

**THIRTY-SIXTH LEGISLATURE OF THE
U.S. VIRGIN ISLANDS
COMMITTEE ON BUDGET, APPROPRIATIONS
AND FINANCE**

Chairman: The Honorable Novelle E. Francis, Jr.

Virgin Islands Police

Department, USVI

February 3, 2026

Good morning to the Chair, The Honorable Novelle E. Francis, Jr., Legislative body and Staff, Members of the VIPD Team, and to the listening and viewing audience. My name is Daphne O’Neal, Director of the Office of Highway Safety for the United States Virgin Islands Police Department. I come before you on behalf of Police Commissioner Mario M. Brooks to discuss an act amending Title 20 Virgin Islands Code, part II, chapter 43, subchapter I, section 493 relating to alcohol consumption and to establish “The Impaired Driving and Highway Sobriety Checkpoint Program Safety Fund”.

Mr. Chairman, distinguished members of the Senate, thank you for the opportunity to testify today on this matter.

On behalf of the Virgin Islands Police Department (VIPD) we respectfully submit this testimony in support of Bill No. 36-0221, proposed by Senator Ray

Fonseca. This bill aims to establish a Sobriety Checkpoint Program to detect and deter violations of VI Code Section 493, Chapter 43. The program suggests that the VIPD conduct no fewer than 12 sobriety checkpoints each calendar year with a specific number of checkpoints for each island (St. Croix, St. Thomas, and St. John), and two data-driven checkpoint deployments. The VIPD would be required to follow standard operating procedure when the sobriety initiatives are planned. During said initiatives, VIPD would be authorized to partner with local and or federal enforcement agencies, or any other agency it deems necessary. There must also be coordination with the VIPD's Office of Highway Safety unit. Further requirement for the VIPD would be an annual report regarding the prior fiscal year's Sobriety Checkpoint Program Safety Fund initiatives due on December 1st.

The VIPD supports this bill as it correlates to the passage of Bill No. 36-0123, also sponsored by Senator Fonseca. The proposal to dedicate fees collected from Impaired Driving traffic infractions to the Sobriety Checkpoint Program Safety Fund to a separate and distinct non-lapsing special fund is favorable. When established, the fund will support traffic control operations, the dedicated Sobriety Checkpoint Program, and augment funding for the programs approved in the Office of Highway Safety annual traffic safety plans.

The VIPD will support any additional funding source which will assist in addressing the impaired driving infractions throughout the territory.

Executive summary - Why VIPD supports the Bill.

In FY2023, the territory recorded two (2) fatalities resulting from driving under the influence related crashes, FY2024 had one (1) DUI- related fatality, and FY2025, one (1) was potentially recorded. The VIPD is awaiting the lab results for this fatality. The department was able to meet its established goals to reduce impaired driving crashes, using a combination of education, outreach, and high visibility enforcement to reduce impaired driving crashes **20%-25%** from the FY2023 high figure of **101**; the FY2024 figure decreased to **80**, and FY2025 decreased to **73**. Unfortunately, with one (1) fatality in FY2024 and FY2025, the work continues for the territory to decrease and maintain alcohol-impaired driving fatalities to zero. Adopting the recommended changes in Bill 36-0221 will provide funding dedicated to support and meet these objectives.

Territory-level traffic data indicate modest improvements but also underline the need for continued action. The National Highway Traffic Safety Administration (NHTSA) data underscore the lethality of alcohol-impaired driving. NHTSA's analyses show thousands of deaths each year tied to alcohol-impaired crashes. Therefore, any action taken which reduces impairment on the road saves lives. Legislative action and funding are the strongest tools available to protect the citizens and visitors in the territory.

In FY2025, the VIPD and VIOHS continued territory-wide impaired-driving campaigns and high-visibility enforcement (including sobriety checkpoints and public education), reinforcing the need for statutory alignment so enforcement, prosecution, and prevention efforts can operate with maximum effect.

Data highlights from VIOHS / VIPD (2023–2025) used to support the VIPD position.

- **FY2023 – FY2025:** During the period, the DUI arrests totaled **189**; BAC reported cases **60**; BAC reported rate 31.7%. However, BAC not reported/refused were **129**. The results show that almost one-third of DUI arrests had BAC results officially reported. The remaining 68.3% either had no BAC data reported or involved individuals who refused testing. The OHS highway safety plans from FY2023 – FY2025 described impaired-driving project goals (reducing alcohol-impaired crashes and injuries) and listed enforcement initiatives implemented in partnership with VIPD. These are the local data points VIPD relies upon when developing enforcement and prevention strategies.
- **FY2023 – FY2025 (VIPD/VIOHS reporting):** In FY2023 drivers involved in crashes while being impaired was 101. However, FY2024 and FY2025 showed declining numbers of 80 and 73 respectively, which is the trend desired throughout the Territory — a positive trend but one that still leaves

alcohol-impaired driving an actionable risk area identified in planning documents. VIPD and VIOHS continued to emphasize high-visibility enforcement in holiday periods and campaign months. The Sobriety Checkpoint Program funding will be a welcome source to realize these initiatives.

- **FY2025 (ongoing enforcement & campaigns):** To further address impaired driving, there should be targeted educational and outreach to the groups that are consistently violating the traffic safety rules. In the territory, the older age groups 25-55 and older are the core groups of violators. Middle aged and older adults (**ages 35 – 55 and older**) were the most affected groups making up **73%** of all DUI cases. These violators are overwhelmingly male (81%) with Black and Hispanic drivers leading the category for race and ethnicity.

Operational and enforcement benefits for VIPD

Funding for more sobriety initiatives can only benefit the VIPD, OHS, local populace, visitors, and encourage potential territorial investors with our improved traffic safety data. Increased initiatives also provide:

- **Better protection of vulnerable road users:** Increased enforcement to deter impaired driving will protect all road users.
- **Alignment with VIOHS programming:** The potential for an additional funding source would align with VIOHS's enforcement goals and the

Territory's Highway Safety Plan objectives to reduce alcohol-impaired crashes and fatalities. This legislative action would make education, checkpoint activity, and high-visibility enforcement more likely to change behavior and reduce recidivism.

- **Anticipated public-safety impact:** Even small reductions in impairment at the population level reduce crash risk. National research and VIOHS local goals both indicate that combined strategies of strong laws, high-visibility enforcement and public education are necessary to reduce alcohol-impaired crashes and fatalities. Bill 36-0221 to provide additional funding strengthens the enforcement piece of that three-pronged approach.

Conclusion & recommendation

For the foregoing reasons, the Virgin Islands Police Department strongly supports Bill No. 36-0221 with the proposed amendments which will:

- Strengthen the enforcement needed to reduce impaired driving by providing additional funding.
- Enhance the prevention collaboration already active through VIPD/OHS and community partnerships to fulfill the Territory's Highway Safety Plan to inform and educate.
- Recommends obtaining from the VI Courts and the Department of Finance the revenues collected from Impaired Driving citations for the past three years

to be used as a frame of reference.

- Recommends that the Fund be seeded with the revenues collected from the prior calendar year of the date Bill No. 36-0221 becomes effective.

We respectfully urge the Committee to advance the amendments to Bill No. 36-0221 with a favorable vote and final enactment. The VIPD stands ready to adhere to the requirements to effectively establish, maintain, and grow the Sobriety Checkpoint Program Fund.

My team and I are available for any questions.