else with you on your team today? Yes, also with me is the criminal chief for St. Croix, and that is Attorney Amy Simpson. Good morning, everyone. Good morning, Ms. Simpson. And also Elma Brathwaite. She is the director of victim services of the Department of Justice. Elma Brathwaite.

0:30:43 You have to put your mute. Ms. Brathwaite. She's on mute. I can't hear it. Ms. Brathbath, we can't hear you. Ms. Brathbath, we can't hear you. Your mic is on? Ms. Brathbath, we can't hear you. Media, she says the mic is on, but we're not hearing her. Ms. And she is remote. She's actually in the States. So, check the volume on your phone that you're coming in on. Is that? Because we can't hear you at all. Okay.

0:31:17 Ms. Brad, please go ahead and sign off and then sign back in. Okay? I'm going to get back to you. That's the last person for your team? Yes. Okay. All right. I see. Mr. Hanson, are you representing your bureau this morning? Yes. I'm here with Mr. Kaiser Carwood.

0:31:49 I'll be reading the testimony for Director Testamark today. Okay, so you'll be reading it or Mr. Carwood? Mr. Carwood will be reading it. Okay. And his position is with the Bureau? He is now the Acting PIO. Okay, Acting PIO. Good morning, Mr. Carwood. Good morning, Senator. You can hear me well. uh try one more time good morning senator you can hear me well good morning good morning can you hear me well good morning yes we're here at this time thank you and miss miss clement lewis you online yes good morning miss miss lewis uh could you please um turn your camera because we are whenever we're not seeing your face turn your camera towards you because we're not seeing your face okay is there any better yes ma'am that's much better good morning how are you my dear i'm fine good morning to everyone okay is anyone else with you today from your team or your solo okay yeah and miss anya stewart good morning everyone mr stewart one more time please good morning everyone okay good morning good morning everyone okay at this time um we have director i mean attorney general you can begin you can begin with your oh my bad uh who speaks to this bill uh senator i apologize i recognize the presence of our senate President, Madam President, Donald Fred Gregory. Blessed, blessed, good morning. Blessed, good

0:33:37 morning. You're recognized at this time. Thank you, Mr. Chair. And I really want to thank your researcher for his prayers this morning because God knows the Virgin Islands need as much prayer as possible, and I think we need to continue to pray, not only when we have these situations, but we need to stay prayed up.

0:34:08 I want to thank the Office of the Attorney General, the Bureau of Corrections, and all of the other testifiers, as well as Ms. Clement Lewis and Anya Stewart, for being here this morning. I have been working on this legislation for well over a year, well over two years actually, and this legislation was actually brought to my attention by a young woman that previously worked in my office, Amber Lewis, and I always believe that it's important to give credit where credit is due. This legislation seeks to expand the notification to victims and it requires that victims are notified when the perpetrators or alleged perpetrator is released back into the community. Bill 34.0141 seeks to protect victims and defines crimes against the person as criminal offenses which involve bodily harm, such as assault, battery, kidnapping, rape, and it requires notification of the victims or to the victims.

0:35:42 This definition expands the notification beyond domestic violence as currently in the law. So one would argue, why are we having this discussion when there is already a notification component in the law? The law basically speaks only to domestic violence. And we all know of all of the criminal activities and all of the crimes that we are seeing here in our community. And we recognize that there are persons in our community who have been victims of assault and battery, rape, who are not in a domestic violence where the situation was not related, rather, to domestic violence. And while we have a Victims and Witness Bill of Rights under Title 34, Chapter 8, that Bill of Rights does not delineate the process of notification. It does not ensure accountability to victims when a person who have violated them is released back into the community. And the current Bill of Rights basically says, a victim of prosecution witness has a right to be informed of a defendant's release on bail. A victim or prosecution witness has a right to be informed of post-sentence hearing affecting the probation and parole of the officer. A victim or prosecution witness has a right to be informed when the conviction

offender receives a temporary provisional or final release from custody or the offender escapes from custody. So it speaks to rights, but it doesn't speak to action or the requirements of the government entity to ensure that action is in fact taking place. So colleagues, the proposed legislation expands these rights. The proposed legislation requires that victims shall be notified by phone, email, or by a person duly authorized to deliver a summons when the perpetrator is being released from jail, a mental health institution, or has escaped from custody. It also advises them of where the perpetrator is being released because we have inmates abroad, and that is also very important to victims. The enactment of this legislation requires collaboration between the Department of Justice and the Bureau of Corrections.

0:38:25 Colleagues, community, testifiers, this proposed legislation is extremely impactful. We can all see what is happening in our community, as I mentioned earlier. And there is no doubt that we have challenges. Victims of crimes in our community must feel safe, and this proposed measure allows for victims to prepare themselves mentally, emotionally, and in some cases, physically, to prepare for the impending release of the alleged or the perpetrator. This measure offer victims a level of protection that they've been asking for for many, many years, But legally, we could not, the government could not provide. Can you imagine walking into the grocery store and coming face to face with someone who has violated you and you were completely unaware that that individual was no longer incarcerated? This happens in our community and it continues to happen. And as a result, victims of crimes are often re-victimized because of these types of situations. This proposed measure will allow victims to participate in the judicial process with the knowledge that after they have spoken up and out and the person that they have spoken against is released, that they will be so advised and not have to find out about the release walking down the street or in the aisle of a grocery store.

0:40:18 It is in fact that people who have been a victim of assault, domestic violence, rape, and other criminal offenses that involve bodily harm often suffer with physical, emotional, and mental health issues due to these offenses. Studies suggest that being a victim of crime of this nature is directly correlated with depression and suicidal behavior.

0:40:51 Our responsibility as Virgin Islanders and as leaders in this territory is to give victims of crime a layer of comfort and protection so that they report the crimes being committed against them and others so that they are comfortable, so that they are assured that they will be safe. Additionally, not only will the bill protect victims, but this protection offered to victims establishes a sense of safety that encourages victims to cooperate in the judicial process. There's no doubt that our legal system depends on involvement and cooperation of victims of crimes. Expanding victim notification aligns the Virgin Islands with 41 other states that currently have a notification system beyond domestic violence. And that quote came from the Council of State Government and American Probation and Parole Association. Colleagues and testifiers, at the appropriate time I will be bringing an amendment addressing the concerns of the Department of Justice that the The Department of Justice, the Attorney General and her team shared that the notification will be the responsibility of the Bureau of Corrections. Colleagues this morning, I ask for your support on Bill 34-0141. Your support, as I'm sure that all of you know, I believe that the majority, if not all, I think with the exception of the female colleague, have all been, have touched law enforcement

0:42:49 in one way or the other in this territory. So I believe that you understand what I'm trying to do here and I'm asking you for your support. As we discuss this measure, as we deliberate on this measure, it is my fervent hope that we will be able move this legislation forward today thank you madam thank you mr chair thank you as a chair for the time uh thank you madam president eloquent and very thorough review of your bill um attorney general uh you may proceed with your testimony yes good morning chairman payne senators legislative staff fellow testifiers and those of you listening and viewing my name is denise n george and i am the virgin islands attorney general with me today our assistant attorney general amy simpson chief of the criminal division of st croix as well as elma brathway the director of the doj victim services unit let me say first that i did receive an amendment this morning that addresses some of the issues that i raised and i'm going to be raising in this testimony but i will i would read the testimony thoroughly anyway and then we can you know the changes will be made later i am indeed honored to have been invited to give remarks on bill number 34-01-41 the purpose of this measure is to amend title 34 virgin islands code chapter 8 to require the Virgin Islands Attorney General's Office to expeditiously notify victims of certain crimes of the release or impending release of their perpetrator. I applaud Senator Gregory's intent

0:44:41 behind introducing this proposed legislation because notifying victims of the release from prison of the ones who have hurt them is essential to assuring and maintaining the safety and security of crime victims in our community. The Department of Justice remains fully committed to protecting victims and witnesses of violent crimes. However, I cannot support this bill in its current form for several reasons which I've outlined in the past. I would now like to reiterate those points. First, the mandate on the DOJ to notify victims of the releases is misplaced. The DOJ does not have the knowledge of or access to any information regarding the release of inmates from the Bureau of Corrections. That is fully under the jurisdiction and control of the BOC, which is the most appropriate agency to assure the prompt and advance

notification that this proposed measure requires. Although desirable, DOJ does not have any link or access to that information to carry out such a mandate. Additionally, the Virgin Islands Code already mandates victim notification on the government institutions that are in the best position to provide it. For example, Title V BIC Section 4606 B-C B-C places the following requirements on the parole board.

0:46:16 It says, unless waived by the victim, the Territorial Parole Board shall, with at least 30 days prior notice, advise the victim of the following. One, that an inmate is being considered for parole. Two, the date of the parole hearing. And three, the victim's right to submit documents to and provide testimony before the board at the hearing. And C, the Territorial Parole Board shall notify the victim at least 24 hours prior to an inmate being paroled. Second, regarding the notification of alleged victims of suspected perpetrators' pre-conviction release, the responsibility has been placed on the courts ordering the release for several of the crimes addressed in today's measure. For example, the duties of the court in criminal actions of domestic violence, which includes rape and unlawful sexual contact, state, when a defendant charged with a crime or offense involving domestic violence is released from custody before trial on bail or personal recognizance, the clerk of the court or other person designated by the court shall provide a copy of this order to the victim forthwith. Third, while this proposed measure assigns responsibility for victim notification to the DOJ, it contradicts Section 203 of the Virgin Islands Code, which already places that same responsibility squarely on the Bureau of Corrections. Section 203, subsection C, says that subsection C6 and 7 of this section are the responsibility

0:48:09 of the Bureau of Corrections. C6 and 7 state, a victim or prosecution witness which has a right to be informed of post-sentence hearings affecting the probation or parole of an offender, and 7, a victim or prosecution witness has a right to be informed when the convicted offender receives a temporary provisional or final release from custody or the offender escapes from custody. In other words, the courts and the BOC have already been tasked with the notification requirements and today's proposed measure complicates matters by making multiple agencies, departments and branches of government equally responsible for the same tasks which can appear wasteful and redundant. An effective process of notification needs to be as streamlined as possible, connecting the information from the agency that has the information to the agencies and persons who need to get it seamlessly. Taking a look at Section 1, Subsection 2E proposed measure, it states that the DOJ, in conjunction with the Bureau of Corrections, when applicable, shall notify a victim when a person is released on personal recognizance or is released from a medical or mental health institution escaped from custody or have completed their term of incarceration. Regarding the first circumstances discussed earlier, when someone is released on bail or their own recognizance, the courts are already statutorily mandated to make the notifications. And regarding the latter two, as I've been saying all along, it will always be

0:50:06 necessary for the DOJ to work in conjunction with the BOC, but the onus for the release notification has to be placed on the BOC because the DOJ will have no idea if someone escapes from BOC custody or when the offender has completed their term of incarceration. Further, as it is written, this measure requires manpower that DOJ does not have to perform the responsibilities placed on it this includes the four-month deadline to establish and promulgate rules and regulations to carry out the mandate by an already overburdened legal staff also the 30-day advance notice requirement to potentially hundreds of crime victims by the DOJ victim services unit which is now a unit of one and is now wholly unattainable efforts to fund criminal victim advocate position positions in the DOJ proposed 2022 budget were denied by this body so currently we have one director on Saint Thomas and no victim advocate on Saint John regardless of whether today's contemplated legislation is passed as is or amended the fact remains the DOJ still requires these critical positions to create a fully functioning victim services unit and finally section 1b of the measure requires the use of several methods of notification as applicable yet requires all methods to be used by the use of the conjunction and this would make the process impracticable overly burdensome and redundant the proposed language lists four methods of victim notification

0:51:56 one victim information and notification everyday system or vine which is a vine system two phone call three email and four service in person by a person authorized to serve summons and complaint the and really should be changed to or all of the methods the only of all of the methods the only one that I believe could fully and effectively achieve the objectives of this measure in notifying victims is the vine as a part of the office's due diligence for this hearing We reached out to the people who operate the Vine program and had a productive discussion about the cost and features of this system. It is not cheap, but the benefits to the victims would be well worth it. For those of you who are unfamiliar with this system, it is the nation's leading victim notification network. It allows survivors, victims of crime, that other concerned citizens to access timely and reliable information about offenders in offenders or criminal cases. Currently, it is available in various parts of 48 states and nearly ...

