

TESTIMONY OF ASSISTANT ATTORNEY GENERAL
JEREMY G. WEDDLE, ESQ.
DEPARTMENT OF JUSTICE'S TESTIMONY
THIRTY-SIXTH LEGISLATURE OF THE VIRGIN ISLANDS
IN RE: BILL NO. 36-0077
COMMITTEE ON RULES AND JUDICIARY
JULY 22, 2025

Good afternoon, Chairperson Carla Joseph, Committee on Rules and Judiciary members, other Senators, Legislative staff, and the listening and viewing audiences. I am Jeremy Weddle, an Assistant Attorney General in the Virgin Islands Department of Justice's Criminal Division. It is an honor and a privilege to appear before you this morning. Attorney General Gordon Rhea sends his highest respects to the Committee and regrets his unavailability today due to a scheduling conflict.

Bill No. 36-0077 seeks to amend Title 3 of the Virgin Islands Code, Chapter 37, by repealing the existing Section 1108 and enacting the Virgin Islands Commission on Ethics and Conflicts of Interest in its place. In addition to establishing the Virgin Islands Commission on Ethics and Conflicts of Interest, Bill No. 36-0077 also addresses the appointment and eligibility of members, term limits for members, compensation for members, as well as the hiring of professional and support staff.

The Department of Justice appreciates the opportunity to comment on Bill No. 36-0077. The Department of Justice has completed a preliminary review of Bill No. 36-0077 and offers the following comments.

Currently, 3 V.I.C. § 1108 codifies the penalties for violating Chapter 37 of the Code, which pertains to Conflicts of Interest.¹ DOJ's review of Bill No. 36-0077 finds that the proposed legislation satisfies Virgin Islands' law regarding commissioner eligibility, compensation, and terms, and filling board vacancies. The proposed bill permits the Commission to hire professional and support staff in line with territorial laws that allow for the hiring of staff for the Virgin Islands Board of Dental Examiners, the Public Defender Administration Board, and the Taxicab Commission.²

State ethics committees, or commissions, are a growing trend nationally due to increasing public awareness and concern about ethical conduct in government, the demand for greater transparency and accountability, and the need for independent oversight of ethical issues. Based on a query on July 18, 2025, at least 198 bills

¹ Currently, 3 V.I.C. § 1108 states:

Any person who knowingly violates a provision of this chapter shall be guilty of a public offense and upon conviction thereof shall be punished by imprisonment for not less than one year nor more than five years; or by a fine of not more than \$5,000 or a sum equal to any direct monetary gain derived in connection with such violation, whichever is greater; or both such fine and imprisonment.

² See 27 V.I.C. § 63, 5 V.I.C. § 3520 and 3 V.I.C. § 274 respectively

related to ethics have been introduced in at least 35 states so far in 2025.³ Although ethics commissions exist in many states, the structure and role of each commission vary by jurisdiction.⁴ Bill No. 36-0077 aligns with the current national trend of embracing principles of ethical governance, including transparency, accountability, fairness, and integrity.

While the Virgin Islands Department of Justice favors the establishment of the Commission on Ethics and Conflicts of Interest, the Department has some concerns regarding Bill No. 36-0077. First, and probably of utmost importance to the Department of Justice, as submitted, the proposed amendments require the Attorney General to “make available to the Commission such personnel, facilities, and other assistance as the Commission may request to assist in the performance of its duties.”⁵ The vague and open-ended language of the bill suggests that the Department of Justice could be expected and/or required to make up for any shortfalls experienced by the Commission at the request of the Commission’s executive director. The Department of Justice may also be required to provide office space, supplies, and equipment if requested by the Commission.

Additionally, Bill No. 36-0077 requires the Commission on Ethics and Conflicts of Interest to hire at least two investigators; however, it does not specify

³ See <https://www.ncsl.org/ethics/ethics-legislation-database>, last viewed 7/18/2025

⁴ See <https://www.ncsl.org/ethics/state-ethics-commissions>, last viewed 7/18/2025

⁵ See Bill No. 36-0077 § 1(j)

whether these investigators must be peace officers.⁶ If the investigators are to be peace officers, who will be responsible for training them?

The aforementioned ambiguity is particularly concerning to the Department of Justice, given the absence of stated funding for the Commission on Ethics and Conflicts of Interest. Without adequate funding, both the implementation and effectiveness of the Commission could be compromised, as proper funding is crucial for carrying out the duties of the Commission on Ethics and Conflicts of Interest. As the only cited supporting agency of the Commission on Ethics and Conflicts of Interest, the Department of Justice is concerned that any shortages in staff or other resources will be visited upon an already understaffed and financially limited DOJ. As a result, the Department suggests that language limiting the Attorney General's assistance to the Commission be included in the proposed legislation.

The Department of Justice also suggests that the Virgin Islands Office of the Inspector General be included in the bill as a GVI agency approved to provide aid to the Commission. Many ethics and conflicts of interest violations include a financial component. The Office of the Inspector General already employs the staff and has the expertise to conduct financial examinations. A multi-agency,

⁶ *Id.*

multidisciplinary approach would be more effective and cost-efficient in combating ethical violations in the Virgin Islands.

Finally, in the newly proposed subsection (g), there is a reference to “section 1110(g).” It is unclear what title and chapter of the Virgin Islands Code this language is referencing. I would recommend including some clarifying details.

Bill No. 36-0077 is a significant step in the right direction toward achieving good governance in the Virgin Islands, and its implementation could lead to substantial improvements. The Department of Justice welcomes the legislation, subject to the above caveats.

I thank the Committee for the invitation to testify on Bill No. 36-0077. I appreciate your consideration of my testimony. This concludes my formal remarks; I remain available to answer any questions you may have.