



DEPARTMENT OF PROPERTY AND PROCUREMENT

**TESTIMONY OF
LISA M. ALEJANDRO, COMMISSIONER**

**BEFORE THE 36TH LEGISLATURE OF THE VIRGIN ISLANDS OF THE UNITED
STATES**

COMMITTEE ON HOMELAND SECURITY, JUSTICE AND PUBLIC SAFETY

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ST. CROIX, U.S. VIRGIN ISLANDS

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BILL NO. 36-0139

*Testimony
of
Lisa M. Alejandro, Commissioner of the Department of Property and Procurement
Before
The Committee on Homeland Security, Justice and Public Safety of the 36th Legislature
of the Virgin Islands of the United States
on
February 13, 2026*

1 Good afternoon, Honorable Clifford A. Joseph, Sr., Chair of the Committee on Homeland
2 Security, Justice and Public Safety (“Committee”), to members and non-members of the
3 Committee, to the Bill’s Sponsor, the Honorable Avery L. Lewis, fellow testifiers, Legislative
4 Staff, and the viewing and listening audience.

5 I am Lisa M. Alejandro, Commissioner of the Department of Property and Procurement
6 (“Department” or “DPP”). Appearing with me today is Magdalene A. Morancie, Esq., Chief Legal
7 Counsel. We appear today, pursuant to your invitation, to provide testimony on Bill No. 36-
8 0139, “an Act amending title 31 Virgin Islands Code, to assess civil liability for destruction or
9 damage to Government property through willful or negligent acts (“Bill”).”

10 From our review of the Bill, DPP recognizes its intent, which appears to be to provide a
11 mechanism for accountability, protection of the Government’s assets, lifecycle extension, and the
12 maximization of Government resources. As the Executive Branch agency with primary
13 responsibility for managing and safeguarding the Government’s varying types of property, we
14 support the objective of protecting Government assets and ensuring accountability.
15 Notwithstanding the foregoing, as will be further outlined below, existing statutes and
16 established processes already address these objectives. Accordingly, the Department does not
17 believe the additional statutory authority is warranted, given its duplicative nature.

19 **1. Proposed Addition of Section 169a – Defacing or Damaging Government**
20 **Vehicles.**

21 The Bill proposes to add Section 169a to Title 31 of the Virgin Islands Code, providing
22 that any person found negligent in the operation of a Government vehicle or who willfully or
23 negligently damages a Government vehicle or causes it to be damaged will be civilly liable for
24 the cost of the repair or replacement of the vehicle. The Department understands that this is
25 intended to serve as a means of establishing accountability and securing the repair and
26 replacement of the Government's property.

27 However, the Department must note this is already expressly established in title 31,
28 section 167(b) of the Virgin Islands Code, which provides as follows:

29 “Officials or employees of the Government shall be financially responsible for any physical
30 damage occurring to a Government motor vehicle as a proximate result of [their] negligence
31 concerning the same.” Therefore, as currently written, 31 V.I.C. § 167(b) already makes
32 Government employees financially responsible, including withholding wages, for damage to
33 Government vehicles caused by that employee's negligence. As a result, DPP believes that the
34 addition of the proposed section 169(b) is unnecessary as it is duplicative of an already existing
35 statutory provision. The requirements surrounding an employee's financial responsibility for any
36 damage that employee causes to a government vehicle in 31 V.I.C. § 167(b) are regularly
37 communicated in memoranda issued by the Department and are covered in the pending Vehicle
38 Operator and Use Policies and Procedures.

39 Moreover, although the Department recognizes that the proposed Section 169a seeks to
40 expand liability beyond Government employees, the Department posits that this authority
41 already exists. Currently, the Government can seek recovery from non-employees responsible
42 for damaging Government vehicles through civil litigation or insurance claims. In cases of
43 vehicular accidents involving Government vehicles in which the private driver is at fault, long-
44 established procedures are in place to settle claims with the driver and their insurer. As such, the
45 proposed addition is duplicative.



47 **Proposed Addition of Section 205a – Damage to Government Property**

48 The Bill also seeks to add a proposed Section 205a to make individuals financially
49 responsible for damage to government property, including fencing, lighting, non-permanent
50 structures, and Government real property, caused by his or her negligence or willful or wanton
51 behavior. Additionally, the Bill affords the liable person the opportunity to negotiate a reasonable
52 amount to cover the cost of damages with his or her insurance company, where this person has
53 insurance.

54 While the Department understands and appreciates the intent of the proposed measure,
55 the addition does not appear to create any rights that do not already exist, and it also does not
56 change the application of any existing statutory provisions and policies.

57 First, the proposed Section 205a is not required to enable the Government to pursue civil
58 action against a person who has damaged Government property, including fencing, lighting, and
59 non-permanent structures, because the Government can already pursue those actions through
60 civil litigation. Additionally, contractual mechanisms are also utilized to protect Government
61 property. For example, all leases of Government property, including Business and Commercial
62 Leases and Agriculture Leases, both of which require legislative approval, contain several
63 conditions to protect Government property. These mechanisms include terms and conditions
64 such as, (1) the lessees are held responsible for repair and maintenance of the Government's
65 property, (2) waste is prohibited, (3) the properties are to be returned to the Government in as
66 good condition as it was since last repair, less reasonable wear and tear, and (4) all lessees are
67 required to carry commercial general liability insurance with established minimum policy limits.
68 Moreover, pursuant to the terms of the leases, if the lessees fail, refuse, or neglect to make any
69 repair for which it is responsible, or if repair is needed because of the lessee's negligent acts or
70 omissions, then the Government may make such repairs and then bill the cost of such repairs
71 plus the interest at the rate provided for in the leases to the lessees.



75 **Conclusion**

76 In conclusion, Mr. Chair, while we understand the Bill's intent to provide accountability
77 and establish means to repair and protect Government property, and we certainly applaud its
78 intent, the proposed changes do not provide additional remedies to the Government or affect the
79 Government's current processes for utilizing the existing remedies. Since 31 V.I.C. § 167(b),
80 regarding financial responsibility for damage to Government vehicles and other mechanisms,
81 already exist through general tort provisions, as avenues for the repair and protection of
82 Government property, the Department does not view this measure as necessary. Accordingly,
83 we respectfully do not recommend its approval, as we believe the intent of the Bill can be achieved
84 through interagency coordination and departmental and stakeholder operations under the
85 existing framework.

86 We thank you again for the invitation and for the opportunity to be part of today's
87 discussion, and we welcome the opportunity to engage in further conversations regarding the
88 application of existing remedies and the maximization of resources within the established
89 framework that already supports the intent of this Bill. Mr. Chair, this concludes my prepared
90 testimony, and we remain available to answer any questions the Committee may have.