0:53:25 uh currently for its main purpose is to allow victims um to be given updates by a attorney general attorney just one second my power just went out can you hear me well you You started freezing.

- 0:53:52 So I need to go back and start from the second sentence where you started for those who are unfamiliar with this process, with this system. For those? Okay. Okay. Can you hear me well now? Because our power is still out here at the GRS building. Yes, we can. But you can hear me well now? Yes, ma'am. We can. Okay. I'll continue. For those who are unfamiliar with this system, it is the nation's leading victim notification network. It allows survivors, victims of crime, and other concerned citizens to access timely and reliable information about offenders or criminal cases. Currently, it is available in various parts of 48 states and nearly 3,000 detention facilities. Its main purpose is to allow victims to be given updates via text, email, or phone the status of offenders incarcerated or recently released the system allows any individual to access this information which proves useful to victim advocacy groups or watchdog groups as well as any other concerned citizen unfortunately i have only had the one meeting with the vine representative so my information is very limited but i'm impressed and hopeful that this can be used to secure the safety and security of crime victims and witnesses in the territory that need these notifications additionally i spoke with boc director testamark who is intimately familiar with the vine system and can attest to its effectiveness at correctional facilities stateside which is another reason which makes boc the best candidate for its implementation implementation as well I will point out though that there is no funding source in the proposed measure to support any of the notification methods including the bind. This would require an amendment identifying funds in order to make real crime victim notification happen for the persons who
- 0:55:56 need it. In short, DOJ does not support today's measure as it is currently drafted but would be more than willing to work with the sponsor to make expeditious crime victim notification a reality. I believe that this measure should be amended in the following manner, that the bind system be fully funded, that the bind system be an established method of notification to victims, that to establish the bind system under the Bureau of Corrections with links to the Department of justice and the superior court and other victim services and stakeholders i would again like to thank the chair of this committee for allowing me to testify on bill number 34-0141 and i along with my team saint croix criminal chief who is familiar with how the vine works and the director of victim Services, Elma Brathwaite, are available to address any questions and concerns that the members may have. Thank you. Thank you, Attorney General, for your testimony. Ms. Clema Lewis, Director for St. Croix Women's Coalition, you're recognized for your testimony.
- 0:57:20 Good morning, all. Good morning. Good morning. My name is Clema Lewis. I'm the Executive Director of the Women's Coalition of St. Croix. First, let me take a moment to thank the Honorable Senator Donna Fred Gregory for sponsoring the bill number 34-0141. And Honorable Senator Payne, can I just have one moment before I start? If you may, I need to say something. Would that be okay or out of order? Yes, ma'am. Go ahead.
- 0:57:55 What I just wanted to say and make it quickly uh i appreciated how you opened with the prayer and recognizing all the deaths but i need to add we also had two minors killed in st croix last week and i'm working with the family so i don't want them to be forgotten they were only 17 years old so i want us to also reach out and pray for the young people that's dying as well i thought that was important to to add because I'm sure the families are listening and paying attention as well. So the Women's Coalition of St. Croix is in support of Bill No. 34-0141, an act amending the Title 34 VI Code, Chapter 8, to require that the Virgin Islands Attorney General's Office to expeditiously notify victims of crime against the person of the release of the last perpetrator. We, however, would like to add, and we spoke about it earlier, it's important that the victim advocacy agencies on both islands is notified as well because sometimes, in many cases, we're the only ones that know where the victims are. So even in parole hearings, many times they call my agency to ask me if I know where the victims are. So if we're doing any kind of victim's notification, we need to be mindful of the two agencies in this territory that work with victims the most.
- 0:59:21 So somehow we need to be included in this whole dilemma here. It has taken the local victim service advocate movement over 30 years to get the criminal justice system just to understand the importance of victim notification. Today, every state, including the District of Columbia and several territories, not ours, victim notification policies, at least on a minimum base, to protect crime victims. It is critical that this is put in place. The National Institute of Corrections, the U.S. Attorney's National Association, the National Crime Victims' Rights Act all speak to the importance of victims' notification. notification includes probation when they're getting out on probation, parole, work release, which is an issue, escapes from prison, court hearings, proceedings, anything pleading sentence that victims are included in the entire process because it's their lives that we're talking about. In my 40 years of working with victims in the territory, let me be very honest, it has been challenge it. We have a notification system, but let's be real, it does not always work. There are many times when we do not know when inmates are released on parole, work release, or completed their sentences, and the first thing that happens, of course, is victims call us. We have had many cases where victims were approached by the alleged perpetrator in public. Work, school, banks, stores, government agencies. Today's surprise, the perpetrator shows up. We have received calls from the public about alleged perpetrators working on the streets, on school grounds without notification to the people that's involved, that's impacted by this perpetrator, who would be afraid just by seeing them. I know that some of the

- 1:01:28 perpetrators were convicted as sex offenders. It is critical that victims and the community know when perpetrators are released. Crime is on the rise in our community. We started off with that. Crime is on the rise. There's usually a victim as a result of every crime. So let's be clear about that as well. Whether it's the person that is deceased or the family members that have been left behind. We also know that there's a lot of retaliation. Let me say that again. We also know there's a lot of retaliation in our community as well, and that's why there's constant fear. Therefore, letting victims know that the alleged perpetrator out can give them time to prepare whether they want to seek counseling and support for trauma. This law can possibly save lives just by notifying the victim that the person who committed the crime against them is released in whatever form or fashion. As a result of the notification, they may decide they want to change their routines, they might want to move from where they're located, and in some cases, we've had to relocate people off the island.
- 1:02:41 Let us bring the Virgin Islands in compliance with all other states and territories, and Let's do the right thing for crime victims and families in this territory. I 100% support what Adeji said about the Ving, but it's working on the federal level. We need to bring it on the local level because I've had contact with the federal level myself. So Ving is already here in the Virgin Islands, and the U.S. Attorney's Office is using it. So thank you, Senator, for the time, and I'm available for any questions. thank you director lewis for your testimony at this time mr carwood you're recognized to read your testimony under the record thank you senator payne can you guys hear me well before i begin thank you yes yes good morning good morning chairman stephen d payne senior members of the committee on homeland security justice and public safety other distinguished members of the 34th legislature staff members and the listening and viewing audiences i am kaiser a callwood chief strategy officer and acting public information officer reading the testimony on behalf of director weenie testemok director of the virgin islands bureau of corrections here in bureau or boc the bureau fully supports bill number 34-0141 an act amendment title 34 virgin islands code Chapter 8, to require the Virgin Islands Attorney General's Office to expeditiously notify victims of crimes against the person of the release of the alleged perpetrator. The Bureau worked closely with the Office of Senate President Dona Fred Gregory to address its concerns. Existing law requires that the Parole Board notify all victims of crime within 30 days of their release on parole.
- 1:04:36 5. VIC, subsection 4606. This bill goes beyond the existing law by requiring that the Department of Justice notify alleged victims of domestic violence of their pretrial release of their alleged offender. As of 2015, 41 states provided a victim with the right to be notified when a defendant is released before trial. Each year, hundreds of new victims' rights laws and innovative practices and principles are enacted and implemented worldwide. As former President Clinton once said, when someone is a victim, he or she should be at the center of the criminal justice process, not at the outside looking in. In conformity with President Clinton's words, this bill solidifies the relevance, appropriateness, and best practices realization of victim information and notification. For example, a 2009 publication issued by the Council of State Government, American Probation and Parole Association, through a cooperative agreement awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice, provide an exhaustive list of pertinent information victims of crime should receive and the opportunities they should have in the justice system process, which acts as a mental and emotional reconstruction motivator to help victims put their lives back together. Ten years later, in April 2019, the National Conference of State Legislators released an article titled Victims' Post-Conviction Rights When an Offender is Released. moves or attempts to move between system, escapes, or dies that provides an overview of various rights applicable to victims.
- 1:06:28 The granting of crime victims the ability to participate through notification and pertinent information is precisely the type of participatory right that should continuously be practiced through the criminal justice process. For this bill to work as intended, there must be an organized system and linkage in place between both the Virgin Islands Department of Justice and the Virgin Islands Bureau of Correction to notify victims uniformly and consistently when alleged offender is released. We strongly recommend the Virgin Islands adopt a nationwide Victim Information and Notification Every Day system, now in use by 48 states. Vine is a free automated telephone and text messaging system that electronically links crime victims to a national communication center that gives victims, their families, and other interested parties the custody status of any offender housed in a participating correctional facility. The Virgin Islands must harness existing technology to give effective notification to victims of domestic violence. In conclusion, Mr. Chairman and fellow committee members, I urge the committee's favorable consideration of this proposed piece of legislation. We must ensure that the fundamental rights of victims are expanded and enforced within our justice system. Mr. Chairman and committee members, thank you for allowing the Virgin Islands Bureau Correction to present this testimony to the committee to be read into the record. Thank you very much for your testimony, Mr. Carwood. And now Ms. Anya Stewart from the Family Resource Center, you're recognized to place your testimony onto the record.
- 1:08:15 Good morning to everyone at the sound of my voice. My name is Anya Stewart. I serve as the Executive Director for the Family Resource Center, Inc. On behalf of our board and staff, I'm taking this opportunity to thank the Committee on Homeland Security, Justice, and Public Safety, and to all the senators who have amend this bill um i also thank senator

donna gregory fred for sponsoring this amendment at family resource center um everyone who's at the sound of my voice know that um we deal with domestic violence on a daily basis it doesn't matter what day it is weekends or um holidays you could be on a vacation and you get a phone call telling you that something is happening and they need your help so that i'm just letting you all know that we are committed and we are willing to partner with other agencies to make our community safe however on bill number 340141 is an act amending title 34 virgin islands code chapter 8 to require the virgin islands attorney General's Office to expeditiously notify victims of crime against the person of the release of the alleged perpetrator. We at Family Resource Center Inc. serve a population that are vulnerable, hurt, abused, have been victimized, and many times are left with nothing except their own truth. we try our best to support and believe them when they come to overdose and we work with them through counseling crisis intervention etc to help them find themselves trust the decisions and instincts build self-concept and self-esteem they'll trust restore hope and assist not to navigate their way through various challenges that may be prevalent in society and their own lives as victims of domestic violence where their power and control have been taken away

1:10:36 preyed upon by perpetrators whose sole purpose is to keep them discouraged powerless oppressed isolated victimized etc with no sense of direction and way out of the abuse situation it is important to help our victims get back power and control of their lives as such amending title 34 virgin islands code chapter 8 to require the virgin islands attorney's general office to expeditiously notify victims of crime against the the person of the release of the alleged alleged perpetrator is certainly a plus and a step in the right direction amended this bill will provide much relief to the population that we serve too many times clients are perpetrated against and their abusers are released from jail only to victimize them again because our victims of crime are not aware of the release of the perpetrator further amending this bill is a vice is vital because it will allow our victims sufficient notice to prepare themselves mentally emotionally physically and psychologically as well as put certain protective measures in place in order to ensure their safety further victims can have a plan in place that they can safely execute should the perpetrator decide to unlawfully contact them instead of being in a state of shock or surprise in finding out after the fact that their abuser is out of prison victims of crime would be on guard and remain vigilant as their safety and well-being is key successfully amending this bill can help save lives and hopefully begin to build the confidence that many of our victims have lost in the system this would help to restore trust in the system and allow victims to cooperate and work diligently with persons who have their best interests at heart victims will feel empowered

1:12:50 and that they matter and are included in the process of having justice served on their behalf as the executive director of family resource center inc i strongly support the amending of bill number three four dash zero one four one to give ample notice to the victims of crime regarding the release of the alleged perpetrator to conclude like i said before team frc is committing to providing well-needed services at our agency thank you senator payne and senator donna fred uh thank you uh miss stuart uh at this time we'll go into a round of questioning uh seven minute We have, first I'll go with Senator James, and second, Senator Francis, third, Senator Francis Heiliger, and so forth. Right now we have a point of information, Senator Fred Gregory.

