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Lawmakers Take Action on Ghost Guns with New Bill Mandating Serial Numbers

Bill 35-0420, sponsored by Senator Kenneth Gittens, aims to curb ghost gun proliferation by requiring serialization, as VIPD reports increasing recovery of these untraceable firearms on the streets

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A close-up of disassembled firearm components laid out on a surface, highlighting key parts like a magazine, recoil spring, and bolt carrier. By. GETTY IMAGES

As the Committee on Homeland Security, Justice, and Public Safety met for the final time in the 35th Legislature, lawmakers took decisive action to clamp down on the proliferation of untraceable firearms commonly called “ghost guns” in the U.S. Virgin Islands.

Sponsored by chair Senator Kenneth Gittens, Bill 35-0420 would enact the “Virgin Islands Firearm Serial Number Regulation Act.” The measure is expected to be more commonly known as the “Closing the Ghost Gun Loophole Act.”

According to the bill’s sponsor, the measure addresses a “growing concern within our community: the proliferation of ghost guns, unserialized privately manufactured firearms that are increasingly used in illegal activities.” The issue was first brought to the Legislature’s attention by the Attorney General’s Office, and the bill’s goal is to “strengthen regulations surrounding firearms, specifically focusing on ensuring that all firearms, including those privately made, are properly serialized and traceable.” All firearms within the Virgin Islands will be required to bear a serial number, Mr. Gittens explained. The measure, he said, is a “proactive step.”

In testimony presented by Timothy Perry, Chief of the Criminal Division for the St. Thomas/St. John District, the AG’s office expressed overwhelming support for the bill. Indeed, it was a suggestion initially made by Mr. Perry. He explained that since 1968, federal law has required that all firearms must be stamped with a serial number. However, manufacturers of ghost guns have found a loophole, as the guns are “intentionally manufactured as component parts designed to be put together to make a fully functioning firearm.”

“They are just as deadly as illegal firearms, but these guns are specifically marketed to would-be criminals as untraceable,” Mr. Perry warned. VIPD officers, he testified, are increasingly uncovering ghost guns on the territory’s streets. A perusal of the Consortium archives reveals at least four such reports in the past month alone.

Local laws currently address firearms whose serial numbers have been scratched off or “obliterated” in some other way. According to Mr. Perry, approximately one dozen such weapons are recovered annually, but officers are increasingly encountering ghost guns. “These guns cannot be charged under the current V.I. law as such a gun is not illegal because the serial mark, in that case, wasn’t altered,” Mr. Perry explained. “These guns are specifically designed with no serial mark, designed to evade the law,” the criminal division chief said.

Bill 35-0420 addresses that gap in the law and is “consistent with and brings us up to date with efforts across the United States,” said Mr. Perry. Sixteen states currently have laws regulating ghost guns. “This ghost gun bill is a common sense fix to close a loophole in the law to hold criminals, the people who would terrorize our community with guns, accountable,” he declared.

Equally supportive testimony was provided by Richard Velasquez, firearms officer and custodian in the VIPD’s Firearm Bureau. “Individuals that choose these types of weapons are usually individuals who cannot legally obtain a firearm,” he said. The ghost guns therefore “provide them with an avenue to continue their nefarious and criminal activity.” In a startling update, he explained that “we are in the age where I can just go online and order a kit and have it sent to the Virgin Islands, and I can build a gun if I have the other required parts.” Banning these firearms, he said, “sends a clear message that public safety is paramount.”

Lawmakers largely agreed. “This is an issue that needs to be surveyed, and an issue that we have to keep our eyes on and try to rectify,” commented Senator Angel Bolques.

Senator Diane Capehart meanwhile was bewildered that individuals can order gun-building kits through the mail. “Most of these ghost guns are considered to be 80% of a firearm and therefore are not regulated either by any state or jurisdiction,” Mr. Velasquez explained in response to her shock. “They’re the Legos of firearms.” Capehart suggested that the lawmakers of the 36th Legislature “create legislation as to not having these illegal kits come into the territory.”

“I think our biggest problem here is how easily these weapons are coming to our territory,” Senator Franklin Johnson agreed, wondering whether VIPD was involved in rigorous collaboration with federal agencies.

Sen. Dwayne DeGraff was initially skeptical, wondering whether the bill under consideration duplicated efforts of Act 8547, legislation moved by himself to ban ghost guns in the territory. Eventually, he agreed that Bill 35-0420 simply “enhances” the regulations under the previously enacted legislation. However, Mr. Perry informed him that no offenses had been prosecuted under that legislation to date, emphasizing the importance of Bill 35-0420 to addressing the ghost gun issue.

With a final note from Senator Novelle Francis that public information campaigns on what ghost guns are should be ramped up, the bill advanced to the Committee on Rules and Judiciary with a unanimous vote.

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