



Testimony | Bill No. 36-0345

Good day, Honorable Senator Avery L. Lewis, Chairman of the Committee on Government Operations, Veteran Affairs and Consumer Protection, members of the Committee, non-committee members, and the listening and viewing audience.

My name is Cindy L. Richardson, Director of the Virgin Islands Division of Personnel ("DOP"). Thank you for the opportunity to provide testimony on Bill No. 36-0345, The Virgin Islands Heroes Act, sponsored by Senator Milton E. Potter. The legislation would establish benefits for the spouses and eligible children of public safety officers who are killed or catastrophically injured in the line of duty. Here with me today is Ms. Florine Hassell, Assistant Director and Aliya Felix Blyden, Legal Counsel.

At the outset, the Division of Personnel wishes to express its support for the intent and purpose of this legislation. The men and women who serve in law enforcement, and related public safety roles place themselves in harm's way every day in service to the people of the Virgin Islands. When an officer loses their life or sustains a catastrophic injury in the line of duty, the Government has a responsibility to ensure that meaningful support and protection. DOP believes this legislation represents an important step toward fulfilling that obligation.

The Division previously testified on an earlier version of this proposal, Bill No. 35-0206, and raised a number of administrative, eligibility, and implementation concerns. Since that time, DOP met with the bill sponsor and provided detailed recommendations regarding the administration and operation of the program. We also acknowledge receipt of Amendment No. 36-985, dated October 19, 2026, which addresses several matters raised during those discussions. We appreciate the willingness of the sponsor to consider many of those recommendations and to work collaboratively toward a more effective and administratively workable framework.

While DOP supports the bill, and the amendment represents meaningful progress, we respectfully recommend several amendments and clarifications to ensure the program can be implemented consistently, efficiently, and fairly while reflecting the intended scope.

Clarification of Eligible Beneficiaries

One of the issues previously raised by DOP concerned the intended scope of employees covered by the Act.

During our discussions, the sponsor clarified that the legislation is intended to cover law enforcement and peace officers, and excluded firefighters, EMTs, or employees of semi-autonomous agencies and instrumentalities.

The Amendment removes references to fire suppression, EMS services, and other unintended roles

from the definition of a line-of-duty death. However, 5 V.I.C. 3561 expressly includes many other unlisted positions such as probation officers, Waste Management Authority Enforcement Officers, fire, and more within the definition of peace officer. Given the significance of this Act, we recommend expressly confirming the intent as it relates to the intended beneficiaries of the program.

Health Insurance Benefits

DOP previously recommended clarifying the health insurance provisions to ensure they accurately reflect the Legislature's intent. During discussions with the sponsor, it was indicated that continued health insurance coverage for surviving family members is intended only in cases involving line-of-duty death and that the Government's responsibility would be limited to the employer-paid share of the premium. The amendment continues to reference catastrophic injury. Therefore, we recommend confirming the intended scope of this benefit and ensuring the final language clearly distinguishes coverage available to an insured officer from coverage available to surviving family members.

Educational Benefits

The age provisions applicable to dependent children should be harmonized throughout the legislation. The amendment increased the age limit for certain education benefits from 23 to 26, consistent with the stated intent to extend eligibility. However, 655(c) continues to provide that a child who is 23 years of age or older at the beginning of the academic year is ineligible for the educational benefit. Consistent eligibility standards will ensure that children entitled to benefits are not inadvertently excluded because of differing definitions appearing in separate sections of the Act. DOP supports aligning eligibility for dependent children through age twenty-six where intended by the legislation.

The Division supports the educational assistance provided through the University of the Virgin Islands and appreciates the amendment removing the requirement that an eligible individual be enrolled at UVI on the enactment date of the Act. This correction ensures the intended benefits remain accessible to the intended beneficiaries.

Program Administration and Implementation

A significant issue raised by the Division concerned the need to designate an agency responsible for administering the Heroes Act. We appreciate that Amendment No. 36-985 assigns additional responsibility to the Director of Personnel. However, the amendment does not expressly designate an overall program administrator or provide specific authority to promulgate implementing rules and regulations.

To ensure successful implementation, the legislation should expressly authorize the designated administrator to develop rules, procedures, forms, and operational requirements governing:

- Benefit applications and claims processing;
- Beneficiary designation processes and record maintenance;
- Documentation requirements;
- Interagency coordination;
- Verification and certification procedures;
- Processing timelines;
- Recordkeeping and reporting requirements;
- Any other operational matters necessary for administration of the program.

Providing a comprehensive administrative framework within a single responsible agency will promote consistency, accountability, and transparency while reducing uncertainty for beneficiaries and participating agencies. During discussions with the sponsor, there was agreement that the Division of Personnel is the appropriate agency to administer the program based upon its existing responsibilities for employee benefits administration and personnel records. If this is the intent, then DOP recommends expressly identifying DOP as the administering agency and authorizing establishment of rules and regulations necessary for implementation.

Funding and Fiscal Administration

Finally, DOP recommends additional clarity regarding program funding. While the bill establishes the Public Safety Officer's Benefit Revolving Fund, further clarification should be provided regarding initial capitalization of the Fund and the funding sources responsible for ongoing death, catastrophic injury, health insurance, and educational benefits. Establishing clear fiscal accountability at the outset will help ensure the long-term sustainability of the program and avoid future administrative or budgetary challenges.

Conclusion

The Division of Personnel strongly supports the intent of Bill No. 36-0345 and commends Senator Potter for advancing legislation that honors the service and sacrifice of the Virgin Islands' public safety officers. The recommendations offered today are intended to strengthen the bill, provide administrative clarity, and ensure that the benefits established by the Act can be delivered efficiently and consistently to the officers and families it is designed to protect.

DOP respectfully urges favorable consideration of Bill No. 36-0345, together with the amendments discussed herein.

Thank you for the opportunity to testify. My team and I are available to answer any questions the Committee may have.