

12/12/2024-AMENDED AND REPORTED OUT TO THE FLOOR

BILL NO. 35-0399

Thirty-Fifth Legislature of the Virgin Islands

October 30, 2024

An Act amending title 16 Virgin Islands Code, chapter 2, section 99 establishing a mandatory minimum bail amount in domestic violence cases

PROPOSED BY: Senators Angel L. Bolques, Jr. and Marvin A. Blyden

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. (a) Title 16 Virgin Islands Code, chapter 2, section 99, is amended as follows:

(1) subsection (b):

(A) in paragraphs (1), (2) and (3) by inserting “Not less than” at the beginning of each paragraph respectively and by striking “with no 10% provision” and inserting “fully secured” in each paragraph respectively; and

(B) by inserting the following paragraph (4):

“(4) If the underlying crime has a higher bail amount than the amount in subsection (b) of this section, the higher bail amount shall apply.”

(b) subsection (c) is amended by inserting the following after “forthwith.”: “If the defendant has any contact with the victim after release, and the People can prove the defendant contacted the victim by a preponderance of the evidence, the defendant shall be immediately

remanded to custody, and his bail revoked. To be released, the defendant must demonstrate to the Court that he is not a danger to the victim.”

(c) subsection (e) is amended by inserting the following after “center.”: “Appropriate treatment options include a certified Partner Abuse Intervention Program.”

BILL SUMMARY

This bill establishes a mandatory minimum bail amount for a person arrested for or charged with a crime that constitutes domestic violence.

BR24-1330/October 18, 2024/AA

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