

logo not found or type unknown

Bryan's Mass Gathering Bill Slammed in Senate, Rejected by Lawmakers

Entertainment / **Published On August 11, 2020 06:44 AM /**

Ernice Gilbert **August 11, 2020**

Image not found or type unknown



**Virgin Islanders attend Sunny Side Up in 2019 at the Captain Morgan Visitors Center.
By. REEMY-REEMZ PHOTOGRAPY & VIDEOGRAPHY**

A bill sent to the Senate by Governor Albert Bryan which sought to create what is being called the Board of Mass Gatherings, whose responsibility would be to regulate events that are expected to have more than 50 people in attendance, was roundly rejected on Monday by senators.

It was relegated as dead on arrival, called unconstitutional, and senators also assailed testifiers, more pointedly Police Commissioner Trevor Velinor, who had no input in the measure's crafting. "I did not have intimate participation with it," Mr. Velinor said during the Committee of the Whole hearing.

Among other things, the bill seeks to create a new position called Mass Gathering Coordinator. This person would be appointed by the commissioner of the V.I. Police Department, according to language in the bill. The measure also calls for a number of law enforcement officers to be present at the gathering to aid in "managing internal security and public order during the mass gathering."

The measure's passage would mean more government involvement in private events covering a wide array of activities, save for a few exceptions: churches, events on private property that is not commercial in nature, activities conducted by the government, or events whose organizers were already required to obtain authorization from the Fire Marshal, the VIPD, and the Environmental Health Services Department, according to the bill. These gatherings — whether home party or church — cannot exceed the seating capacity, according to the bill.

"The last statement that was made by the commissioner is very concerning. So we are sitting here today reviewing a mass gathering bill that the Virgin Islands Police Commissioner was not involved in drafting. I say that is concerning," said Senator Donna Frett-Gregory.

Senator Dwayne DeGraff opened his remarks by pointing to a flaw in the bill, which reads, "There's no existing law to regulate security and protection of the public during mass gatherings." Mr. DeGraff asked Mr. Velinor whether this was true. The commissioner said it was not accurate, which Mr. DeGraff, a former law enforcement officer, already knew. "It is not true. Twenty-six years I spent as a police, they've credited me for shutting down a couple of Jouverts, shutting down many dances [and] functions private and public," Mr. DeGraff said.

A general theme among lawmakers was that the governor, through the state of emergency declaration, has the authority to implement many of the actions called for in the measure.

"The bill is unclear, it is overly restrictive, it requires numerous layers of government action to plan an event with more than 50 people; it can actually be detrimental to the entertainment industry in the Virgin Islands where we're working so hard to build," said Senator Allison DeGazon said.

Senator Janelle Sarauw used her 6 minutes to highlight the First Amendment of the Constitution of the United States, which gives five freedoms: speech, religion, press, petition and the right to assemble. She spoke of important court judgements that reinforced the freedoms secured by the First Amendment, and said, "I say this to say a disorderly crowd or fear of one cannot be used to stop a peaceful demonstration, or cancel the right to peaceable assembly."

Senator Kurt Vialet spoke of a law already in place, Act No. 8199, that addresses loitering. He asked Mr. Velinor whether it was being enforced by the V.I.P.D. "The loitering bill allows you to break up turfs... A lot of our murders are taking place within these turfs; within known turfs... What prohibits you from being able to fully implement this Act and reduce the amount of murders we have on the streets?" asked Mr. Vialet. Mr. Velinor said, "We can do a better job enforcing [the loitering Act]."

Senator Marvin Blyden was blunt in his disapproval of the measure. "Let me start by saying the bill is dead on arrival," he said. He went on to dismantle the legislation and its many questionable portions.

The measure would require organizers to get a permit for all events outside the exemption scope, once the event is expected to attract more than 50 people. Those who would break the law would face a \$1,000 fine or 90 days of imprisonment. Additionally, "Each day of the violation is a separate offense," reads the bill. "Any law enforcement agency with jurisdiction over the location

of the event shall have citation power..." The law prohibits permits for multiple events at the same time.

The bill also calls for the event organizer to apply for a permit 45 days prior to the event in order to be considered for approval. The application document asks for financial statements that "reflects the funds being supplied to finance the mass gathering" along with "each person supplying the funds," among a surfeit of other requirements. Read the bill [here](#).