

The Virgin Islands Consortium

Solving Crimes May Eventually Become Easier In VI As Full Senate Approves Forensic Lab Bill

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ST. CROIX -- Crime-solving may become much easier if a bill sponsored by Senators Novelle Francis, Neville James and Sammuel Sanes becomes law. Above, VIPD investigators marking spent shell casings at a crime scene on the Queen Mary Highway (Centerline Road), near the Central High School on September 5, 2015.

The measure, bill no. [31-0145](#) -- "an Act establishing a forensic crime lab in accordance with national standards," says the Justice Department "shall establish, staff, and equip a forensic crime laboratory in the Virgin Islands -- saw the support off the full Senate during session at the Earl B. Ottley Legislative Hall on Tuesday, and will be forwarded to Governor Kenneth Mapp, who has been a strong advocate for the lab.

The bill also calls for the lab to be “accredited by the American Society of Crime Laboratory Directors (LAB), Laboratory Accreditation Board, the National Forensic Science Technology Center, or other nationally recognized accrediting organization that has requirements that are substantially equivalent to or more comprehensive than those of the Society or the Center.”

Support for the legislation has mostly been universal; but some testifiers and had concerns about funding sources, as the measure, when introduced earlier in the year, identified none.

And exactly where the millions of dollars that will be required annually to successfully run the facility would come from remains elusive. Mr. Francis, a retired police chief and former police commissioner, said at the Fritz E. Lawaetz Legislative Hall that funding of \$500,000 would be provided through the internal revenue marching fund, as well as other sources.

As one of the bill’s chief sponsors, Mr. Francis said the measure was needed because of the ongoing high rate of crime in the islands, and that timely analysis was not being done to “know that the perpetrators involved in these crimes are held accountable by forensic evidence, and the timely analysis of these forensic evidences.”

“Bill number 31-0145 is a good bill,” Senator Jean Forde said in November. “It’s a good bill because I think that it’s about time that we step up to the plate and meet national standards as we attempt to prosecute the many criminal acts that we have in our community today.”

He added: “On too many occasions we learn of situations where perpetrators get away simply because of sufficient evidence that was once collected, [but] because it took so long for analysis, it was tarnished and so had to be dismissed or thrown out.”

Yet, even with the high marks that Mr. Forde gave the measure, he remained concerned about funding if it were to become law — clearly indicating that Mr. Francis’ identified funding of \$500,000 was not merely enough for the operation of such an important and intricate facility.

Mr. James, while cognizant of Mr. Forde’s concerns, stressed the importance of the bill and even raised the possibility of financial support from the federal government.

Committee Chairman Kenneth Gittens raised the possibility of new jobs becoming available through opportunities at the would-be forensic lab. “This is one way for us to get trained individuals in here and in this crime lab,” Mr. Gittens said. And Mr. Gittens, a second-term Democrat, also saw the crime lab as an opportunity to win back the territory’s “bright minds”, who left the islands for better openings elsewhere. Mr. Gittens also mentioned the possibility of some states and Caribbean islands wanting to use the facility. However, he said those opportunities must be preceded by ascertaining that the lab meets established standards.

On July 2, Governor Kenneth Mapp, fresh from a whirlwind trip spanning Washington to New York, said at a press conference here that it was of utmost importance to his administration that the police force has its own forensic lab in the territory.

He said during his days at the Public Finance Authority, three to four million dollars had been set aside for that very purpose, and that the Department of Justice had rented a facility on St. Croix to house the lab.

It never got off the ground, however, and Mapp was hoping to revive the project.

Mr. Mapp said it remains of paramount importance that the territory gets to the point of having its own forensic testing lab, because “I know that we’re still reliant, in this day and age, on analysis of forensic specimens of crime scenes on the FBI labs. And given 9/11, you must understand and appreciate the lack of priority that our evidence is receiving when it ends up at the FBI labs and what delay it causes in closing out and solving criminal activity or cases in the territory. So we’re going to move in a very strident way to get to the point where we can setup our own forensic lab in the territory.”

At the measure’s initial hearing held through the Committee on Justice and Public Safety, there was universal support. But there, too, testifiers had concerns about funding sources. At that time, the bill’s sponsors had identified none.

Acting Attorney General Claude Walker said he was concerned that while the measure is what the territory needs right now, lack of funding would see it becoming another bill that becomes law but remains unfulfilled. This prompted Sen. Francis to inquire of Police Commissioner Delroy Richards, Sr., the total amount of funds expended on outside forensic testing annually. Richards said he could not give a definite answer, but he was sure the number was in the “hundreds of thousands.”

And there is also federal funding for such a lab, but Deputy Attorney General Renee Gumbs-Carty said the funding was not merely enough. However, with strong support from the governor, the prospects of finding funding for the measure seemed to be high.