

The Virgin Islands Consortium

Sex Offender Arrested and Charged With Failing to Comply With Registration Requirements

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Mugshot of Jose-Encarnacion. By. THE VIRGIN ISLANDS POLICE DEPARTMENT

ST. CROIX- A 38-year-old sex offender has been arrested and charged for failing to comply with registration requirements in the Virgin Islands.

According to the Department of Justice, Jose Encarnacion was arrested by warrant on Tuesday after he failed to update his registrations in May, August and November 2021, as well as February 2022, as required by law. Moreover, during a routine compliance check it was discovered that Encarnacion does not reside at the address which he previously provided to authorities.

Encarnacion was convicted of first-degree unlawful sexual contact in May 2008 and as per local laws, he is obligated keep his registration current and appear once every 90 days throughout his lifetime. A press release from the Department of Justice states that local and federal agencies routinely conduct unannounced inspections of registered sexual offenders to verify personal information including their work and home addresses.

If convicted of failure to register, Encarnacion faces a fine of at least \$3,000 but not more than \$5,000, imprisonment of not less than three months but not exceeding two years, or both. He was informed of the possible penalty during an advisement hearing on Wednesday. At that hearing, Attorney Leslie Davis requested that he be released on an unsecured bond of \$5500, noting that he was arrested on a non violent offense. Assistant Attorney General Karabo Molyneaux-Molloy recommended a cash equivalent of the bail, asserting that the defendant is a danger to the community.

According to Molyneaux-Molloy, Encarnacion has been a menace to the community and has had free reign by not registering. She told the court that he was accused of voyeurism last month and was allegedly observed peeking through the window of a female neighbor. She added that a woman also claimed that Encarnacion made a pass at her minor daughter. Additionally, there was an incident where Encarnacion allegedly committed an act of domestic violence against his girlfriend and her adult daughter, according to the Assistant Attorney General. However, he was not arrested at the time.

Nevertheless, Attorney Davis emphasized that Encarnacion was charged nearly 15 years ago and that he has 'paid his debt to society'. She affirmed that \$5500 is a lot of money for him, adding that the court has not seen evidence of the recent alleged voyeurism. The hearing concluded without bail being set as Encarnacion's matter was continued to Friday after judge Yolan Brow-Ross presented attorney Leslie Davis with an ultimatum. She expressed that she could either set release conditions on Wednesday that the defendant would find difficult to meet, or the matter could be put off to Friday to allow the attorney an opportunity to present a third-party custodian with an address and phone number where Encarnacion can be found.