

The Virgin Islands Consortium

Loitering Bill And Nominations Move Ahead In Rules And Judiciary Committee

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A controversial bill cracking down on loitering in public places for illicit reasons passed another hurdle in the Virgin Islands Legislature Friday and moves toward final passage.

The Senate Committee on Rules and Judiciary approved Bill No. 33-0011, which labels loitering a misdemeanor punishable by a maximum of a year in prison and a \$5,000 fine. If enacted, the measure will amend Title 14 Virgin Islands Code, Chapter 60, Section 1191. The Committee of the Whole takes up the bill next. If approved by the full body, the measure is expected to be signed into law by Governor Albert Bryan, who expressed unwavering support for the bill following a shooting incident at a beach in Frederiksted last month [where six people were shot](#).

"The loitering law is not to harass people. The loitering law is to take criminals off the street. To stop the ascendancy of gangs and warring factions in places where good children go to have a good time," the governor [said at a press conference](#) following the shooting.

The V.I. Department of Justice backs an amped-up enforcement and penalties for loitering, however Attorney General Denise George has no illusions about the challenges the administration faces pushing the bill through to law. " ... loitering laws have become more difficult to prosecute. Only those statutes that have been carefully worded have survived judicial scrutiny and even some of those statutes were held invalid," she told committee members.

Attorney Samuel Joseph, Chief Public Defender for the territory, said that as written, the bill is overly vague and questionable on constitutional grounds.

Sen. Myron Jackson had his own questions. Amendments that would tighten the language and address potential issues regarding unreasonable searches and seizure might not be enough, he said. "I'm not sure that all of the constitutional requirements of the law are going to be met necessarily by the amendments being offered," Mr. Jackson said. Rules and Judiciary members passed the bill along to the Committee of the Whole for final passage.

The Rules committee, chaired by Sen. Janelle Sarauw, also voted favorably on the Bryan administration nominations of Dr. Brian Bacot to the Board of Medical Examiners, St. Thomas-St. John District, and Rupert Ross to become director of the Bureau of Information Technology (BIT).

Mr. Bacot told lawmakers his goal is to support best practices for the licensure and certification process at the Board of Medical Examiners. " ... physicians are a highly sought after and necessary resource for a healthy community, and every effort should be made to provide an appropriate environment for growth, development, and healing for these physicians so as not to lose these resources when they are challenged," he said.

Mr. Bacot said short-term objectives are to "identify and review current known" issues relating to service delivery, facilities, and financial shortfalls. Streamlining the application process, ensuring compliance of physicians with board policies, and updating and implementing the policies for the V.I. Medical Licensure are a few of his longer-term goals.

Mr. Ross indicated that one of the major challenges at BIT is upgrading cybersecurity. Guidelines must be established with "enterprise-level security structure" to prevent cyberattacks. "There is an immediate need to establish baseline cybersecurity standards for governmental agencies that address governance, budget and resource requirements, security frameworks, data protection, training and awareness, insider threats, and third-party security practices."

In April, [a ransomware attack](#) targeted the V.I. Police Department's servers that housed internal affairs records and citizen complaints, leaving many of the files corrupted. Two months later, the Water and Power Authority was duped into paying \$2.17 million to a fictitious vendor. WAPA said it was fooled by what is referred to as a Business Email Compromise, a scam that targets entities making large wire transfers of money. The FBI

is investigating.

Rules committee members also voted favorably on the following:

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