

logo not found or type unknown

Bill Successfully Introduced to Strengthen Protections for Child Victims and Witnesses

Bill seeks to provide alternatives for child victims and witnesses to testify outside the courtroom, mandates privacy protections, and promotes faster legal proceedings to reduce emotional strain on children involved in abuse or exploitation cases

Senate / **Published On September 11, 2024 05:14 AM /**

Nelcia Charlemagne **September 11, 2024**

Image not found or type unknown



Senator Angel Bolques. By. THE V.I. LEGISLATURE

Lawmakers in the 35th Legislature have expressed support for a bill introduced during Tuesday's meeting of the Senate Committee on Homeland Security, Justice, and Public Safety that seeks to create stronger protections for children who are victims or witnesses to a crime.

Bill 35-0031, sponsored by Senators Angel Bolques and Dwayne DeGraff, “[establishes] new legal protections aligned with best practices for children who are either victims or witnesses of crimes involving physical abuse, sexual abuse, exploitation and neglect.” According to Mr. Bolques, “the purpose of this bill is to encourage and ensure that our legal system treats our youngest and most vulnerable citizens with dignity, sensitivity and care that they deserve during traumatic legal proceedings.”?

The proposed legislation seeks to provide alternatives to in-court testimony from child victims or witnesses, allowing them to instead testify through closed-circuit television or videotape. These options, said Mr. Bolques, are “necessary to reduce their emotional distress.” The bill also “mandates privacy protections and limits the reproduction of sensitive materials such as child pornography.” It promotes “a swift legal proceeding to reduce the burden of prolonged legal engagement, to minimize the psychological and emotional strain on children,” the bill's sponsor said.?

Further, it “introduces the involvement of multi-disciplinary child abuse teams and allows for the appointment of guardians ad litem to advocate for the best interest of the children.” According to Senator Bolques, Bill 35-0031 seeks to “establish a child-centric approach to justice...It sends a strong message that our territory will not tolerate the exploitation or endangerment of our children.”

Carla Benjamin, assistant commissioner in the Department of Human Services, told lawmakers that the bill is “timely and very much needed.” She did, however, express reservations over the definitions section of the bill. “We believe that it is unnecessary and problematic to introduce new definitions of terms that are already defined in several areas of the VI Code,” she testified. Taking her advice, the bill’s sponsor eventually moved an amendment to the bill.?

Clema Lewis of the Women’s Coalition of St. Croix described the bill as “amazing”. “It takes us out of the dark age, but most importantly, it would give our children an opportunity to feel comfortable and safe about testifying against their accusers,” she declared.?

Conversely, William Appleton of the Department of Justice expressed some concerns. Referring to the provision to assign guardians ad litem, he questioned whether “these positions currently exist within the territories court? How will these new or expanded positions be funded? If funding is not an issue, are there human resources available within the territory to effectively fill these positions.” He later clarified that “it's a fantastic bill...I think there are certain areas of it that might be a little overly expansive.”

Senator Alma Francis-Heyliger was one of several to express her support for the bill. “I think the culture in this territory needs to change when it comes to our children,” she said.

“I definitely support this measure,” added Senator Franklin Johnson.

They joined four other committee members in voting affirmatively for the bill. Senator Javan James was the only lawmaker to vote the bill down, on the basis that he had not received the proposed amendment to the bill via email. “I'm one senator who will not vote blindly for a bill because it's good and without reading the amendment.” However, he has promised to consider Bill 35-0031 once it reaches the full body.