

The Virgin Islands Consortium

New Bills Aimed At Discouraging Stalking And Harassment Proposed

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Two pieces of legislation aimed at discouraging stalking and harassment in the U.S. Virgin Islands have been proposed by Sen. Terrence "Positive" Nelson, who says the measures are necessary because current laws do not adequately protect stalking and harassment victims in the territory.

The first proposed bill, No. 31-0011, dubbed the "Virgin Islands Protection From Stalking Act," seeks to "assure that victims of stalking are granted the maximum protection from abuse that the law can provide; create a flexible and speedy remedy to discourage violence and harassment against family members or others with whom the perpetrator has continuing contact; expand the ability of the Virgin Islands Police Department and

law enforcement officers to assist victims to enforce the law effectively in cases of stalking; and to prevent further incidents of abuse."

Current Virgin Islands Code 14 §2071 (a), defines stalking as, "purposely and repeatedly following another person and engaging in a course of conduct or making a credible threat with the intent of annoying or placing that person in reasonable fear of death or bodily harm or injury." VIC 14 §2071 (b) defines "credible threat" as "an explicit or implicit threat made with the intent and the apparent ability to carry out the threat, so as to cause the targeted person to reasonably fear for their safety or the safety of a member of their family."

His stalking prevention bill "streamlines the process," Nelson said during a press conference at Budhoe Park Tuesday in Frederiksted. "Normally, for stalking prevention, it had to be a domestic issue," he pointed out, but the new legislation removes that requirement.

Nelson also proposed a similar bill, No. 31-0019, pertaining to harassment, which, he says, "gives the judicial process definitions and a way to prevent harassment without having being a domestic or intimate situation."

"Right now, unless it's an intimate situation, [where] you're in an intimate relationship with someone, the [hands of law enforcement] are tied as it relates to them doing something, or stopping someone, or making a charge, or arresting someone for [harassment]," Nelson explained.

In essence, the new law broadens the scope of harassment enforcement, "whether it be a family member, a co-worker or what have you," he said.

Nelson said he crafted the two measures because of situations that were brought to his attention where residents were being stalked "in their own yards."

"As people go through their own stress, sometimes they pass on their stress to others," the veteran senator said.

In order to become law, the two measures must first receive Senate approval and then head to Gov. Kenneth Mapp's desk for his signature.