1:13:54 Senator Fred Gregory, you're notified, you're recognized. Thank you, Mr. Chair. And I think it's important that as the Vice Chair of the Committee on Finance, that I address the testimony provided by the Attorney General this morning around the Department of Justice's proposed 2022 budget that was denied by this body.

1:14:29 I am not certain, and this is basically information, what happens on the executive branch level. But as the Committee on Finance proceeded to move forward with the markup of our 2022 appropriation for the territory, we received changes, recommended changes, to reduce several departments and agencies budget from the executive branch. So I don't know what the communication is that occurs between the executive branch and its respective departments and agencies, but this body did not deny the budget. Our responsibility is to ensure that our revenues are in line with our expenses, and we moved a budget in FY22 that align the expenses with the appropriation. While we may have other items we would like to include in our budget, we cannot move a budget that is not a balanced budget. So the responsibility of the department and agencies is to look within their institution or look within their organization and make the necessary decisions that will assist them with moving their responsibility forward in the most effective manner. I thought it was important for me to put that on the record this morning. Thank you, Mr. Chair. Thank you, Senator Fred Gregory. At this time, Senator James, you're recognized for your seven minutes.

1:16:11 Good day to the people of the U.S. Virgin Islands. Thank you, Mr. Chair, for the time. good afternoon i said good morning testifiers thank you for your testimony that you have placed on the record here today i will get straight to the point i i heard the vine program mentioned several times today so my question to attorney general denise george what is the total cost to run something similar as the vine program well um we in our meeting we got a quote but just based on just general information and it seems to run um as far as you know with links with department of justice and um and the

bureau of corrections alone it runs around 23 000 to establish the program and then about approximately sixty thousand dollars a year to to continue it and then if you add the courts which is what we're proposing as a part of it then it would even be more but that was just a quote that was initially granted so we can have an idea but i want you to get actually attorneys attorney amy simpson who's there she has a lot more knowledge about it than I do, so I'm going to defer to her.

1:17:37 Good morning, everyone, and I'm glad to address any other questions on this topic. With regard to the cost, what the Attorney General is saying is that the beautiful thing about the BIND system is that it allows for a number of different organizations' information to be collected within the system so um the quote that we have currently is to collect the department of justice information and the bureau of corrections information um we are hoping that we would be able to add the court system as well and the reason for that is because um then victims would be able to look at what's going on in the court system as well yes excuse me one second i don't want to eat up my time i asked the question regarding costs yes sir my only uh addition to that would be that it would be slightly more than the uh startup cost of 22 000 and the annual cost of 65 000 to add the court system that's all the information we have at this time so that's less than 100 000 and that's basically a dollar for every person a liaison the u.s virgin islands we will definitely try our very best to make sure that we can get that if we can fill all these projects and all these other things that people tend to say we're wasting money on we could definitely put the vine system in place as far as the manpower can the attorney general just explain to me based on your level of experience and research with the vine program how many individuals would we need to run a vine program i know it has to do with boc if i'm not mistaken but um you seem to have a lot of knowledge about it so can you place that on the record i will also defer that to mitch simpson because it it requires less man power than you might think but we might just have to manage the program go ahead that's absolutely

1:19:43 correct um because it is outsourced it would not require very much at all in the way of manpower from any of our departments um i think that initially there would be some manpower required to get all the information in the system but after that they manage it for us and up to now i haven't heard exactly how many individuals we would need i need an idea a number two three four individuals one or two one or two or less that's the question that's the answer i'm looking for and as far as the bill i want to say kudos to the sponsor of the measure the good senate president from the district of st thomas um is timely and it's just so unfortunate that um we tend to see these cases rise in the territory and I'm hoping and praying with the amount of things that we put in the budget and the different acts that were passed by this body when it comes to the camera situation and then we have another bill here today that speaks to license plate readers and everything that this body has been doing to make sure that at the end of the day the executive branch has the resources to fight crime I'm just hoping and praying that we work together and I know sometimes we have to go apart and it might seem as if we're bashing the executive branch, but that is not the case.

1:21:09 Our job is to provide checks and balances, and sometimes it will consider tough love. So with the bill that we have before us, I stand in full support. Mr. Chair, cut me off if you may, because I can't hear if they're calling time. But I know there were three concerns from the Department of Justice. The vying system to be fully funded, the vying system to be the established method of notification to victims, and to establish the vine system under the boc with links to doj and the superior court and other victim services and stakeholders so i'm happy that the attorney general actually gave us solutions instead of just naming the problems so i really want to thank you attorney general denise judge for your testimony and last but not least when it comes to the women's coalition i want to to thank Ms. Clema Lewis and everyone who plays an important role in fighting for women victims in the U.S. Virgin Islands and for our young children. So once again, thank you to the sponsor of the bill, and I will be supporting it with the amendments that were mentioned, or the amendment that was mentioned. Thank you.

1:22:18 Thank you, Mr. Senator James. Thank you very much. We have a point of inquiry, Senator Fred Fred Gregory, Senator Fred Gregory, you are recognized for your point of inquiry. Thank you, Mr. Chair. Let me just ask, currently in law, it says that our responsibility is to notify domestic violence victims. How is that occurring now? That question is to the Attorney General.

1:22:53 whomever is responsible who notifies victims presently for domestic violence cases I believe that is within the there's a provision as I think was indicated in my presentation that is the courts with regarding particularly regarding to pretrial releases they're required to issue the order with respect to release and notify the victims the clerk of the court so the clerk of the court respect particularly like this and then it is all your corrections for post-trial for release the word and I would but that's where the law place sit up courts and the BLC okay thank you attorney general that's post-trial attorney general I am NOT talking about post-trial I'm talking a pre-trial. That's the issue. That's part of the primary concern that we have today.

1:23:53 I'm speaking of a pre-trial, not post-trial. I wanna be clear. Who is doing that now? And I'll give an example as to why I'm asking this question. This whole law and this whole discussion comes out of what you call, what is the name of it?

Marcy's Law. After Marcy Nicholas, the sister of Henry Nicholas, president and CEO of Broadcam Corporation, who was stalked and murdered in 1983. One week after her death, her family ran into her accused murderer at the grocery store they had no idea that he had been released on bail my question is tied to pre-trial not post yes my answer was regarding pre-trial and post-trial as i indicated pre-trial would be the responsibility of the court um under section title 16 virgin islands code section 99 the power just went on so there's some noise going on but um when a defendant it states when a defendant is charged with a crime or offense involving domestic violence is released from custody before trial on bail or personal recognizance the clerk of the court or other person designated by the court shall provide a copy of this order to the victim forthwith so the law to answer your question pre-trial the law places the responsibility on the court to do so i have a follow-up to clip uh miss clemmer yeah is that what i'm dan is okay is it happening

1:25:46 no all right and i'm i was hoping i would have the opportunity that's why this law is so important it's not happening most of the time the court don't even know where to find the victims and even if they did the victims not getting the information again they're walking up on perpetrators in the street and this is not safe no it's not happening it's not happening uh attorney general you're saying something no yeah i just want um add to that as far as what's happening now and i i i hear you which is why we need something like measure um but um what is that's also happening that that's sometimes even though the law because the law places responsibility on the court um but excuse me attorney general uh attorney general could you check again your system you're starting to go back and forth now i don't know if you may have to sign out and sign back in um and go back on since the power is on i'll go back on so i'm gonna have to leave and come back okay fine that'd be fine i i i don't want to lose a moment so again uh you you know for me what i've heard today is uh disturbing to me. I spent 26 years as a police and having joined the police department May 11th, 1987, I still consider myself a police now. And to hear that the attorney general's office disagreed with the bill and everyone else agreed with the bill, to me, it doesn't place where the emphasis should be that of the victim at the foreplay and the front the victim is the most important element of this so to add how much money it costs add we don't have the manpower when it could be hey an email how much people you need to email something how much people we need to make a phone call. You know, the superior courts have marshals, they could send out, so we don't have, so to hear those kind of what I consider to be excuses really disturbs me as a resident

1:28:16 and as a former law enforcement person is just mind-boggling. You know, I think this is something we have to see that it is taking place victims are being confronted back in the territory by their perpetrators and all we are saying is well we need money we need to do it this has to stop you know let's set from today forth you know a victim should be held in a high higher regard they were violated they shouldn't have been a victim in the first place now they are so if that's the situation we should go the extra mile to address this particular issue so attorney general just saying that i i was disturbed to hear that the attorney general's office disagreed with this bill and everyone else agreed and i understand your dynamics but the victim has to come first at some point you know we can't make excuses of i don't have the manpower i don't have enough money you know someone who got up out there their house perfect state of mind a beautiful day at the end of that day they became a victim and then it comes down to a point of well who should have notified them then they go to shop on a saturday to get themselves together six weeks later they get themselves together they finally come out their house go to the grocery store to pick up something to go back into the house and they're confronted by the same perpetrator that has to stop so to have this conversation of making excuses you know that has to stop so i understand your plight and we and we have to put what our situations are up front but i think again we have to put where that victim comes first and then everything else after and if it's money you need and and money becomes a situation then hey let's have that conversation but when we coming

1:30:22 out in public as the leaders of this territory can't put out to the persons who are the victims and who are the everyday because when i signed on a dotted line in 1987 as a police officer to serve and protect, period. That's where it ended for me. Everybody, I serve and I'm protecting. So I think we have to watch some of what we are putting out to the public and make them understand and feel like, hey, we are here to serve them and make them feel worthy. Let me just do a little check again on you, Attorney General, and then I'll go to the next senator uh try again attorney general i think you're speaking and we're not hearing you are you okay you can hear me okay i could hear you now say again yes i i certainly i didn't hear everything you said but i heard the gist of what you said um concerning that i couldn't support the measure and remember what i said and i made it very clear that i i wholly applaud uh senator gregory's intent for this bill because we need to have a system that we can notify victims it can be a matter of life and death so i'm very much in support of that and that's why i'm also trying to to you know push for a system that really works so when i said that i'm not supporting the measure as written is what i said because there were certain things in there that were since then amended particularly putting the onus on the department of justice that doesn't have the information that would be from the boc with respect to the release of these inmates and and a few other things but it had nothing to do with the intent of this bill which is to get some kind of system in place that we can notify victims to protect them that is the utmost priority for the

virgin islands department of justice and for me every single day or every other day whenever we have advisement and the these crimes occur the attorneys are there in court at the pre-trial stage after arrest advocating for the safety of the victims they are the ones advocating to not release these victims if there is any semblance of risk to of harm to the to the to

