

Court Halts Enforcement of Controversial Parole Law Following V.I. DOJ Legal Challenge

The V.I. Superior Court has granted a temporary restraining order halting parole hearings under Act No. 8791, as the Department of Justice challenges the law's retroactive application and its impact on judicial and executive authority.

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The V.I. Superior Court has granted a Temporary Restraining Order (TRO) requested by the V.I. Department of Justice, effectively pausing all parole hearings scheduled under a newly enacted law while key constitutional issues are litigated.

The court order blocks the Board of Parole from conducting any parole hearings while it lacks a legally required quorum. Additionally, the court will soon consider a separate motion filed by the

governor of the Virgin Islands seeking to halt the retroactive application of Act No. 8791 — a statute that would expand parole eligibility to individuals, including elderly inmates, who were previously barred under the terms of their original sentences.

“We are pleased that the Court has recognized the urgency and gravity of this matter,” said Chief Deputy Attorney General Ian Clement, who leads the DOJ's St. Thomas division. Clement noted that the law’s retroactive application would improperly empower the Legislature to revisit and alter judicially imposed sentences. “Retroactive application of the law in question would impermissibly allow the Legislature to reopen and revise final sentencing decisions of the courts and unlawfully reallocate executive power to determine parole eligibility,” he stated.

While the TRO does not rule directly on the underlying constitutional questions, it halts enforcement of the statute and postpones all pending parole hearings until further proceedings are held before the Superior Court.

The V.I. DOJ has maintained that any attempt to retroactively alter parole eligibility undermines the integrity of final court decisions and violates the separation of powers enshrined in the U.S. Virgin Islands’ legal framework. DOJ officials say they are committed to continuing their legal efforts to uphold the balance between the executive, legislative, and judicial branches.