

THIRTY-SIXTH LEGISLATURE OF THE U.S. VIRGIN ISLANDS
COMMITTEE ON HOMELAND SECURITY, JUSTICE, AND
PUBLIC SAFETY

Chairman: The Honorable Clifford A. Joseph Sr.

Virgin Islands Police Department

St. Croix, USVI

February 13th, 2026

Good morning, to the chair, the Honorable Clifford Sr., distinguished members of the Legislature and staff, members of the Virgin Islands Police Department team, and members of the listening and viewing audience.

My name is Uston Cornelius, and I serve as the Chief of Police for the St. Croix District of the Virgin Islands Police Department. I appear before you today on behalf of Police Commissioner Mario M. Brooks to offer the Department's formal support for Bill No. 36-0139, an act to amend Title 31 of the Virgin Islands Code to establish civil liability for individuals who willfully or negligently cause damage to government property or vehicles.

This proposed legislation represents a sound, responsible policy initiative designed to protect taxpayer-funded assets, reinforce individual accountability, and strengthen stewardship over public resources.

The Imperative for Accountability and Stewardship

The Government of the Virgin Islands, like jurisdictions throughout the United States, incurs significant operational costs when government assets are damaged through negligence or intentional acts. These assets include police vehicles, emergency response equipment, administrative property, public facilities, lighting systems, fencing, and other infrastructure.

Although comprehensive national data specifically quantifying annual costs attributable solely to negligent damage are limited, the U.S. Government Accountability Office (GAO) underscores that federal agencies collectively manage an enormous portfolio of property and incur billions of dollars annually in maintenance and repair costs, reflecting the fiscal exposure associated with government-owned assets (including deferred maintenance and repair backlogs).

In practice, existing federal frameworks such as the Federal Tort Claims Act (FTCA) provide a mechanism for monetary recovery when property loss or damage results from the negligent or wrongful act of federal employees acting within the scope of their official duties, thereby acknowledging legal and financial accountability for government-connected property loss.

At the local level within Virgin Islands government entities—including the VIPD, incidents of negligent operation, vandalism, and misuse of vehicles and equipment contribute to downtime, reduce service capacity, and divert limited

budgetary resources away from core public safety missions.

National and Organizational Context

While definitive nationwide totals for property damage due to negligence are not systematically compiled in one repository, analogous data from fleet management practices and municipal reporting illustrate the scale of avoidable losses:

In fleet operations more broadly, industry analyses indicate that a substantial proportion of accidents often cited at near 50% for preventable incidents in fleet environments is associated with human error, inadequate risk management, or operator inattention.

Federal property stewardship challenges identified by GAO reflect the broader fiscal demands of managing government assets, with annual maintenance and operating costs for federal buildings alone exceeding \$10.3 billion in fiscal year 2023.

These realities reflect how even routine incidents of property damage, when aggregated across thousands of vehicles and facilities, create material budgetary strain on government entities. For a smaller jurisdiction like the Virgin Islands, each loss has a magnified impact on operational capacity and service delivery.

How Bill No. 36-0139 Addresses These Challenges

Bill No. 36-0139 proposes two statutory provisions to Title 31 of the Virgin

Islands Code:

Section 169a - Government Vehicles:

Establishes that any person who negligently operates, damages, or allows the unauthorized use or theft of a government vehicle shall be civilly liable for all costs associated with repairing or replacing that vehicle, including labor and materials.

Section 205a - Government Property:

Extends civil liability principles to other categories of government property including buildings, fixtures, lighting, fencing, and non-permanent structures ensuring that individuals are financially responsible for damage caused by negligence or willful acts.

The bill also allows for reasonable engagement with applicable insurance coverage, ensuring that recovery efforts are equitable and consistent with standard public risk management practices.

This proposal does not impose criminal penalties for honest mistakes; rather, it ensures that responsible parties bear the financial responsibility for property losses that would otherwise be absorbed by the public treasury.

Promoting Fiscal Responsibility and Public Trust

Public property is a public trust. Vehicles, buildings, and equipment represent investments by Virgin Islands residents in the safety and functionality of their government services. When such property is damaged unnecessarily, the cost

should not be imposed on the same taxpayers through reduced service capacity or reallocation of funds from other priorities.

For the Virgin Islands Police Department, frequent vehicle and equipment downtime due to preventable damage results in lost patrol hours, disrupted emergency response, and diverted funding from critical areas such as officer safety equipment, technological upgrades, and community engagement programs.

This legislation helps ensure that where negligence or reckless disregard results in tangible loss, there is a clear legal mechanism to pursue recovery of repair and replacement costs.

Alignment with Established Government Practices

Bill No. 36-0139 aligns with principles already recognized in federal and state contexts. For example:

Under the Federal Tort Claims Act, private citizens may seek monetary damages when federal government employees cause property loss due to negligence, thereby acknowledging liability and providing recovery mechanisms.

Many state governments and municipalities across the United States have frameworks that assign financial responsibility to individuals whose negligent or willful actions damage government assets, particularly with respect to vehicle fleets and public facilities. This bill brings similar accountability standards to the Virgin Islands.

Implementation and Administrative Coordination

If enacted, the VIPD stands ready to collaborate with the Department of Property and Procurement, the Department of Justice, and other relevant agencies to develop clear procedures for incident documentation, responsibility assessment, and cost recovery.

We also recommend establishing consistent reporting and evaluation protocols across territorial agencies to ensure transparency, fairness, and uniform application of the statute.

Conclusion

Bill No. 36-0139 is a pragmatic, fiscally responsible piece of legislation. It is about protecting public assets, encouraging responsible conduct, and reinforcing that individuals entrusted with government property have a duty to safeguard it. This legislation ensures that negligence or willful disregard for that duty carries appropriate financial accountability.

I respectfully urge this legislative body to adopt Bill No. 36-0139.

We stand ready to answer any follow-on questions that you may have.