- 1:32:52 to the victims or the witnesses or the to the community and they constantly fight for that because we are the voice of the victims when we stand before the court and we deal with the bail hearings and everything and the release hearing so um make no mistake about it my my statement was clear that it was as written certain things as written would have created a situation where it could not be performed and uh the way that we wanted the results would not be uh okay attorney john thank you very much uh uh senator francis is back so uh senator francis you're recognized for your seven minutes i don't know how much thank you very much mr chair and thank you to all of the testifiers for their testimony and present good morning to the people of the virgin islands you know this this bill is very very important and i want to commend the bill sponsor and this piece of legislation and you know there there's some comments that perhaps there's some things on the book already that allow for some of this to be done but the reality is it's not being done and i'm surprised i'm a little bit taken back that we're having a hundred thousand dollar discussion because what is the price of life? And that is a rhetorical question. What is the price of life?
- 1:34:21 So while there may be \$100,000 that's required, then I would want to hear from the Attorney General then mandate or ask this legislative body to make sure that we're appropriating the \$100,000 to take care of this issue. But we can't allow this to be an impediment or a barrier by which we're saving lives. We heard the testimony from Clement Lewis over at the women's coalition in fact this measure could very well save someone's life so exactly there is an amendment that that's coming and i will be offering the amendment on behalf of the bill's sponsor um you know so that we could address some of the constraints that have been raised by the attorney general but this bill is certainly necessary but more importantly we want to make sure that this implemented and is executed and for me you know when we look at the people's representative i'm even believing that this bill might stop short a little bit you know when we look at the law enforcement that may be involved again in making sure that that suspect is prosecuted arrested prosecuted and sent off um and and pay the price of justice when you look at the attorney general that may be prosecuting the case when you look at the judges that may um also try this case those individuals as well as a victim of course the victim is number one um in in these type of situation but those all those other entities the people's representative is also at risk when this suspect is released i'll give you a story some years ago i was sitting down in the project said fish market on a saturday morning and just there and i felt a little bit uneasy when this person was really just watching me um in a hard and dreadful manner and after i did a little bit of a search and and find out what's going on i realized that that individual was someone that i had arrested 14 years prior i had gone to jail for that period of time and now on release i was a second a sitting duck not knowing that this
- 1:36:41 individual is now on release and could very well very well now want to seek revenge for him going to jail so here it is that the situation is not just for the victim because that victim in that particular case had expired because it was a murder case but this individual now had served some time and had gotten released after trial and serving time um like i say 14 years and now out now in my personal space and now i am a threat or my livelihood is at bay as a result of this individual so here it is that i'm saying that yes it's not just the victims but also the people's representative and you know we have seen where crime and violence have escalated in this territory, unfortunately, to the levels where people are not safe in their home. Prosecutors won't be safe. The law enforcement won't be safe. And even judges may very well not be safe as a result of doing their part to make sure that they're the people's representative and that, in fact, those individuals that are responsible for the violation is held culpable and responsible so madame attorney general i hear what you're saying and i certainly agree with you that it should be the responsibility of the bureau of correction and not so much or in consort with the department of justice but the ultimate responsibility should be on the bureau of corrections as well as the parole board to make sure that victims are notified and when we look at victims and i've sat in the seat you know you're always concerned whether or not
- 1:38:29 you're notifying the right family members a lot of times you may call a spouse and believe that that's sufficient to notify that family member you may call a brother and believe that that's sufficient in notification of that family member when maybe their sisters and other family members are equally concerned and they will always say i wasn't notified i'm not aware that this person really so i believe it'll be important for us also to make sure that there's a designated representative of the family that should be notified you know so that that person would then ultimately respond be responsible for notifying the other family members so that we can make whole and make good on this particular piece of legislation attorney general what do you say or not i say i absolutely agree and um what i'll tell you is with the buying system it creates that situation where the initially as i understand it the the persons the victims themselves enter in um to their their information as far as where they should be contacted who should be contacted and everything so um so that covers that which i i just think you know it's almost like bringing ourselves into the 21st century um with this this victim notification it just it's almost like a a no-brainer that we need to implement this and you know hearing from miss lewis clema lewis

that that u.s attorney's office the federal government have been using this for years i heard from director testemark that where she came from where she was previously employed the correctional system used it up there and you know it's a no-brainer i really think it's about time that we get this system and that we really start to make it work for our victims um so so i agree 100

1:40:17 in in addition to that um madame g in respect to the vic the crime victim compensation commission is that active and in fact is are victims being compensated through the commission um i i have to say that i i have not participated in a meeting for quite some time um so i don't i know how robust it is but my my designated person on that commission is actually elma brathwaite who is the um the director of victim services who is on here but i have not seen it but maybe she'll be able to have more of a more of a response with respect to any meetings or anything oh here it is again another um piece of of legislation another compensation as due to victim i'm hoping that there's no lapse in there and that we're actually taking care of this particular issue we gotta help to pay and make hold those victims that may not have been able to pay for medical bills and other um injuries that has been sustained as a result um of of the suspect taking action against them and i had a conversation earlier this week with the commissioner of human services and we want to make sure that those suspects are also um culpable and responsible to making sure that they pay their fair share and into that that um compensation fund to make sure that those victims are made whole um mr lewis good morning how are you doing senator francis uh your term i'm sorry good morning good morning uh senator francis i'm good how you doing i'm fine thank you i've just heard that my time i've been called i i just really

1:42:04 wanted to um to reach out to you in respect to some of my comments um in regards to making sure that additional individuals to include law enforcement um you know attorney prosecuted attorney judges may also also need to be added to this list um you know so that we're making sure that we're taking care of all of those individuals are ultimately charged as a people's representative to hold the suspect accountable but my time i've been called so um i want to thank you for the time i'm sorry i wasn't able to query um some of the other members um on this panel today thank you very much for the time mr chair i'm in support of this bill okay so but was that final did everyone answer who you wanted answer for your question just just the um i guess at this point we have the women's coalition miss clema lewis um respond to it we we have bottled many years um in the trenches so i'd like for her to give some feedback on that okay sure sure hello that uh miss lewis you could go ahead yeah thank you senator uh i agree 100 with senator francis uh we need to include the police the victim advocates when he gave that story about uh sitting at the fish market and his perpetrator showed it up it reminds me of how many times i'm in hearings and dealing with victims and going public and then somebody that I know committed a crime get out we're not aware of and then they approach me as well and threaten me so it is important to include the victim advocate the police the people in the system that's involved with this case because you know all of us are supposed to be supporting the victim as well as far as I'm concerned in many of these cases all of us could be victims so we have to be aware of that the system is not working uh one thing you all know is I'm very honest and I will tell the truth the system is not working victims are not getting the information and when they don't get it they come to the women's coalition or they go to family resource center you can't leave us out the loop we have to be a part of the process because in most instances we know where the victims are and a lot of times we might have them in hiding we might have sent them off island you're not going to know all that because we're not going to put that out in public so it's critical to have the key people a part of this process some 100 uh which is senator francis thank you thank you for

1:44:29 that because it's it's uh i was speaking to the bill sponsor uh offline too in regards to the same concerns uh uh center francis so i i agree with you a hundred percent i it has happened to me also and it is real like you say is we're not just saying it because it's the right thing to say it is real it has happened uh at this time senator francis heiliger you are recognized for your seven minutes good day good morning good morning good morning to my colleagues good morning to the testifiers good morning to the people of the territory i think that this is a very timely conversation that we need to have especially with all the things that we see happening in our community and when you're dealing with unfortunate victims that have had to deal with a lot of things and not realizing how important it is that they have to also be taken care of because first and foremost they are the victims um i was looking at the amendments i was looking at the bill i was looking at so many different aspects of this but when i was looking at act 75 19 which if you if you ever got a chance to look at the amendment it was attempting to amend that specific act and i want to ask a couple questions around the improvements that are happening um in act 75 19 which was from 2023 It speaks to, unless waived by the victim, the territorial parole board shall within 30 days prior to notice, advise the victim of the following, that an inmate is being considered for parole, that the date for the parole hearing, and three, the victim's right to submit documents, two, and provide testimony for the board and the hearing.

1:46:33 the territorial board shall notify the victim at least 24 hours prior to an inmate being paroled now a couple of things around that because i know with um this bill that's being proposed they amended this section to say 48 hours instead of 28 hours that was one of the things improved here but when you change it over to boc do you now take this away from

the parole board this aspect of it, or they still within law would be dealing with that, and just totally, completely the Board of Corrections would handle everything from henceforth. Anyone understands that?

- 1:47:20 Did anyone hear me? I heard you said that I don't know if the testifiers could speak, but I would hope it's in addition, because that piece of it is similar working. I have been to many parole hearings, and they do notify the victims when they can find them. And I have to give Ms. Leiber credit at BOC, because if they can't find them, they'll call my office. And I'm sure they do the same thing at the Family Resource Center, and I can't find Ms. a while ago, Clement, do y'all know how to reach out? A hearing is coming. They also now publish in the newspaper. I'm very happy for that. So in terms of that piece, they've been doing a good job with that. I would have to say yes.
- 1:48:01 I'm happy to hear that some part is working because we had some concerns with the court part earlier. I wanted to find out also with this part in the law and the updates that is being done in Bill 134-141, one of the things that I recognize is not every single person is going to be paroled. There are going to be some people that their sentence is up, and they leave. So I could see the importance of where we would have to add additional improvements in regards to that.
- 1:48:33 So I definitely understand that aspect of it. One of the things I wanted to ask, Um, is there anything attorney George that you guys would normally, um, have to do in regards to dealing with parolees or individuals being released from the police or Bureau of Corrections that would potentially impact this in any way? Cause I know you wanted it to be shifted, but there's no part or any part that you guys need to be dealing with.
- 1:49:09 Your mic. What needed to be shifted, which the amendment does, is to put the onus on the Bureau of Corrections because there's no way that we can know a Department of Justice when somebody is released or anything like that. So that's what that had to do with. But we have to work in conjunction with the Bureau of Corrections because we handle the cases and we have the victims. because when we are prosecuting it's the victims and the witnesses who are there are victims and witnesses so we have to link there and that has been a source of somewhat frustration because of how difficult the system has been thus far as expressed to me by our director of victim services because sometimes we don't get that link so we don't know so sometimes we get the call why is this i just ran into the person who just assaulted me or the court just let this person out on the own recognizance just like that and i just got i'm assaulted you know and i'm still suffering just last night you know so that we get the calls and then um miss brathwaite you know she can chime in but so that's that's our connection so it is really essential that we get that information so we could take care of the victims as well if possible. Definitely. This is for Bureau of Corrections. Do you guys have any plans in place when you're attempting to someone has to be released from the Bureau of Corrections? Are there any types of plans to help teach them for prevention of interacting with former victims, prepare them for going back on the outside to know, like, you know what, stay clear. Are there any things like that that you do in preparation
- 1:50:58 of them being released? Good afternoon, Assistant Director Hanson. Yes, we do, our inmates do have counseling when they're here. When they're in our custody, they are counseled. Obviously, what needs to happen is we do need to work in concert with the Department of Justice. We need to make, what we to do is make this a part of our release protocol that we inform justice that when the intent is to release, they're notified. I do agree that it doesn't need to be a phone call. We need to do this on all forms, all media, so that everyone is informed. If we do that, I can see us making a difference in this matter. Okay. Thank you so much. You're welcome. For any of you, outside of um the organizations that do deal with victims are you inundated as a government from many of the victims that are reaching out for help or concern if a lot of these things are not being done to notify them what kind of complaints do you guys get i have to say that um may i respond the chair may she finish yes the time was called but you may respond i may respond okay um yes indeed and and and i will i'm going to refer just briefly also to to um victim advocate director um elma brathwaite because our victim services sec unit is very important because we carry we help to carry the victims through the whole prosecution process as far as answering their calls their nerve of course the victims are oftentimes scared frustrated and they're going through this so we help them through the process But that's part of the reason why I mentioned that we need more victim advocates. We only have one in the unit because of the importance of being able to serve the victims that way. So, we are impacted when this doesn't work because when it is that they're released and it's unexpected, you know, we don't have the opportunity to warn them.
- 1:53:03 Ms. Brathwith, I'll let you continue because I know that you intimately have been involved in this for a while. we're not hearing you we're not hearing you sorry okay um so so what i would say to answer your question senator is that it does impact us tremendously and even um even in response to what uh senator francis had mentioned um we are prosecutors we get enemies you know i mean it's we are you know in a certain position we want to know too you know um so so it is really quite an impact and that's why i push for a system that can really be efficient and really work also i think attorney simpson wanted to chime in okay thank you i just wanted to add that often we don't get complaints from victims right away because victims aren't necessarily interested as in in the first part of the criminal process not always but sometimes

but the nice thing about the vine project would be that whenever they do become interested they can sign up so that would alleviate a lot of issues further down the road when we're able to help them in that form okay thank you for that uh senator francis heidegger your time was called but you do you want a rebuttal in regards to what was just said well it's not so much of a rebuttal i do appreciate the information that they have been giving and sharing in my so i could have a more informed decision to decide on whether this bill should move forward or not so i want to thank you so much for this opportunity and your information thank you thank you very much for that uh attorney general in in terms of clemency where the governor pardons an individual how is that done directly with the from the governor's office to corrections or through your office we always get a copy i know that i'm um the attorney general would always be copied um but um it is directly um to the bureau of corrections also and then that triggers their responsibility

1:55:14 also to notify um as far as clemency as well as well as the governor um but i gotta say i can't i'm not speaking from experience because of course there since i've been on board there's been no clemency or anything like that because we're in the middle of the term. But that is the case. We both will be notified. Okay. Thank you. Next, I have Senator Stephen Payne, Chairman. You're notified for your seven minutes.

