

Bill No. 35-0131

Title 3 VI Code, Chapter 15

To establish a “Real Time Crime Center” Centralized Crime Data System within the Virgin Islands Police Department



PRESENTED BY

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Submitted to

SENATOR KENNETH L. GITTENS, CHAIRMAN

Senate Committee on Homeland Security, Justice & Public Safety

Fritz E. Lawaetz Legislative Conference Room, St. Croix

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3 Good morning, Senator Kenneth L. Gittens, Chairman, Committee on Homeland
4 Security, Justice & Public Safety, other committee members, 35th Legislature Staff,
5 and those in the viewing and listening audience.

6 I am Daryl D. Jaschen, Director of the Virgin Islands Territorial Emergency
7 Management Agency (VITEMA). I am providing testimony today to Bill No. 35-
8 0131, an Act amending title 3, Virgin Islands Code, chapter 15, to establish a “Real
9 Time Crime Center” Centralized Crime Data System, within the Virgin Islands
10 Police Department, with the mission to provide the VIPD with the ability to
11 capitalize on a wide and expanding range of technologies for efficient and effective
12 policing, dated September 12, 2023, sponsored by Senator Diane T. Capehart.

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14 I support this bill but caution on the adequacy of \$2,500,000 dollars to achieve the
15 build out of two (2) the Real Time Crime Center, and the lack of identifying
16 funding for continued maintenance and staff of personnel to operate a Center in
17 each district. VITEMA receives approximately \$1,000,000 dollars per year from
18 the 9-1-1 Emergency Services Fee just to maintain and upgrade its two 9-1-1
19 Emergency Communications Center (ECC) systems as mandated by the Federal
20 Communications Commission (FCC), not including the costs of staffing the
21 Centers or providing any Fixture, Furniture, or Equipment (FFE).

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23 Additionally, Standard Operating Procedures must be developed for the use of
24 each component to include handling of requests based on the Freedom of
25 Information Act (FOIA) from organizations such as the American Civil Liberties
26 Union (ACLU) as well as the archiving information / data retention on each data
27 platform. The ACLU is an American nonprofit human rights organization founded

28 in 1920. The organization strives "to defend and preserve the individual rights and
29 liberties guaranteed to every person in this country by the Constitution and laws of
30 the United States". One of the concerns from the ACLU and what has come about
31 from other states developing increased public surveillance through similar Real
32 Time Crime Centers, is if there is any requirement for police to provide a detailed,
33 legally enforceable plan to govern how the new surveillance tools can be used.
34 Such a plan would have to include information about the proposed technology's
35 functionality, intended uses, and restrictions, as well as what protections will be
36 put in place to ensure the technology is used in a constitutional and non-
37 discriminatory manner. Just like 9-1-1 ECC, is the data retained in the Center able
38 to be subpoenaed by legal counsel and will members of the Center be required to
39 called to court and provide testimony to support data integrity, chain of custody,
40 and validation of evidence?

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42 My suggestion is that this committee assess the total costs over a 5-year period
43 before allocating any funding to the creation of the Real Time Center and well as
44 determine an oversight responsibility for the Center. If Federal Grant monies are
45 identified to support the Centers, they usually come with the local cost share
46 percentage and do not include any maintenance costs. This Committee has
47 obviously identified a need for the Territory to have a Real Time Crime Center but
48 what is the expected return on investment and what key performance indicators
49 (KPIs) have been established to ensure its continued success. I would recommend
50 evaluating the creation of a single Center and based on its success and established
51 benefits, then look at a second Center.

52 VITEMA supports the basis of this bill but recommends reviewing the funding
53 source for Center covering its initial 5-years. The costs for data communications

54 monthly fees and annual software maintenance fees must be considered as part of
55 the total cost of implementation for these Real Time Crime Centers.

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57 Thank you, committee chairman, Senator Kenneth L. Gittens, for the opportunity
58 to provide testimony on Bill No. 35-0131. I am prepared to answer any questions
59 any members of this committee may have at this time.