

**DEMOCRATIC PARTY OF THE VIRGIN ISLANDS**  
**June 12, 2024**



Good morning, Senator Diane T. Capehart, Chairwoman, members of the Committee on Rules & Judiciary, and other members of the 35th Legislature of the Virgin Islands, Central Staff, testers, the viewing and listening audience and friends.

On behalf of the Democratic Party of the Virgin Islands, it is a privilege to come before you today at your invitation to provide testimony in support of Bill Number 35-0032, an Act repealing and reenacting title 18 Virgin Islands Code, chapter 1 section 2, relating to government employees eligibility for elected office, to allow government employees to run for political office while actively employed, unless specifically prohibited by federal or other laws.

As a former Senator that served in the 33<sup>rd</sup> Legislature of the Virgin Islands, I understand personally the difficulties in running for public office and understanding that a leave of absence is required when seeking public office. Bill No 35-0032 is necessary and long overdue to allow a government employee that seeks public office to remain actively employed.

There are provisions listed withing the Government Employee Handbook and the Personnel Rules and Regulations

Section 1. (e) (Line 1) Elective Office is not defined in under Title 18. Therefore, my recommendation for consideration is to have it included in the VIC.

An amendment has been offered by Senator Marise James to Bill No. 35-0032. I support this amendment and recommend two minor changes.

The amendment reads under Section 1, Internal § 2 is amended:

That 2 (b) 1 strike "12:01 a.m. on" and 2 (b) 2 strike "12:01 a.m. on"

The Election system provides the dates which, in my opinion begins as the suggested time which is understood and the policy does not have to mirror the policy of the Election System.

The last item that I would like to share is in reference to the Hatch Act. As a Veteran and current member of the Virgin Islands National Guard and Government Employee it is important that we understand the implications of violating the Hatch Act. Why, there are positions that are federally funded. Therefore, making the Hatch Act relevant.

The Hatch Act restricts the political activity of individuals principally employed by state, in our case the US Virgin Islands, and agencies the work with programs financed in whole or in part by federal loans or grants that apply to employees of private and nonprofit organizations that receive

federal Head Start or Community Service Block Grant funds. In some cases, the Virgin Islands Government operates our early childhood programs in the Territory. Please note that an employee that violates the Hatch Act also warrants dismissal from employment and a portion of federal assistance equal to two years salary of the employee and the agency may lose some of its federal funding.

In closing, I would like to thank the committee for affording me the opportunity to speak in favor and support of Bill Number 35-0032, and earnestly solicit this committees support in making its passage possible.

Thank you,

*Stedmann Hodge, Jr.*

Stedmann Hodge, Jr.  
State Chair