1:55:47 Thank you. Thank you. Thank you for the time, Mr. Chair. Thank you. Thank you. Thank you. You know, we work together as one team, so i'm honored to step aside and give you your time um miss lewis and miss stewart good morning um when a person reports that they have been sexually assaulted to the authorities what happens next in regards to the victims advocates um are you notified by any particular agency miss lewis you can answer first yes on st croix because it might be a little different in st thomas when a victim is sexually assaulted uh if it's at the police department they go through their own victim advocate and if they need services more than likely they will they will contact us if they go to the hospital we are automatically called because we're on 24 hours seven days a week and we put out a schedule because i have an active advocate program that's 24 hours that said all the police commands in the hotel so if somebody i mean in the hospital so if somebody is beat up sexually assaulted any crime victims they can always call an advocate on duty we immediately respond whatever it is and then we do safety measures whether it's food clothing putting them in a space where they're safe giving them the counseling and support they need through the entire process that's how it works on my end it might be a little different at the same time as anyu can answer that thank you mr good good morning good morning again um we literally do the same thing but um when a client comes in we would um listen to them then contact vipd and if they're at the hospital um they would do a rape kit and then we would move from there with um the assistance of uh vipd and if they need further services we would provide that at our counseling center we will provide transportation food supplies toiletries whatever they need we

1:57:53 would assist them okay and same ladies um after um you could try an entire trial process the person uh the perpetrator is actually arrested when they are released from prison what happens miss louis first so once the person is released i'm gonna be honest with you again i would say 75 to 80 of the time we don't know the person is being released that's the issue here so they might i had an incident where a victim was in a bank and the man that raped her showed up in the bank and she completely freaked out the bank had to call my office because they didn't what was going on when we got there we found out the perpetrator who raped her walked in the bank while she was in the bank line so one thing about the victim advocacy agencies that's different than everybody else we start with them senator pain from the beginning and we with them for as long as possible that means we can i have clients i've been with over 20 years that go in and out of crisis so they stay with our agencies until they no longer need the services and if they re-offend it re-victimized or something come up they pick it right back up and we continue to support services in that instance i had to call the police and then we found out he was released immediately we have to prepare the victim for the release we got to put in counseling see if she's safe see if we need to relocate her find out what the order said when he was released it's a lot involved and that's why it's important we know from the beginning when that person is going to be released and if he's a sex offender and she had children by him he decides to get out and want to get back at her he can go file for visitation so the re-victimization continues even when they come out okay thank you for that um mr yes even even when they relocate we remain

1:59:52 in contact with them we provide um services virtually and um we we refer them to other agencies wherever they are and um it's we practically do the same thing the the victims are always first on our list we make sure we take care of them in whatever way we can with whatever resources we have we make sure we provide for them okay thank you and we make okay okay assistant director hansen uh what type of sharing sharing of information is done between the boc vipd and doj in regard to the release of inmates i said Director Hansen i said Director Hansen Yes I'm sorry I had a quick emergency Okay you heard the question No I did not no i did not what type of sharing what type of sharing of information is done between the boc vipd and doj in regard to the release of inmates okay um at this point i don't believe that there's an active sharing of information as it should be but i do think that if we were to add this to our protocols as far as release and i mean every single inmate that's been released within the bureau of corrections and that information would go out to all of

these agencies i think that would solve this issue as far as everyone being informed but it would have to be become a part of our protocols and we control that so that would not be hard to implement okay and presently is there a person at the boc who is charged

2:01:46 responsibility of identifying victims of the release of an inmate well no no we okay look at it this way um senator we we're not usually informed about who the victim is that's not information that's that's available to us right that's why the department of justice would easily right that would be the department of justice they would have that information and that's why he said if we work in concert if we can inform them prior to the person being actually released which we have the ability to do sometimes not in the case of when we get those forthwith orders but we can do that even with the forthwith orders before they actually are released if they leave the facility we can't inform these other agencies and that is why i asked the question before about the sharing information attorney general is there someone at a doj who's responsible for notifying the victims of the release of a perpetrator the victim services unit of the bi department of justice is that unit that okay go ahead go ahead go ahead the victims again okay the victim services unit of the department of justice and the director as i said is um miss brathwaite um but that is the place that would be responsible for notifying victims that's victim services unit so that's why that link is so important with boc and and bi department correct okay and if someone is charged excuse me if someone changes the telephone number because the perpetrator um has their number and this is for attorney general and your your office and when they reach out to them they cannot reach the person by phone if someone sent to the their the last known address of the victim

2:03:38 um i'm pretty sure we tried to keep as far as whether the case is with the prosecutors active cases um i wish it could actually be heard but um they actually have to notify them and get the new they get the new numbers and everything victims they keep we keep in contact with the victims and witnesses i don't want to leave out witnesses we talk a lot about victims of course that's the the most important thing but witnesses are important because they're part of who needs to be protected as well you know so so in dealing with the witnesses to violent crimes as well as the victims of violent crimes that um we keep in touch so that they can we can know how and when to reach them in going through the whole prosecution process okay and last attorney general um according to the testimony written to the record by mr carwood from director tester mark vine is a free automated telephone and text messaging system that electronically links crime victims to a national communication center that gives victims their families and other interested parties the custody status of any offender housed in a participating correctional facility and since this is a free system um why would we need hundreds of thousands of dollars to fund it oh i believe it's free to the it is free to the victims and the persons who need it that's what they need they don't have to pay for it's free to them but it's not free to us to establish the system and and i think attorney simpson i'm correct am i not yes okay if we you are in fact if we have the this bill is um i think it should have been in place some years ago um i mean many many years ago um if i can if i may mr chair um years ago when i was a teacher um i was robbed at gunpoint in my classroom and when the individuals were arrested but they were

2:05:41 released on trial i mean they released on bail no one notified me every morning i used to walk my daughter and my uh and her cousins to school me and four little minor girls but five and seven years old five six and seven and one morning i came out of my home and we're holding hands walking across the parking lot and individuals who robbed me by gunpoint i grabbed me and in my classroom was standing across by a car and totally shocked caught off guard fortunately a safari driver who was driving by stopped that morning with a full load but the front seat was available and told me to jump in quick let me join you and your your your your daughters today to the ferry dock i got to the ferry dock i mean if that would be if that didn't happen i can't imagine what would have happened. I got to the, when I got to St. Thomas, I called the detectives, asked them, but no one notified me of anything. They said, well, they didn't know because the courts didn't identify, I didn't, the courts didn't let them know that the person was being released as well. These individuals, when they were out, the police was looking for them. They would travel to the prosecutor's house, who was Judge gomez he was a prosecutor at the time and burned his house down they burned his house down these same individuals were outside of my house good and i feel that if it wasn't for that safari passing morning it would have been a different story but ever but in the time it took for the police to re-arrest them i made sure i told my wife at the time you are responsible for taking the kids to and from school and i stayed by myself every place i traveled i traveled by myself i never traveled the same place i stopped driving my personal vehicles i started catching dollar buses

2:07:33 and using public transportation and stuff to avoid those individuals being able to find me somewhere so it's very very very important that someone notifies individuals when as one when when persons who committed crimes against them are actually released it's very very very important and i am 100 in support of this measure mr chair thank you very much for the time uh thank you uh senator pain uh my clock had you down for another 60 seconds but again madame clerk all time uh i i would like to recognize non-committee member senator whittaker i i didn't notice you before so if you were there a while i do apologize uh at this time senator whittaker you're recognized for your seven minutes thank you chairman and good morning to good afternoon rather to you good afternoon um to the entire legislative staff good

afternoon to the testifiers I want to first start off that this, of course, I support this measure as one who's also been a victims advocate, former board member of the Women's Coalition, and I've been actually working more than half of my life, actually, on justice issues around women and even the United Nations and stuff. So this topic is really near and dear to me. And so I want to go ahead and jump into, first, Mr. Caldwell, can I give you a title, too? I just want to make sure I'm, you know, I know you're the spokesperson for the BOC. What's your official title? What do I reference you in this meeting?

2:09:11 Mr. Colwood? Mr. Colwood? I'm going to hold my time, because I... You're muted, Mr. Colwood. I didn't hear your question, it was going in and out. My internet is going in and out. Okay, I just wanted to make sure, your title for the BOC, what is your title?

2:09:43 Chief Strategy Officer, Acton Public Information Officer. Thank you. And so, Mr. Colwood, in answering the questions, I was going to pose towards the director, I want to first start off about, you know, what type of training is currently in professional development is being offered to the BOC staff in the victim area, release. You were saying something, I already heard about release and training, and then it went out.

2:10:17 What types of training is being offered by the BOC currently on assisting and release of perpetrators into the community? What kinds of professional development training being conducted by the bureau oh you mean for for the inmates that's what you're talking about for inmates for the staff for the staff the staff so the staff is actually going through a host of um a host of um trainings right now we have trainings that deals with priya um prison rape elimination act among other trainings in terms of release in terms of psychological approaches and best practices that they're supposed to follow in terms of the release of inmates, and handling inmates or individuals when they're getting ready to be relieved from the prison. And in terms of capacity, does the BOC currently have the capacity to this once line is implemented, do you have the system in order to sustain this effort?

2:11:17 So, the system is not something that we have right now. That will be something that will have to be integrated. will have to do an assessment of the staff currently on hand to determine, as indicated by Attorney Simpson, in terms of if a physical person would need to be on board to assist with that effort until the system will work for itself. So, we have to do an assessment. Yeah, I know it's not offered. When you do assessments and when you look at, you know, when you do the perspectives and you actually do the analysis of what the costs are associated, I did not say the system is in place i said would you have the current system in place the internet you know infrastructure in order to um execute this um but i'll move on um to director um clima lewis from the women's coalition um you you testified to this and i also want to thank you for also um it's you know acknowledging the fact that our we continue to in our community suffer with the loss of children to and of course we all of course know that we have to offer condolences to all those impacted um by violence um most recently of course as we know up to yesterday a woman loving our community before that nearby you know so it's just on it's just really on and on so i thank you for those words and acknowledging um the need to also just address crime prevention as well as even through this measure.

2:12:47 So, in terms of the Women's Coalition, how do you think this information, how do you think this will really result in the insisting the victims impacted? I mean, how do you, and in terms of timeline, do you see once implemented, would the Women's Coalition be able to have the capacity to, Do you have the capacity to coordinate and implement the system in coordination with the Attorney General's Office, the U.S. Attorney's Office, and the other VAP?

2:13:24 And it's all law enforcement in order to carry out this from the Women's Coalition perspective. Ms. Definitely. I feel like this bill is critical, Senator Whitaker, because I've been praying and fussing for years. Victims are not being notified, and they're being impacted. The more crime we have, the more victims we have. If they put the victim notification in place, which I think would be excellent, because I've already participated in it in the federal level, and it is excellent, and it doesn't cost extra work for the rest of us. Right now, if victims are not notified, the perpetrator is out, it's more work for us when we don't know. At least if we get the information from the Bureau of Corrections or the Department of justice, whoever, gives us enough time to put things in place that's going to make sure the victim and the family is safe. So we're on board. It's not going to be more work. I think it's going to be important, and I think my staff would be excited to do whatever it can to make victims more notified and get us in place and get ready for when perpetrators are released, because it can be really scary for us as well as the victims, because sometimes the perpetrators come after us because if they feel like it's our fault that they're in jail so it's also important for our staff as well that this is put in place thank you um director lewis and in terms of data um are you probably compiling a number of victims who in fact have been re-victimized um by these individuals who come back out as you've laid out of persons coming to their jobs and you know and just being you know being re-victimized do you have any statistics on that i haven't compiled no i haven't compiled any statistics senator to be honest strictly speaking from one-on-one experience because a lot of those were my clients so really speaking from first-hand knowledge

