

The Virgin Islands Consortium

Sen. Graham Introduces Sweeping Legislation Calling For Accountability And Transparency Within VIPD

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ST. THOMAS -- Sen. Clifford Graham has introduced wide-ranging legislation aimed at bringing accountability and transparency to the Virgin Islands Police Department (VIPD), through robust action by the Internal Affairs Bureau (IAB) of the VIPD, *VI Consortium* has learned.

Bill No. 31-0042, introduced on February 17, 2015, seeks to ensure that "the integrity of all law enforcement agencies of all departments, agencies, semi-autonomous and autonomous entities of the government, maintain a standardized system of internal discipline in which fairness and justice is executed through objective and impartial investigation and review procedures."

The measure charges the IAB to "conduct all investigations of alleged misconduct, policy violations, work rules violations, collective bargaining agreement violations," and to review "the adjudication of all complaints of all law enforcement agencies, departments, agencies, semi-autonomous and autonomous entities of the entire Government of the



Sen. Clifford Graham

Language within the legislation calls for the IAB to be notified whenever firearms are discharged by sworn personnel of all government agencies and departments -- including autonomous and semi-autonomous agencies.

The IAB is also charged with reviewing and investigating "alleged misconduct, policy violations, work rules violations, collective bargaining agreement violations" of all government law enforcement agencies.

If the bill becomes law, the IAB will also have expanded authority to conduct the aforementioned duties. These new powers include:

- 1) Through the VIPD's commissioner, advise and assist the governor in developing policies, plans and programs for improving the rules of conduct for government personnel authorized to carry and possess firearms.
- 2) Establish goals, priorities and standards for the reduction of incidents involving the use of deadly force by government personnel.
- 3) Through the commissioner, recommend legislation to the governor and legislature on the use of firearms or deadly force by personnel.
- 4) Monitor and evaluate all off-duty employment by government personnel authorized to carry and possess firearms aimed at reducing crime and delinquency by government personnel authorized to carry and possess firearms, and improving the image of the administration of justice carried out by the government.
- 5) Apply for grants from the federal government that may be available for training in the use of force or the investigation of the use of force.
- 6) Have the ability to collect from any government entity information, data, reports, statistics or such other material which is necessary to carry out the Bureau's function.
- 7) Perform other such duties as may be necessary to carry out the purposes of this chapter.

The bill comes at a time when Governor Kenneth Mapp has [contracted the New York-based firm T&M Protection Resources, LLC](#) to do an assessment of the VIPD, the first phase of which has costed the GVI \$300,000.

The assessment, which began on May 4, will take a number of weeks to complete and T&M will be given authority to go through all of the territory's law enforcement entities, including the VIPD, Port Authority officials, the enforcement unit at the Department of Planning and Natural Resources, and officers at the Department of Licensing and Consumer Affairs, "as we look at how we want to move forward with professionalizing law enforcement in the territory," Mapp said.

T&M "will be working closely with our police commissioner and our chiefs," the governor said.

After the assessment, Mapp said the territory must decide on a strategy moving forward. He reiterated the [difficulty in local recruitment and retention](#), and said part of T&M's assessment will be to determine why the problem perpetuates.

The governor said it is important to understand "what is it we're doing wrong that we can have a police brass of 40 or 50 individuals, graduate 20 or 25, and within a year, we only have 4 or 5 in the department."

Graham's far-reaching bill, whether intentionally or otherwise, also attempts to allay at least some of the governor's concerns. For example, the IAB, in conjunction with the human resources segment the various departments and agencies of the GVI, is charged with developing a standard operation procedure manual for all peace officers and law enforcement officers in the respective departments and agencies. The manual will include 19 useful subjects that officers must study.

If signed into law, Graham's measure will take effect 90 days after enactment.

To view Bill No. 31-0042 in full, click [here](#).