

**PRESENTATION OF ATTORNEY GENERAL
GORDON C. RHEA
DEPARTMENT OF JUSTICE'S TESTIMONY
THIRTY-SIXTH LEGISLATURE OF THE VIRGIN ISLANDS
IN RE: BILL NO. 36-0136
COMMITTEE ON HOMELAND SECURITY,
JUSTICE AND PUBLIC SAFETY
SEPTEMBER 4, 2025**

Good morning, Chairman Clifford Joseph, Committee on Homeland Security, Justice and Public Safety members, other Senators, Legislative staff, and the listening and viewing audiences. I am Attorney General Gordon Rhea. It is an honor and privilege to appear before you this morning.

The Department of Justice appreciates the opportunity to comment on Bill No. 36-0136. The Department of Justice has completed a preliminary review of Bill No. 36-0136 and offers the following comments.

The stated purpose of Bill No. 36-0136 is to amend title 23 of the Virgin islands Code, chapter 17, subchapter II, by redesignating existing sections 1331 and 1332 as 1337 and 1338, respectively, and inserting new sections 1331 through 1336, to mandate lethal weapon training for security guards and investigators.

Within the United States, states and territories have the authority to mandate lethal weapon training for security guards and other safety personnel by enacting

laws and regulations requiring background checks, training programs and instructor certification, among others, before they can carry a firearm while on duty. Because each state and territory has the autonomy to create its own laws, these laws and regulations can look different from jurisdiction to jurisdiction. There are, however, some common licensing requirements for armed security guards including age requirements, background checks, fingerprinting, training – including firearm training – and recertification timelines.

As presented, Bill No. 36-0136 covers the basic framework for the education and training requirements for armed security guards, the powers and duties of the Commissioner of the Virgin Islands Police Department, the qualification to enroll in an approved training program, certification and good standing. The proposed legislation also includes the fees for certification and licensing, and applicable definitions. It does not, however, set any legal standards or key licensing requirements.

The decision to codify lethal weapon training for security guards and investigators is a good one. The territory has a responsibility to ensure public safety and to regulate the use of force. By establishing uniform rules and policies for armed security guards, the Virgin Islands can do both.

The Department of Justice supports Bill No. 36-0144. With that said, I would recommend that the language in the newly proposed §1333(3) be revised to clarify the purpose of the “schools” to be approved by the Commissioner. Additionally, under this section, I would consider moving proposed subsections (8) and (9) to follow subsection (3), since each address the schools to be approved.

I thank the Committee for allowing the Department of Justice to testify on Bill No. 36-0136. This concludes my formal remarks, and I welcome any questions you may have.