- 2:15:21 of dealing with the victims and their experience but not necessarily compiled them it probably would take a while but i think if i got my staff together we probably could come up with some I would say it's really critical as we go through this process of data information and all of our stakeholders we have to work from a numbers perspective and in order for us to, you know, drive this home. And finally, Attorney General Denise Geordi, I mean, testimony was very clear. I really appreciate the analysis of the provisions and I certainly look forward to working with the bill sponsor on supporting the efforts. I just want to thank you very much. the bill sponsor on supporting the efforts.
- 2:16:00 I just wanted the main question I have for you in terms of, I know you had this initial, you know, information on the Vine system. In terms of your working relationship with the U.S. Attorney, Tony Shepard, have their, do you see, do you think that as we, you know, look at the legislation, how best we can work out the legislation So, there's a true coordinated effort between your office and the U.S. Attorney's office. Well, I'm not sure the legislation would do that, but we have our separate cases and everything, but when we need to collaborate for the benefit of the territory, we do that, you know. So, we're both, you know, prosecution agencies, but considering that they have by now and they have that system, I think it's great.
- 2:16:52 It's about time we get up to speed with that so that we will have that also. But the victims are good, our victims here. They're the common victims here in the Virgin Islands. So, we're servicing both. So, of course, I don't think it needs legislation to collaborate because we do collaborate in dealing with these cases and we're dealing with common victims. And the notification is of utmost importance. And thank you for that, and I appreciate that. I think that's something that we, when we do, you know, we draft legislation and we see how sometimes it's made a matter of states policies and if i would conclude um check that i did lose some time in the beginning first yes you may conclude your time has been covered you may conclude thank you thank you chairman and i just um want to just to express in my conclusion that um i i want to say that i want to thank all of those of us who are on and all those who are working on behalf of victims and we just can continue i think it'd be great for us to work you know in collaborative efforts um align ourselves and even i would also i'm really putting out a call to a lot of what's going on national and international there's a lot of advocacy need to be needed to be done on the international level um i attend a lot of international meetings i'm in very involved united nations and un women and my long list of efforts with um this is very long um and i would like really to see our voices lifted on the international level and the global level and join with other voices in support of advocacy so thank you and thank you chairman uh thank you uh senator wicker uh senator johnson welcome if you were there before i do apologize again because i was looking at how the screens are shifting so uh welcome uh we wait for you center johnson you're uh recognize for your seven minutes good afternoon mr chair thank you very much thank you very much to the testifier i do apologize for being here late today but i definitely had to pay my respect to one of my co-worker mr cru santana why i work some 20 plus years in the bureau of correction and then we We both moved on to the district court and worked maybe the next 8 to 10 years there.
- 2:19:07 So I definitely must extend condolence to his family and his passing. Very good man that did his time and did well at the Bureau. Did well. So I definitely will be missing my comrade. Good afternoon to the testifiers. Attorney General, I'd like to ask a question, and I'm going to need some help from you. there used to be a program to assist victim of violent crime does that still exist i not familiar with that a specific program no i'm not familiar with that what you're referring to yellow i don't miss brathwaite if you just say by saying yes this is was there one are you familiar with a specific one to assist well why i ask that question i i and can recall where the prisoners who were sentenced with a violent crime normally has to pay restitution and that funding will go in that money would go into an account that would assist those victims of violent crime so i don't have a particular one but i'm trying to find out if If this program do exist, if these laws are being followed, and if the prisoners who was sentenced to a crime of violence, if restitution is being paid.
- 2:20:34 Well, I know that restitution is always a part of any sentence, because restitution is not a penalty, it's not a punishment, it is just to restore the victim as much as possible. Attorney Simpson, are you aware of anything now with respect to a program where restitution is used for crime victims? I think what the Honorable Senator may be referring to is the Crime Victim Compensation Program, which we had discussed briefly a little bit earlier. If that is what the Senator is referring to, then absolutely. It is still alive and well. And I know that the VIPD and representatives from our office are ensuring that victims are given funds out of that victim compensation fund as appropriate thank you i think we all are speaking about something totally different and i'm recalling from when i worked to the bureau and i ran the programs any prisoner that worked and worked out the facility that had a job he had to pay a 10 percent of what he made to that uh um account and and that money would be utilized for victims of violent crime so i i think that's the question i'm really trying to ask and if this is still a process if it's still working and and if it's not where do we go to make sure that we get this program working where these persons who was convicted of violent crime that are making a little money that they pay their fair share to the victim i i don't know of the program but um we can always you know offline if you can identify but i am unfamiliar um with such a program but certainly if you know you can let us know what that is and if it is in fact still in

existence in existence locally then

- 2 : 22 : 29 we can look at um you know re-implementing it i thank you i came in late um who's representing the bureau i understand tester mark is not here um mr calwood are you representing the bureau both mr hanson and myself sir mr hanson good the assistant director hanson yes senator uh do you recall a program and if you guys have that still intact where prisoners who are working pay that was committed for sentence for a crime of violence is contributing their fair share back into that program into that account i i don't believe that that still it's still in a program that is um working at the bureau i don't believe so i do know of what you're talking about um based on the amount of years i've been here but i don't believe that that program still exists attorney general i'm gonna i think that you and the um bureau needs to get in communication to make sure because you know a lot of people don't understand any prisoner that's in the facility that's doing any type of work whether it's janitorial cutting the grass they get paid And out of that payment, some of that money should go to that account to make sure that people who was victim of a violent crime be taken care of. So I would appreciate, Attorney General, that you try to communicate with the Bureau and see if we can make sure that this program is put back in place and make sure that the victims get compensated and make sure that those who are incarcerated pay their fair share back.
- 2 : 24 : 29 Ms. Clement Lewis, good morning to you. Good afternoon, I should say. Is there any website where a victim of crime can obtain financial and other social services available as a result of being a victim of including information on how to apply for that assistance and service? Is there a website available? I don't know of any website available. They do have information out on crime victims' compensation, which is from the local government.
- 2 : 25 : 02 But normally we make sure we advertise in our services, and I believe the Family Resource Center does, that we also provide some financial assistance for victims of crime, depending on the crime as well. But I don't know of any particular website that would cover it. Cram victims are covered from agencies. They get money from VAWA, OVW, that kind of thing to help provide services for victims. So right now, Cram Victim Conversation is the only one on St. Corrado that does that. And I heard they're active. I didn't know they were active. So it's good to hear that. And I thank you. And if I do repeat some my questions is because i came late and i would like to ask miss and i asked toward at your center often do you receive complaints or concerns from victims stating that they have been contacted by their perpetrator and and clement lewis to miss lewis if you can tell me yes yes we do i remember some time last i think it was in october of 2021 a client called me on my personal phone to she was so frantic and it's like she was going crazy mr can you please help me i somebody just told me that my perpetrator is um at the park and i'm like lord send help i don't even have an answer for her but the only thing i could do is call someone from vipd to find out because they are my contacts so what i believe we should do we should um come together form a committee with boc vipd and the non-profit agency that provides this type of services to victims so we could be able to coordinate and when we receive calls like this frantic um victims that we have answers for
- 2 : 26 : 52 them so yeah we get them more often i would say at least once a week uh or if not once every other we're getting calls in our office from victims that's being harassed by perpetrators. Even at some point, we were having them calling from the prison. And when we get that, the good thing is we call the prison and let them know that they're being harassed by these inmates. And I have to say when we let them know, they do stop it. But we even get calls from the prison, from cell phones, all over. So it's a regular basis for us that victims are complaining about perpetrators arresting them and if not them they send their family members to do it if they don't do it they send somebody else to do it for them oh i sure hope that uh this piece of legislation is going to help that and i i'm very sorry that the parole board who plays a very major role in in this piece of legislation is not here today to testify when i heard about the hearing i just prior to coming here i reached out to mr howell and he was not notified and would have been glad to testify on on the role of the parole board what they do and and how they try to expedite this thank you very much for the time mr chair i didn't know if my time was covered thank you very much uh thank you senator johnson uh much appreciate it uh madam clerk you could put seven minutes on the clock for myself and i would begin now uh right now okay so miss lewis you say you get that on a regular basis and on a regular basis and miss stewart you say up to about october you get that and you both have notified corrections on it only or corrections and attorney general's office well i'll notify
- 2 : 28 : 47 corrections if they're in the prison if they're already outside and we don't know where they are we can't notify corrections but we will notify the police and file a police report and if you don't mind senor did you grab just for one minute for senator johnson because he wasn't here i did speak to that the parole board has been really good with notifying us and having us to testify i've testified so much the whole parole board know me with the victims and sending in statements so out of all of the system the parole board for us have worked the best in terms of bringing the victims on board and hearing from them so i i'm the one to give kudos to the parole board okay good good uh i'm a stuart when you notify who do you notify or have notified on a regular basis what you say i notified um vipd vpd okay so uh the assistant director hanson when it comes to right now as it stands every prisoner that leaves the facility who have been involved in a uh

crime against person a rape or robbery is there any notification to anyone that they have been released um no once not no no no senator okay the what we do we get the notification from the court as to when the sentence will be up if the if classification art gives us documentation letting us know that that um sentence has been served the persons are released but again this

2:30:34 this is not something hard that we would have to do again our protocols for release just need to be changed and we have the ability to do that in-house that's any that's nothing that we need to get permission to do so we can and we can do this almost immediately okay how much would it cost for for us to institute a notifying system correct immediately it would not cost us anything we would just have to add the procedure to our release procedures okay good would it be fair to say at the close of this meeting today it will be implemented well um i can say i i can say that i will notify um i will let our parties involved know that we are now doing this and we would have to exchange information in order to be able to do so so it can be directed specifically to who it needs to go to as the attorney general stated there is a sub department within her department that handles this so we would have to exchange numbers um email addresses for our media so that's what it would take to do okay would would that cost anything no no not not on our end it will not it wouldn't cost anything on our end to do that attorney general would that cost anything for for that collaboration or it would the unit i think you said ms brathwaite is over would that cost anything or need additional manpower for well as i indicated the victim victim services unit which is a unit of one miss brathway does need more victim advocates we have none on st croix and so we need so that's so that's it that's different but it's no to answer your question though no it would not cost us anything to um to get this information and receive this information in fact it'll be helpful very very helpful okay good now also is there any

2:32:35 collaboration with the district court because we have residents who are perpetrators who are tried through the district court and sometimes sent out to the federal facilities and if they are released or released earlier so along the same lines of of crimes of against these uh victims how are are they a part of that federal system that you're speaking of uh where they are notified the victims are notified upon their release but but then there is no connection to notifying either the attorney general's office or the victims on the local end could that also be a collaboration in the meantime until we get all these things in place sure senator date uh from the federal level our victims have been notified to ven and that's what make that system work i don't uh know if they i don't know how we work with all of the local agencies but on the federal level it definitely works as long as when our victim is perpetrated it's tried on the federal level we have access to the information right so i was just saying with attorney general it should at least be where that process is um making you aware that these individuals have been released yeah i could look into that i mean you know i can certainly look into that some type of collaboration okay good until we can get our own you know that's also but we should have that collaboration established at this point too so we'll see if that's doable okay good and and i would just like to wrap up by saying uh i i thank the bill sponsor this bill i think this is very important and the bill sponsor no i don't mean when i say i vote yes so regardless of what everybody gonna know you vote yes from way beforehand because it's much needed because again the victim and as senator francis mentioned as a police officer it has happened to me it has

2:34:43 happened to him we've seen this so again you know people might think twice maybe because you put you are a police officer but again you know at any time any one of us can become a victim so So I'm going to turn it over now to, yeah, my time, I don't need any more time. So right now, to the bill sponsor, Senator Donald Fred Gregory, you're recognized for your seven minutes.

