

**PRESENTATION TESTIMONY OF ATTORNEY GENERAL
GORDON C. RHEA, ESQ.
THIRTY-SIXTH LEGISLATURE OF THE VIRGIN ISLANDS
COMMITTEE ON CULTURE, YOUTH, AGING AND PARKS
OCTOBER 31, 2025**

Good morning, Chairman Angel Bolques, Jr., Committee on Culture, Youth, Aging and Parks members, other Senators, Legislative staff, and the listening and viewing audiences. I am Attorney General Gordon Rhea. Joining me today is Assistant Attorney General Chad Mitchell. It is an honor and privilege to appear before you this morning.

The Department of Justice appreciates the opportunity to participate in this hearing dedicated to the delicate and often arduous subject of youth mental health and public safety. Specifically, this hearing was scheduled to “examine current government and community responds to youth violence and mental health challenges, particularly as they relate to justice-involved youth.” In an effort to support the purpose of this hearing, the Department of Justice offers the following comments.

Nationally, the number of youth arrests and incarcerations are trending downward, with at least one study finding a “75 percent decline” in juvenile

incarceration between 2000 and 2022.¹ While this shift is encouraging, other reports suggest that incidents of juvenile firearm violence have increased.² Additionally, the main causes of death among young people are routinely attributed to injury, violence, suicide, substance abuse and motor vehicle accidents.³

The U. S. Centers for Disease Control and Prevention defines youth violence as “the intentional use of physical force or power to threaten or harm others by young people ages 10-24.”⁴ Youth violence can include bullying, fighting, threats with or actual use of weapons, with our young people experiencing these acts of violence as witnesses, victims and offenders.⁵

Although there are numerous studies and reports linking youth violence to mental health challenges, the Department of Justice feels it best to defer to the capable and knowledgeable team at the Virgin Islands Department of Health to more thoroughly discuss the reasons why the two are so deeply interconnected. Instead, DOJ would like to focus on the trends our Assistant Attorney Generals, or AAGs, assigned to the Family Unit, which resides within the Criminal Division of the

¹ See Youth Justice by the Numbers, <https://www.sentencingproject.org/app/uploads/2024/08/Youth-Justice-By-The-Numbers.pdf> (last viewed October 17, 2026). Also see Juvenile Justice and Equitable Outcomes, <https://www.ncbi.nlm.nih.gov/books/NBK586433/> (last viewed October 17, 2026).

² See Trends in Juvenile Offending: What you Need to Know, <https://counciloncj.org/trends-in-juvenile-offending-what-you-need-to-know/#2> (last viewed October 17, 2026).

³ See <https://theconversation.com/rise-in-youth-mortality-fuelled-by-mental-illness-drugs-violence-and-other-preventable-causes-267459> (last viewed October 21, 2025)

⁴ See About Youth Violence, <https://www.cdc.gov/youth-violence/about> (last viewed October 21, 2025)

⁵ *Id.*

Department, are currently experiencing within the juvenile justice system in the territory.

While it may be common for jurisdictions throughout the United States to deal with racial and ethnic inequalities, leading to disparities in their juvenile justice and healthcare systems, this is not necessarily the case in the Virgin Islands. We do, however, have to contend with other systematic issues – such as poverty, cultural differences and language barriers – that can contribute to poor physical and mental health, increased delinquency – including truancy – and risky or criminal behaviors.⁶

In St. Croix, the Family Unit currently has 60 open cases.⁷ Of these, nine are delinquency cases, while the remainder are custody, abuse or neglect, guardianship, involuntary commitment, or persons in need of supervision cases. In the St. Thomas/St. John District, there are 58 open cases, with 22 of those being juvenile delinquency cases.⁸ Delinquency cases involve a minor who has committed an act that would be a crime if committed by an adult, with a goal of rehabilitation; dependency cases, however, involve a minor who is the victim of abuse, abandonment or neglect, with a focus on child protection. While the numbers previously provided are representative of the Department's open cases within the

⁶ See <https://www.ncbi.nlm.nih.gov/books/NBK545482/> (last viewed October 22, 2025)

⁷ As of October 27, 2025

⁸ As of October 29, 2025

Family Unit, it is important to note that some of the categories above, such as involuntary commitments, could include adult clients.

DOJ is seeing a high rate of juvenile recidivism within the territory. Our AAGs often have two, sometimes three, open cases involving the same juvenile offender. Currently, there are limited programs in place to assist with diversion. While programs such as the National Guard's Youth About Face Program – which provides mentorship and guidance – the HAWK program – which provides counseling and education in drug use and behavioral issues – and Rising Stars Steel Orchestra – which was started by Judge Verne A. Hodge, as a crime prevention program – do exist, there simply are not enough social service mentorship programs to help educate and support the pathways to rehabilitation and diversion needed in the territory. It is worth noting here that the National Guard's program consistently receives positive reviews from the juveniles who matriculate from it. More programs with a focus on teamwork, leadership, collaboration and responsibility are needed in the territory to support our justice-involved youth.

