

The Virgin Islands Consortium

Nelson's Stalking And Harassment Measures Win Committee Approval, Head To Full Senate

VIC News / **Published On July 29, 2015 02:54 PM /**

Ernice Gilbert **July 29, 2015**



ST. CROIX -- For as long as can be remembered, the territory's restraining order laws mostly affected domestic relationships, and had little bearing on stalkers and harassers outside of the family circle.

But legislation sponsored by Senator Terrence "Positive" Nelson, bill No. 31-0019, seen [here](#), an act amending Virgin Islands Code to allow for restraining orders to be called "Harassment Prevention Orders" for non-domestic relationships, and provides recourse and penalties in which violation of the order would be a criminal offense; and [bill No. 31-0011](#) -- an act establishing judicial procedures for stalking victims and redefines terms relating to the crime of stalking -- were heard at a Committee on Homeland Security,

Public Safety and Justice hearing, held at the Frits E. Lawaetz Conference Room here.

Testifiers told stories of extreme severity of victims constantly being stalked and harassed with no appropriate laws in place to bring to justice the perpetrators. Women's Coalition Crisis Counselor Sheelene Gumbs, testifying at the hearing, brought to the fore an unbearable situation a victim has endured.

"I am here today as a victim who has suffered from stalking and harassment," said Gumbs, reading from a letter provided by a victim. "The perpetrator of this abuse is my residing next door neighbor."

She continued: "I live at home with my mother who is a senior citizen, [and] my next door neighbor is frequently at home and made available to bully, taunt and torment, not only my mother and I, but also other members of my family and fellow neighbors within the neighborhood.

"Throughout the years, stalking and harassing from this neighbor has never ceased."

Nelson said the problem first came to his attention while serving during the previous Senate.

"During the 30th Legislature I realized the law allowed restraining orders only for domestic relationships and so I vigorously had language completed for the Harassment Prevention Orders, in addition to Stalking Prevention," Nelson said in a press release issued on Monday. "It is my hope and intent to provide some relief and legal recourse to those who are being victimized."

Before the measures were favorably forwarded to the full Senate body for its approval, an amendment recommended by Chief Public Defender Samuel Joseph, that includes language for proper notification and due process of the accused, was adopted.

In a [March press conference](#) held by Nelson at the Budhoe Park in Frederiksted, the veteran senator explained why he introduced the measures.

"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 added.

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.

If approved by the full Senate body, the measures will be forwarded to Governor Kenneth Mapp for his approval or rejection.