2:35:13 Thank you, Mr. Chair. Mr. Chair. Excuse me one second, Senator. Yes, Attorney General. mr mr chair i just wanted to ask um before going to the bill sponsor if i can just make one comment on the amendment um that i think might have been an oversight i'm not sure sure okay with respect to the amendment it it did um you know graciously uh address some of our concerns with respect to placing it where um with the bureau of corrections with us connecting however um on the one section section two it still has the department of justice shall promulgate the rules and regulations with the as far as the functioning of the program so since it has been amended to place the responsibility of reporting on the bureau of corrections that section will also need to be amended instead of saying the department of justice it would be the the bureau of corrections so i just wanted to raise that um so that it will be consistent so it seemed like it might be an oversight so i wanted to raise that okay thank you for raising that prior to the uh senator donna fred gregory now she could uh tie in everything senator fred gregory your time is yours thank you mr chair and thank you to the testifiers and of course what we're discussing today is in fact a measure or a action, I think is more action than legislation that should have occurred a long time ago. And I wish to remind those of us who are responsible for matters of this nature that we don't always have to wait for legislation to do the right thing. I continue to hear the conversation around Act Number 7519, and Act 7519 is specifically

- 2:37:18 related to the territorial board of parole notifying victims when an inmate is paroled. I want to make myself clear that this legislation that we are discussing, or the amendment that we are discussing today is tied to pretrial and post-trial of inmates. It is not tied necessarily to paroled individuals. So that's important for us to know. So I don't want us to get mixed up with our conversation. We already have legislation that's tied to parolees. So I also want to touch on the Vine program discussion. So of course there is recommendation coming from the Office of the Attorney General indicating that the legislation should include the Vine system.
- 2:38:25 divine system is just that a system. And as leaders, it is important for us to understand that policy drives system. The system don't drive the policy. So part of the comment that the Attorney General made earlier around the amendment, while I agree with her that we need to make that change, that change also needs to include the Office of the Attorney General. This legislation requires collaboration between the courts, the Attorney General's office, and the Bureau of Corrections. And nothing prevents this government, the executive branch of this government, from instituting or putting in place the vine system.
- 2:39:14 It doesn't require legislation for the government of the Virgin Islands to implement the vine system. have to have this discussion today for the vine system to be implemented in this territory. Because I see that the Bureau of Corrections is indicating we strongly recommend that the Virgin Islands adapt the nationwide victim information and notification. The central government, the executive branch can do that tomorrow if they choose. So legislation is not required for us to do that. So we should not be including any specific system name in our laws. Because when we are no longer here, and there's a future Virgin Islands, we don't need to go back and amend when they change it to another name. So I am not in favor of any of the amendments recommended under anything that references the Vine system. It is whatever system this government chooses to implement in the interim and in the future.
- 2:40:14 Now let me ask a question around how many, I'm trying to establish, because you know a lot of times we like to compare ourselves with the national level, and I'm trying to understand for the most part how many individuals are released in this territory, I'm just a wrong figure, you probably don't have that on you, this is for the Bureau of Corrections, monthly on pre-trial or post-trial release? How many individuals in this territory are released on a monthly basis, on average? If you give me a minute, Senator, I can get that information. I can get an estimate for you. Okay, good. And that's an important question that needs to be answered. And I'm asking that question because we cannot look at ourselves as a state. We are 100,000 people going south, based on our last census, some 87,000 people.
- 2:41:12 So we cannot get ourselves caught up with what's happening on a national level. If this is something that we can implement, and then we have the conversation with regards to the vine, then we do that. But we should not let the perfect be the enemy of the good when it comes to this legislation and what needs to happen. At the end of the day, our responsibility, again, and I can't say it enough, is to protect the individuals within our community. And I do agree that there was discussion around this, some of my colleagues talked about the challenges around what they've experienced with victims, perpetrators, if you will, or alleged perpetrators being released and they're not aware, and they served in law enforcement, the Department of Justice, the Attorney General's Office, those attorneys worked on the case, So we need to just wrap it up nice in a bow so all individuals can be notified.
- 2:42:22 We just have to collaborate between DOJ, BOC, and our judicial system. We are way too small for us to be having a contemplation around whether or not this could work based on the size of our territory. I am asking you again for your support on this measure. I think I've heard overall support for the measure. Like I said earlier, the basic notification previously was only for domestic violence. We are expanding this.
- 2:43:02 It is important that individuals are aware when their alleged or perpetrators are released from prison. And I think we brought up, I think the chair brought up clemency. And I agree that that needs to be included, people, victims need to know, they need to know so we can prepare ourselves mentally, emotionally, et cetera, for whatever, for the release of their perpetrators or alleged perpetrators.
- 2:43:40 just an important component that needs to occur in this territory at this time. So we need to get on board. We need to get on board. And we cannot allow funding to stand in the way of us moving this legislation forward. And I'm certain that we heard a few evenings ago that funding is not an issue. So let's make this happen. Let us make this happen in the US Virgin Islands. Crime is on the rise. We have a responsibility to ensure that we reduce crime, yes, but we also have a responsibility to ensure that those that are impacted by crime in the US Virgin Islands are in fact safe, and secure, and aware of what's happening with them. We need to be hyper aware in our community.
- 2:44:30 So I'm, you know, my time hasn't been called. Excuse me, Senator? I will ask, you can respond. I will ask that my colleagues to support this measure once again, and all those who are not here today, who are not on the committee, once it moves to the Rules Committee, likewise. I believe that Assistant Director Hansen had... Do you have the information,

Assistant Director? Hansen?

- 2:45:00 I'm sorry, Senator. do have the numbers for you. It's between 30 and 40 inmates. So here it is, right? I'm glad I got the information. So we haven't, let's go on a high number. We haven't a conversation about funding around 40 people on a monthly basis, on average. Actually I didn't have the average, that's a high end. There's no, there's no, there's There's no debate. We should not be debating this issue. We are not on the national level. We are a small fish in a big pond, and we need to operate as such when it comes to this particular issue. So the Bureau of Corrections and the Department of Justice and our judicial system need to all collaborate so we could make this work in the interim. If we want to put a system in place for 40 people, that's on us. But this legislation does not need any funding tied to it. We need to get to action on this issue.
- 2:46:08 Thank you, Mr. Chair, for the time. May I have a question, Mr. Chair? I have a question. It doesn't quite... You can make a comment. You can make a comment if you... Oh, I wasn't sure when he said, when Mr. Hanson said 40, if it's per month or... 40 per year you mean 40 per month an average yes yes attorney general it's 40 per month that's on average 30 to 40 per month yes per month um mr chair if i if i may i would i have a comment if i can yes go ahead mr hansen okay um i believe that um attorney general you stated that um in place of the department of justice the bureau of corrections will be named as the um the agency that will be responsible for notification right well that is under the amendment um the amendment that was uh presented this morning specifically changes from department of justice to the bureau of corrections as the agency responsible for notifications so i was indicating that they will also need to be responsible for the rules and regulations of that program of notification as well.
- 2:47:32 And always in conjunction with the department in notifying in the Department of Justice. Okay, so of course, I'd like to make it clear that our understanding of notifications, we're going to be notifying the agencies are in concert with the agencies that need the information, not the victim. Just making that clear, because we don't collect the resources in order to do that. So, we are more than willing to be able to notify all the agencies and all the individuals within these agencies, but we cannot be responsible for notifying the victims. We don't collect that information.
- 2:48:15 Okay. It's just according to the amendment, I'm just reading, as far as the... just one more comment please sir okay go ahead my attorney general just one more comment with respect to the vine i just wanted to the vine actually appears in section 1b1 of the of bill number 340141 um so that is actually where and i and i and i really appreciate that because that is when i first became aware of what vine was i'd never heard of it before and i think it is a brilliant program but it's because it actually appeared in the bill and so the amendment takes out that section as not being legislated and i think that senator gregory is correct in that it doesn't have to be legislated for us to implement the system but that is just where i've gotten it from and why it was raised and we looked into it and we realized that that would be a great system uh to use so i just wanted to clarify that as well okay thank you senator fred gravy you're recognized for your point of information um i i just heard the comment from the bureau of corrections and corrections we've worked very closely with the bureau on this matter And again, I want to be clear, this conversation that we're having is starting to become circular.
- 2:49:52 It's starting to become a circular conversation because I think what we're starting to run from, because that's what I'm hearing now, is who's responsible? the Attorney General Office, the Bureau of Correction, and the judicial system. All of the entities are responsible, okay? And whomever, whatever entity is to provide the information, the information should be fed up to that entity. So the Bureau of Corrections, you know when Donna is being released for pretrial, let's just say our pretrial alone. So that information should be fed up to you.
- 2:50:39 But you all have to collaborate to figure out what that system is going to look like. I said it earlier, policies drive the system. The system does not drive the policy. So work together, put your system together, and then you'll have a process. It's just that simple. But again, we have to find the time, it has to be important to us as leaders to make it happen. It's just that simple. Thank you, Mr. Chair.
- 2:51:10 You're welcome, Senator Fred Gregory. Testifiers, thank you very much for all the information that you provided to us this morning in regards to this matter. At this time, I think we've exhausted our line of questioning. Do we have a motion at this time? Colleagues? amendment uh senator francis you recognize for amendment thank you very much mr chair mr chair and colleagues i offer amendment number 34-449 on the behalf of the bill's sponsor senator donna freck gregory bill number 34-041 is amended in section one as follows a page two line 21 by striking Department of Justice, and inserting the Bureau of Corrections. B, line 3, page 3, line 3, by striking paragraph 1 in its entirety and renumbering the remaining paragraphs accordingly, and C, by designating subsection E as subsection F, and by adding a new subsection E that reads as follows.
- 2:52:23 E, when a defendant is found guilty of a crime of violence or an offense involving crime against the person and a condition of the sentence restricts the defendant's ability to have contact with the victim that condition must be included

in the order and the clerk of the court or the persons designated by the court shall provide a written copy of that order to the victim not later than 48 hours after its entry d by adding an appropriate number section that reads as follows section blank title 5 version of code chapter 407 section 4606 is amended as follows a in subsection c by striking 24 hours and inserting 48 b by re-designating section c as subsection d and adding a new subsection c that reads as follows c the notification must include the parolee's full name including any known nicknames the parolee's release date and the location where the parolee will be released the parole board shall notify the victim either by a phone call by email or by serving the victim by a person authorized to serve summons and complaints in the territory i so move second yes uh amendment 34 that's 449 has been properly moved by senator francis and seconded by senator de graf and it was senator javon james hearing Any objections? So ordered. Motion. Senator Francis, you're recognised for your motion. Senator Francis, you're recognised for your motion.

2:54:11 Thank you very much, Mr. Chairman. Mr. Chairman and colleagues, I move that Bill 34-0141, an Act Amending Title 34, Virgin Islands Code, Chapter 8, to require the Virgin Islands Attorney General's Office expeditiously notify victims of crime against persons of the release of their alleged perpetrator as amended, be favorably approved by the Committee of Homeland Security, Public Safety and Justice and sent to the Rules Committee for further vetting, I so move.

2:54:46 Second. Second by Senator James. All right, Bill No. 34, that's 0141, has been properly moved by Senator Francis and seconded by Senator James and Senator DeGraff, roll call on Bill 34, that's 0141. Senator Steven D. Payne, Sr. Yes. Senator Payne, Sr., Yes. Senator Dwayne M. DeGraff, Yes. Senator DeGraff, Yes. Senator Kenneth L. Gittins, Absent. Senator Novell E. Francis, yes senator francis yay senator javon e james senior yes senator james senior yes senator alma francis heliger yes senator francis heliger yes senator franklin d johnson yeah senator johnson yes mr chair we have a total of six yeas all right thank you very much madam clerk uh bill number 34 that's zero one four one an act amending title 34 virgin islands code chapter 8 to require the virgin islands attorney general's office to expeditiously notify victims of crimes against the person of the release of the alleged perpetrator, as amended, has been favorably voted on in this committee and will be forwarded to the Committee of Rules and Judiciary for further consideration.

