

**THIRTY-FIFTH LEGISLATURE OF THE U.S.  
VIRGIN ISLANDS  
COMMITTEE ON HOMELAND SECURITY,  
JUSTICE AND PUBLIC SAFETY  
Chairman: The Honorable Kenneth L. Gittens**

**Virgin Islands Police Department  
St. Croix, USVI  
December 11<sup>th</sup> 2024**

Good morning to the Chair, The Honorable Kenneth L. Gittens, Legislative body and Staff, Members of the VIPD Team, and to the listening and viewing audience. My name is Daphne O'Neal, Director of Highway Safety for the United States Virgin Islands Police Department. I come before you on behalf of Police Commissioner Nominee Mario M. Brooks to provide testimony on BR 24-0743 - an act repealing and reenacting Title 20 Virgin Islands Code, part II, chapter 43. section 512 increasing penalties for traffic violations; establishing a Virgin Islands Police Department Impound Lot.

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

I stand before you in strong support of BR 24-0743, an act to repeal and reenact Title 20 of the Virgin Islands Code, Chapter 43, Section 512, which increases penalties for traffic violations and establishes a Virgin Islands Police Department

Impound Lot. This legislation is essential to improving road safety, ensuring compliance with traffic laws, and creating a sustainable mechanism to address persistent traffic violations in our community.

### **Increasing Penalties for Traffic Violations**

While we support this bill, we feel that it is important to note that there is no statute of limitations as to when a child can receive restitution or child maintenance payments. Once the infraction occurs during the time that child is a minor that child remains eligible into adulthood. Also, the current system of tiered penalties for first, second, and third violations has proven ineffective in deterring habitual offenders. By transitioning to a flat rate penalty set at a sufficiently high level, the deterrent effect of fines will be immediate and impactful. Studies in traffic law enforcement suggest that substantial penalties, combined with the certainty of enforcement, lead to better compliance and a reduction in repeat offenses.

The Virgin Islands Office of Highway Safety reported a 15.8% increase in traffic crashes in FY2021, with 4,228 crashes recorded territory-wide.

Of these, many were attributed to preventable behaviors such as speeding, unlicensed driving, and operating vehicles without insurance. By enacting higher penalties, this legislation directly targets the underlying behaviors contributing to these incidents.

### **Establishment of a VIPD Impound Lot**

Currently, the lack of a centralized impound facility hampers the Virgin Islands Police Department's ability to enforce critical measures such as confiscation of

vehicles used in serious traffic violations, including reckless driving and driving under the influence. The establishment of a VIPD Impound Lot will provide a structured and efficient process for vehicle confiscation, secure storage, and eventual release or auction as necessary.

This facility will also generate revenue for the department through storage fees and auction proceeds, creating a self-sustaining resource to further enhance traffic enforcement capabilities. It is a practical solution that aligns with best practices in law enforcement agencies across the country.

### **Supporting a Safer Community**

Enhanced penalties and an impound facility will work together to significantly reduce dangerous behaviors on our roads. High, flat-rate fines will discourage violations, while the impound lot ensures that offenders face immediate consequences for non-compliance. Together, these measures send a clear message that traffic violations will not be tolerated.

The proposed changes are not about punishment but about fostering a culture of responsibility and accountability among road users. They reflect our collective commitment to safeguarding the lives of all Virgin Islanders.

We urge the committee to support and advance BR 24-0743, as it represents a proactive and necessary step toward improved road safety and effective law enforcement. Thank you for the opportunity to testify, and I am available to answer any questions.