

Ehren Henderson  
St. Thomas, USVI 00802  
Ehren.henderson@gmail.com

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The Honorable Members of the Committee of the Whole  
35th Legislature of the Virgin Islands  
Charlotte Amalie, U.S. Virgin Islands

Re: Testimony in Opposition to Bill No. 36-0144, as amended by Amendment No. 36-364

Dear Honorable Members of the Committee of the Whole:

My name is Ehren Henderson. I am a licensed firearm owner in the Virgin Islands, and I am also a Responsible Person of a current Federal Firearms Licensee. I respectfully submit this testimony in opposition to Bill No. 36-0144, as amended by Amendment No. 36-364.

At the outset, I wish to note that the public process surrounding this bill has been difficult and discouraging. On multiple occasions, members of the public, including myself, prepared to testify, arranged travel, and made time to appear, only to have hearings postponed or canceled. I respectfully ask the Legislature to ensure that the public is given a fair and meaningful opportunity to be heard before legislation of this scope is advanced.

My central concern is that this bill places new burdens mainly on people who are already trying to comply with the law. The bill expands criminal exposure for licensed owners through broad carry restrictions in §453(i), long-gun transport rules in §453(k), continuing reporting duties in §460, suspension and surrender provisions in §458, and magazine penalties in §493. Yet official Virgin Islands reporting states that the Territory's gun death rates outpace all 50 states and are largely fueled by gun trafficking and illegal firearms. ATF trace data for calendar year 2023 also show that firearms recovered and traced in the U.S. Virgin Islands were sourced most often from Florida, not from the lawful local licensing process. In short, the problem in the Territory is not the ordinary licensed citizen. The problem is illegal guns, illegal trafficking, and violent offenders.

This mismatch matters because legislation should be aimed first at the people driving the violence. Instead, this amendment places new limits and new compliance traps on people who are already licensed, already documented, and already known to the government. That is why so many law-abiding owners view this bill as targeting them more directly than the criminals it claims to address.

First, the sensitive-place restrictions are drafted too broadly. Under §451(e), the bill defines “carry” to include possession of a firearm that is “readily accessible for immediate use” outside one’s residence or privately owned or leased real property. That broad definition is then paired with §453(i), which prohibits carry not only inside certain buildings, but on the grounds of government buildings, schools, hospitals, and mental health facilities. As written, this appears to reach parking lots and vehicles. I do not object to reasonable restrictions inside sensitive buildings. However, a person with a valid license should not face criminal liability for remaining in a vehicle while picking up a child from school or while arriving at a hospital during an emergency. The bill should be narrowed so that lawful possession inside a private vehicle is not treated the same as carrying a firearm into a prohibited building.

Second, the restrictions on long-gun transport are unworkable and unnecessarily burdensome. Under §451(r), a “lockbox” is defined as a secure hard-sided container that must be locked, and under §453(k) long guns transported in certain circumstances must be stored inside such a lockbox. This creates practical problems for ordinary range use, for transportation in SUVs and hatchbacks, and for dealer operations such as retrieving unloaded long guns from mail carriers or moving firearms in ordinary manufacturer packaging. It also creates serious ambiguity as to whether a lawful owner may take a long gun on a private boat while fishing offshore, because §453(i) broadly prohibits carrying a longarm firearm and §451(e) defines “carry” expansively. Legislation of this kind should not leave lawful citizens guessing about whether ordinary conduct is a crime.

Third, the mental-health disqualifiers are too broad and too vague. Under §454(a)(10)(C) and (D), the bill reaches voluntary admission to a mental health facility and involuntary commitment by a court, and §454(b) defines “mental health facility” broadly enough to include behavioral health facilities and other places that provide diagnoses for mental illness. That language raises serious concerns because it could discourage people from seeking grief counseling, family counseling, or short-term treatment during difficult periods in their lives. That concern is compounded by §455(a)(9), which requires an applicant to certify that he or she satisfies all of §454. The result is a system in which citizens may fear seeking help because they cannot be sure how the law will later be applied to them. The mental-health provisions should be narrowed and clarified.

Fourth, the magazine restrictions in §451(q) and §493 are among the most troubling parts of the bill. The amendment defines a large-capacity magazine as anything holding more than 15 rounds and makes possession, receipt, purchase, sale, importation, transfer, manufacture, transport, or carry unlawful. For a current license holder, repeated possession offenses escalate from civil fines to a misdemeanor. Yet Section 8, the Savings

Clause, states that nothing in the act shall be construed to affect the rights of a licensee prior to enactment. Those provisions do not fit comfortably together, and the bill contains no meaningful grandfathering protection for current lawful owners.

More importantly, those magazine limits place licensed citizens at a practical disadvantage against the criminals who are actually committing violence in this Territory. Recent VIPD reporting documented a Glock .40 caliber handgun modified with a selector switch allowing fully automatic fire. Recent public reporting on legislative testimony also stated that VIPD Assistant Commissioner Sean Santos identified AK-47-style weapons as common on the streets and described a steady rise in M4-style rifles and ghost guns being recovered. And on March 29, 2026, VIPD reported a St. Croix incident in which ShotSpotter indicated over 200 rounds fired. In that environment, limiting the lawful citizen's access to standard magazines does not disarm violent criminals. It simply leaves the law-abiding citizen at a greater disadvantage when facing attackers who do not obey firearm laws in the first place.

Fifth, the proposed purchase and registration process is impractical and will create real hardship for dealers and lawful purchasers. Under §453(f), a person may not receive, purchase, or otherwise acquire a firearm unless the person holds both a valid firearms license and a registration certificate for that firearm. Under §459(a), the application for registration requires the firearm's make, model, serial number, and the identity of the person or dealer from whom it was obtained. Under §459(d), the Commissioner may take up to 30 days to issue the registration certificate, and under §466(a) a dealer may not deliver the firearm unless the purchaser presents both a valid license and a registration certificate for that specific firearm. In practice, this appears to require the transaction to be tied to a particular serialized firearm before delivery can occur. That change will make it harder for dealers to advise customers, harder for customers to purchase firearms efficiently, and more likely that small businesses will have capital tied up in inventory while awaiting approval.

Finally, several provisions create substantial compliance risks for current licensees. §458 authorizes suspension or revocation of a license and requires surrender of licenses, registration certificates, and firearms within 48 hours in certain cases. §460 imposes continuing reporting obligations, and violations can lead to suspension or revocation and a fine. These are serious consequences. Where such consequences exist, the law should be exceptionally clear, narrow, and workable. In its current form, this bill is not.

For these reasons, I respectfully urge the Committee of the Whole to reject Bill No. 36-0144 in its current form, or at minimum to return it for substantial revision. Specifically, I ask that the Legislature: narrow the sensitive-place language in §453(i); revise the long-gun

transport requirements in §453(k); narrow and clarify the mental-health provisions in §454; remove or grandfather the magazine restrictions in §493; and revise the purchase and registration process in §453(f), §459, and §466(a) so that it is workable for lawful citizens and licensed dealers alike. Focus enforcement on traffickers, illegal guns, conversion devices, and violent offenders—not on the licensed men and women who are already trying to obey the law.

Thank you for your time, attention, and consideration of this testimony.

Respectfully submitted,

Ehren Henderson