2:56:20 Senator Fred Gregg, you're recognized for your point of personal privilege. Thank you, Mr. Chair, and I want to thank my colleagues, but most importantly, I would like to thank the testifiers that came today to discuss this very important matter. What's equally important is that we heard a number of recommendations here today, and the measure has been moved to the Rules Committee, and we are also prepared, I will work with my colleagues, to bring the additional amendments. Thank you, Mr. Chair. Thank you very much, Senator Fred Gregory. Testifiers at this time, I gave each of you 30 seconds to wrap up, beginning with Ms. Anya work good afternoon everyone and again i am in full support of this bill and i would really um like to say um get in effect so we could better serve our clients and um you don't have you don't have to be a dv client or sexual assault client but anyone that walks through or does that's what we are there to assist them in whatever way we can and if we have to place a phone call just to find out what's happening we will do as well and um i want to thank clema for always being supportive of our cause i have to say our cause because we are in this together and um i pray for more blessings and everyone who made this a success and i really thank you all for inviting us and your inputs and uh it's this bill is very important to our victims and to anyone as senator francis said he was confronted and um i know any it could happen to any one of us so let's put pen and paper and our ideas and everything together so we can make it

2:58:23 work we can if we partner with each other so continue to do our best in every way thank you thank you very much ms stewart and for the bureau corrections uh assistant director hanson or uh mr carwood uh mr carwood good afternoon assistant director hanson here um first and foremost i'd like to say thank you for all for everyone on the pound everyone in the um that actually testified and gave um spoke their truth today i do agree that this is something that should have been done i am glad that we're now revisiting it to make sure that it is done and i can vow that the bureau of corrections will do everything in its power to assist to make sure that this is done appropriately thanks again all right thank you very much and now we'll go on to miss clema lewis you're recognized good afternoon again thank you senator pang thank you senator fred gregory and thank you all the senators um most importantly thank you my colleague anya uh we do everything together so you can trust whatever's done on st thomas will be done on st croix we don't do this st croix versus st thomas we do everything together us uh mr hanson i haven't met you but I hope when you put it in place you include the victim advocacy groups as well not just the Department of Justice another one I will send you all my personal information you need just so that we can get it I think we need to leave here understanding crime is on the rise our community is not changing the only thing don't change what happened in the community is us victim notification is critical people are afraid to talk they're afraid that if they say something it's going to be retaliation we need to get this bill out the bill is important for all of us victims and our safety as well so i am uh pleading and asking all the senators to open your spirit your soul and

- 3:00:28 your heart and support a bill that's about saving lives for us as well as yourself and our community thank you again for the uh invitation and everybody have a good weekend and don't forget to pray and be safe thank you yes thank you miss lewis and last but definitely not least honorable denise george you're recognized thank you very much and i just want to say thank you again to everyone here thank you for the bill sponsor for coming up with this this measure a measure that definitely is needed um department of justice and the under the attorney general's our victims are, and witnesses are the most important, they are utmost importance to all of us and in this community. It's indicated that there are like 480, approximately an average of 480 releases that happen within the year based on the records. That's a lot of people in this small community. And so we have a lot of victims that we have to be notified in advance so that that that they can be their safety and security can be assured that is a utmost importance so i really support wholeheartedly this measure um i i believe that the best thing that we could do is get into the 21st century let's get the most efficient and effective way to notify victims and link everyone together and that's why i so support the bind program that I became to know it because of this bill that has come up. And it is great. And I hope that we can get this to link everyone together and to link it with the courts, link it with the stakeholders. And then, of course, so that the victims can be notified efficiently and effectively. And yes, there's a cost. That cost is so minimal compared to what the value of it is. You're talking about maybe 100,000 reoccurring each year. And this can actually save the lives, save the, you know, assure the security and safety of just, you know, just hundreds and thousands of people as we go year and year and year. So it is really a small kittens. And so I look forward to rolling on this and starting even before getting the buying program or anything, start in working with the Bureau of Corrections in implementing what we could do from day one in getting our victims notified, getting information so we could start moving and really protecting our victims. So thank you again very much, and everybody, just have a blessed weekend.
- 3:03:17 Eloquently stated, Attorney General, and as I said earlier in my opening remarks, better together always. Testifiers, before you're released, Ms. Brathwaite, I want to thank you very much for sticking in with us for the entire day, even though we had technical difficulties with bringing you up on the mic. I want to thank you, thank you, thank you, and I'm sure your supervisor is going to treat you to lunch today because of that. You have the best supervisor in the world, so I know it's going to happen, all right? So Testifiers, you all are released officially from the meeting today. Again, thank you very much for your input. Truly appreciate it enjoy your weekend thank you senator all righty and before we close I would like to say that we don't have any winners no one couldn't figure out but it's my summer says someone said something one of information when you finish mr. chair well okay we didn't have any you want to go now send the Sen. Francis? Sen. Francis? Sen. Francis, I think you may have frozen up for a second there. Okay. As soon as you get back in line, let me know, Sen. Francis, because I think we kind of lost you over here. Like I said, we didn't have any winners. Frozen at this time.
- 3:04:44 Okay. Apparently you just came up. You want us go at this time before I continue? Sen. razzis you want to go to the side yeah mr chair i just wanted to explain to the public the like the block two and the fact that we had bill 34-0142 uh an act amending the virgin alice code title 20 chapter 45 by adding a sub chapter two to provide for an automatic license plate reader system as a crime fighting tool throughout the virgin alice and amending title three chapter 33 section 881 relating to the police records to exclude captured plate data from automatic plate reader system and again another critical crime fighting tool for the virgin house police department the commissioner obviously with the spate of crime that's that's occurring wasn't available today in regards to this but this is a very important measure as the manpower in the Arizona's police department seem to continue to dwindle, it's critical that they resort to surveillance cameras, CCTV, license plate readers to help them in their crime-fighting effort. And, you know, I've been at this since the 31st legislature in ensuring that we have functional surveillance cameras to assist them in their crime-fighting effort. And I'll continue to beat the drum on this particular issue because it's critical that we're able to, again, support them from this legislative body, but they too have a responsibility to make sure that they're adhering to the execution of getting our surveillance cameras up and running so that we could be able to capture and arrest some of these perpetrators that continue to wreak havoc in our community. So we will be hearing from them in the next Committee of Homeland Security, Justice, and Public Safety hearing. So I just wanted the public to be aware of the reason why this bill was taken off of today's agenda. Thank you very much, Mr. Chair, for the time.
- 3:06:41 You're welcome. For your passionate words, Senator Francis. We definitely look forward to hearing your bill at our next committee meeting. I was talking about the riddle that went out this morning as far as winners. Well, I was pulling your legs for real, man. We do have a winner. We have actually two winners from East District. From the St. Croix District, we have Ms. Risa Bailey. She is the winner from St. Croix. And from the District of St. Thomas St. John, our winner is our Sergeant at Arms, Delvin Fleming, aka the Steel Warrior. However, in the St. Thomas St. John District, the Steel Warrior has decided that he would like to give his prize to someone else in Central Staff. So the first person in the St. Thomas, St. John District that takes their full name to 340-474-9104, you will receive the prize today from the St.

Thomas, St. John District. Thank you, thank you Central Staff for participating in your special day as decreed by your atlas senator this is officially the legislature's central staff employees day on behalf of my entire staff enjoy the rest of your day to the fullest thank you colleagues thank you media thank you sergeant at arms thank you steel warrior journal and to my superrific staff thank you thank you thank you for what you do and what you did towards making this committee meeting a successful one as usual god bless you all and have a super weekend the meeting of homeland security justice and public safety this meeting is hereby adjourned

3:08:58 Thank you. Oh, my God.

People named in this transcript

SUSPECTED, and a finding aid only. Names were matched by machine against the spellings used across all 426 of our transcripts, and the title is the one used in the room. Being named here is NOT evidence that a person attended or spoke - only that the name was said. Speech recognition mishears names, so a spelling may be wrong even where no alternative is offered.

- 11x **Senator Steven D. Payne Sr.**
heard in this transcript as: Payne, Payne Sr., Stephen D. Payne Sr, Stephen Payne, Steven D. Payne Sr, Steven Payne
- 10x **Senator Novelle Francis**
heard in this transcript as: Francis, Novel E. Francis Jr, Novel E. Francis Jr., Novell E. Francis
- 8x **Senator Fred Gregory**
the surname alone also matches: Donna A. Frett-Gregory; Donna Frett-Gregory
heard in this transcript as: Fred Fred Gregory
- 7x **Senator Marise C. James**
the surname alone also matches: Javan James; Giovanni James Sr
heard in this transcript as: James, James Sr
- 6x **Senator Kenneth L. Gittens**
heard in this transcript as: Giddens, Gittins, Kenneth L. Giddens, Kenneth L. Gittins
- 5x **Senator Alma Francis-Heyliger**
heard in this transcript as: Alma Francis Heiliger, Alma Francis-Helliger, Francis Heiliger, Francis-Helliger
- 5x **Senator Dwayne DeGraff**
heard in this transcript as: DeGraff, Dwayne M. DeGraff
- 5x **Senator Franklin D. Johnson**
heard in this transcript as: Franklin Johnson, Johnson
- 3x **Senator Javan James**
heard in this transcript as: Javon E. James Sr., Jevon E. James Sr
- 2x **Senator Donald Fred Gregory**
the surname alone also matches: Donna A. Frett-Gregory; Donna Frett-Gregory
- 2x **Senator Donna A. Frett-Gregory**
heard in this transcript as: Donna Freck Gregory, Donna Fred Gregory
- 2x **Senator Dwayne M.**
- 2x **Senator Genevieve R. Whitaker**
heard in this transcript as: Whitaker
- 2x **Senator Kerry Young**
- 1x **Senator Donna Frett-Gregory**
heard in this transcript as: Donna A. Frett-Gregory

Bills and acts referred to

Matched by number against our own acts corpus. The number is what the recognition heard, so it may be wrong; where it resolved, the title is the one the Legislature gave the act.

Bill 34-0141	Act 8551 · March 24, 2022 · An Act amending the Virgin Islands Code title 34, chapter 8, to require the Virgin Islands Police Department and the Virgin Islands Attorney General's Office to notify expeditiously victims of crimes against the person of the release of their alleged perpetrator; amending title 5, chapter 407, section 4606 relating to restitution and notification of victims of crime by the Territorial Parole Board of an inmate's release to increase the time, contents, and the methods of notification to a crime victim of an inmate's release; and for other related purposes
Bill 34-0142	Act 8552 · March 24, 2022 · An Act amending the Virgin Islands Code title 20, chapter 45 by adding a subchapter II to provide for an automated license plate reader system as a crime-fighting tool throughout the Virgin Islands; amending title 20, chapter 32, subchapter I relating to the intra-territorial transport of motor vehicles to provide additional requirements in section 225a for transporting motor vehicles between the different islands within the Virgin Islands and adding section 225c to provide for a special permit for vehicles brought into the Virgin Islands; amending title 3, chapter 33, section 881(g) relating to public records to exclude from public examination captured plate data from automated license pla
Bill 34-0041	Act 8455 · May 4, 2021 · An Act amending title 27 Virgin Islands Code, chapter 1, subchapter I; by amending section 7 relating to the continuing medical education requirements for permanent and institutional licensees, by inserting section 55 relating to the Good Samaritan Law, and a section 56 relating to penalties; amending; subchapter XI relating to podiatry to change the accrediting institution for graduates of podiatric medicine from the American Council on Podiatry Education of the American Podiatry Association to the Council on Podiatric Medical Education, to establish new licensure examination, residency program and continuing medical education requirements; repealing sections 168g, 168h, 168i, 168j, and 168
Act 7519	Act 7519 · An Act amending Title 5 Virgin Islands Code, chapter 407, section 4606, by requiring that the Territorial Parole Board notify victims when an inmate is paroled ---0
Act 8551	Act 8551 · March 24, 2022 · An Act amending the Virgin Islands Code title 34, chapter 8, to require the Virgin Islands Police Department and the Virgin Islands Attorney General's Office to notify expeditiously victims of crimes against the person of the release of their alleged perpetrator; amending title 5, chapter 407, section 4606 relating to restitution and notification of victims of crime by the Territorial Parole Board of an inmate's release to increase the time, contents, and the methods of notification to a crime victim of an inmate's release; and for other related purposes
Act 8552	Act 8552 · March 24, 2022 · An Act amending the Virgin Islands Code title 20, chapter 45 by adding a subchapter II to provide for an automated license plate reader system as a crime-fighting tool throughout the Virgin Islands; amending title 20, chapter 32, subchapter I relating to the intra-territorial transport of motor vehicles to provide additional requirements in section 225a for transporting motor vehicles between the different islands within the Virgin Islands and adding section 225c to provide for a special permit for vehicles brought into the Virgin Islands; amending title 3, chapter 33, section 881(g) relating to public records to exclude from public examination captured plate data from automated license pla
Act 8455	Act 8455 · May 4, 2021 · An Act amending title 27 Virgin Islands Code, chapter 1, subchapter I; by amending section 7 relating to the continuing medical education requirements for permanent and institutional licensees, by inserting section 55 relating to the Good Samaritan Law, and a section 56 relating to penalties; amending; subchapter XI relating to podiatry to change the accrediting institution for graduates of podiatric medicine from the American Council on Podiatry Education of the American Podiatry Association to the Council on Podiatric Medical Education, to establish new licensure examination, residency program and continuing medical education requirements; repealing sections 168g, 168h, 168i, 168j, and 168