Although the Virgin Islands Department of Justice does not currently offer any services to address trauma, or the behavioral health and rehabilitation for youth offenders, the Department does work with the Virgin Island Police Department and the Department of Education to implement measures to help keep

at-risk youths from re-engaging in delinquent behaviors once they have been arraigned and have a criminal case in Family Court. The Department of Human Services also assists DOJ with community service placement and counseling services for justice-involved youth.

One of the biggest systemic challenges DOJ faces in addressing youth crime is trying to find a healthy balance between implementing punitive measures against youth who commit criminal-level offenses, while also working within the protective mechanism that helps ensure children are able to thrive in the future. For example, the AAGs in the Family Unit of the Department of Justice are responsible for the prosecution of juvenile delinquency cases, as well as overseeing the dependency docket, which often involves children who are placed into custody due to home situations that expose them to neglect and abuse.

Because of the current organization of the Department, DOJ could find itself in a position to act as the prosecuting attorney for a child that is being placed in the care of the Department of Human Services. DOJ's ability to allocate separate attorneys for delinquency and dependency matters is paramount to ensuring fair jurisprudence in those situations. Balancing the best interests of a child and the requirement to protect the public and advocate for victims can pose a real legal and systemic challenge for Prosecutors.

Creating and implementing more programs aimed at engaging youth is important to help prevent recidivism in this jurisdiction. Local youth have fewer social and recreational opportunities than children elsewhere, due to the geographical and transportation limitations associated with island living. Additionally, there are not enough safe spaces in each district that allow youth to congregate and interact with their peers in a healthy setting outside of school, such as arcades and community recreation centers. Further, lower-income families may have fewer opportunities to engage their children in enriching activities due to financial hardships that could limit their access to programs requiring fees.

These factors create a recipe for criminal behaviors that could be mitigated by the creation and funding of organizations and programs designed to keep at-risk youth engaged in intellectually stimulating and confidence building activities. Technical schools could also be a valuable resource to assist older youth with learning a trade, leading to financial stability, increased life skills and better social integration.

There is a real need for meaningful and thoughtful services within the territory to address and prevent the behaviors that can lead to increases in physical and emotional harm, and increases in risky or criminal activity. These services should exist in addition and alongside counseling. DOJ highly recommends policy and

legislative actions that support the creation of – and proper funding for – social and community services for youth. Organizations such as the Virgin Islands Justice Initiative, a 501(c)(3) legal education fund, cannot continue to offer teen education and criminal deterrence programs or advocate for policy change without adequate financial support.⁹

Greater interagency collaboration could be a valuable tool in addressing the youth in the territory. In addition to improving efficiency – including financial efficiency – by working together, agencies can gain a better understanding of the real needs of our youth, develop a more coordinated plan to address those needs, and ensure a more consistent and supportive response while avoiding duplicate, less effective efforts.

The Honorable Jessica Gallivan, the Presiding Judge of the Superior Court of the Virgin Islands, has expressed an interest in a classroom speaking tour that would include attorneys from the Office of Public Defender, Office of Conflict Counsel, and the Department of Justice. Engaging students through interactive conversations about criminal, civil and constitutional law, and how they affect our daily lives, could be an effective way to empower youth to make good decisions for themselves and the community.

⁹ See <https://www.vijustice.org/> (last viewed October 22, 2025)

Additionally, the Department of Justice has plans to meet with VIPD, VIDE, DHS and the judiciary to engage in a roundtable discussion about interagency issues that affect these local departments as they work to assist youth in the territory and reduce recidivism. Finally, greater agency participation in programs such as the Child Welfare Academy, which is hosted annually by the Superior Court of the Virgin Islands Court Improvement Program in partnership with DHS's Division of Children and Family Services, to address issues such as poverty and at-risk youth, could be beneficial to both the youth and the agencies that interact with them. This year, the Child Welfare Academy theme was "Restoring the Restorers" and focused on promoting trauma-informed care and prioritizing the wellness of both clients and the professionals who serve them. I am sure that either of the sponsors of the Academy would be willing to share more details about the activities and conversations that participants from several GVI agencies and community partners engaged in during an incredible two days of training earlier this month.

Plans for future meetings and training programs, however, do not address the needs for our youth right now. Based on feedback DOJ has received from local providers, there is an immediate need for funding for sexual abuse prevention. Specifically, the territory needs a juvenile sexual offenders registry to track offenders more closely and to help prevent recidivism. The territory also needs

programs for youth who have experienced the trauma of sexual abuse. Additionally, with instances of sexual cyberbullying increasing, including cases of revenge porn involving minors, more education regarding prohibited – *or criminal* – actions and prevention is needed.

Other real and current needs include more resources to assist minors who are the victims of domestic violence. The territory also needs an inpatient substance abuse program for teens dealing with addiction. Finally, the territory desperately needs mental health services for youth who are exhibiting the initial signs of schizophrenia, including aggression, as well as support for their family members.

The Department of Justice applauds this Committee's efforts to address current government and community responses to youth violence and mental health challenges within the territory. By addressing youth mental health and public safety, and how our government and community responds to youth violence and mental health challenges, the territory can proactively reach our young people before any of the disparities that are inherent to the Virgin Islands affect their adult social and economic outcomes.

I thank this Committee for allowing the Department of Justice to testify during this hearing on youth mental health and public safety. This concludes my formal remarks. AAG Mitchell and I welcome any questions you may have.