COMMITTEE ON HOMELAND SECURITY, JUSTICE AND PUBLIC SAFETY

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BILL NO. 36-0318

Thirty-Sixth Legislature of the Virgin Islands

July 21 2026

An act amending title 23 Virgin Islands Code, chapter 13 establishing a Police Reserve Unit within the Virgin Islands Police Department

PROPOSED BY: Senator Kenneth L. Gittens
Sponsor: Avery L. Lewis
Co-sponsor: Ray Fonseca

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 23 Virgin Islands Code, chapter 13 is amended by designating existing sections 1151 through 1158 as subchapter I and adding the following subchapter II:

"Subchapter II. Virgin Islands Police Department Police Reserve Unit

§1161. Establishment

(a) There is established within the Virgin Islands Police Department the Police Reserve Unit, consisting of qualified reserve police officers appointed by the Commissioner of the Virgin Islands Police Department.

(b) The Police Reserve Unit serves as a supplemental law enforcement resource to support the administrative and operational needs of the Virgin Islands Police Department, including periods of personnel shortage, emergency response, special events, training needs, community outreach, and other assignments approved by the Commissioner.

(c) Nothing in this subchapter may be construed to limit the authority, operation, or statutory duties of the Virgin Islands Police Auxiliary.

§1162. Definitions

As used in this subchapter:

(1) "Auxiliary Police Officer" or "Auxiliary Officer" means a member of the Virgin Islands Police Auxiliary, who assists the Virgin Islands Police Department and who has peace officer status while on duty or during an emergency declared by the Governor under 23 V.I.C., chapter 10, subchapter 1, § 1005.

(2) "Department" means the Virgin Islands Police Department.

(3) "Commissioner" means the Commissioner of the Virgin Islands Police Department.

(4) "Reserve Police Officer" or "Reserve Officer" means a part-time or volunteer law enforcement officer appointed under this subchapter who is certified by the Virgin Islands Peace Officer Standards and Training Council, or who holds an equivalent certification recognized by the Council and accepted by the Commissioner, and who may exercise the powers of a police officer only as authorized by this subchapter, Department policy, and the officer's certification status.

(5) "Technical support functions" means law enforcement-related support assignments requiring law enforcement experience or Department authorization, including report review, records support, evidence processing support, training assistance, radio or communications support, crime analysis support, emergency operations support, fleet or equipment readiness support, and other non-policy-making functions approved by the Commissioner.

§1163. Eligibility and appointment

(a) To be eligible for appointment as a reserve officer, an individual must:

(1) be a citizen of the United States and a resident of the Virgin Islands;

(2) be not younger than 21 years of age and not older than 68 years of age at the time of initial appointment;

(3) possess a current certification from the Virgin Islands Peace Officer Standards and Training Council or possess a certification from another jurisdiction that the Council or the Commissioner determines to be equivalent, subject to completion of any transitional training required under subsection (d);

(4) submit to and successfully complete a background investigation, criminal history check, drug screening, and any medical, psychological, physical fitness, or firearms review required Department policy;

(5) be of good moral character and have no felony conviction or disqualifying misdemeanor conviction, adverse separation, decertification, or pending disciplinary matter that would impair the individual's ability to serve as a reserve officer;

(6) take and subscribe to the oath required of law enforcement officers; and

(7) comply with all Department policies applicable to reserve officers.

(b) The appointment process must include, at a minimum:

(1) submission of an application on a form prescribed by the Commissioner;

(2) verification of law enforcement certification, prior service, and employment history;

(3) completion of the screening requirements under subsection (a);

(4) review and recommendation by the Reserve Program Coordinator or other designee of the Police Commissioner; and

(5) written appointment by the Commissioner specifying the officer's status, effective date, authorized duties, and any conditions of service.

(c) A reserve officer is appointed for a term not to exceed two years and may be renewed by the Commissioner if the officer remains qualified, current in training, and in good standing.

(d) Before exercising police powers, a reserve officer shall complete any in-service, refresher, or transitional training required by the Commissioner. The training may include Virgin Islands law and criminal procedure, Department policies, use of force, arrest and search procedures, report writing, ethics, de-escalation, domestic violence response, firearms qualification, emergency vehicle operations, radio procedures, evidence handling, and any other subject required by the Department or the Council.

(e) A person who reaches 70 years of age may not be reappointed as a reserve officer with police powers, but may be used in a civilian, advisory, training, administrative, or technical support capacity.

(f) The Commissioner may suspend, restrict, or revoke a reserve officer's appointment for failure to meet qualification, training, fitness, service-hour, policy, or conduct requirements.

§1164. Powers and duties

(a) A reserve officer may be assigned to perform law enforcement duties, including:

(1) patrol and traffic enforcement;

(2) criminal investigations;

(3) crowd control, event security, and emergency response;

(4) training, mentoring, and community outreach;

(5) administrative assignments requiring law enforcement knowledge; and

(6) technical support functions approved by the Commissioner.

(b) A reserve officer may exercise the powers of a police officer only while on duty, while acting under an assignment of the Department, while responding to an emergency, or as otherwise expressly authorized in writing by the Commissioner.

(c) A reserve officer is subject to the command structure, policies, disciplinary rules, training requirements, and operational control of the Virgin Islands Police Department.

(d) A reserve officer may not use the officer's status to engage in private security work, any other employment, political activity in uniform, or any law enforcement action outside the scope of Department authorization.

§1165. Service requirements

(a) To maintain active status, a reserve officer shall work a minimum of 24 hours per quarter, totaling not less than 96 hours annually.

(b) The required hours may include approved training, administrative assignments, field operations, special events, emergency response, and technical support functions.

(c) Unless excused good cause by the Commissioner, failure to meet the minimum service hours may result in inactive status, suspension, nonrenewal, or revocation of reserve officer status.

§1166. Firearm qualification and training

(a) In accordance with Virgin Islands Police Department standards, a reserve officer authorized to carry a Department-issued or Department-approved firearm shall qualify annually, or more frequently, if required by Department policy.

(b) A reserve officer may not carry a firearm or exercise police powers unless the officer is current in all firearm, use-of-force, and mandatory training requirements.

(c) The Commissioner may require reserve officers to participate in continuing education, refresher training, emergency response training, legal updates, or any additional training necessary to maintain readiness and compliance with Department policy.

§1167. Compensation and benefits

(a) A reserve officer must be compensated for approved duty hours at a rate not less than the minimum rate provided by law for members of the police auxiliary, unless the officer has agreed in writing to serve as a volunteer for a specific assignment.

(b) A reserve officer may receive reimbursement for approved training, travel, equipment, or duty-related expenses, subject to appropriation and Department policy.

(c) A reserve officer is eligible for workers' compensation coverage for injury or death arising out of and in the course of approved duties to the same extent provided by law for similarly situated Government personnel or auxiliary officers.

(d) Service as a reserve officer may not be construed as full-time employment and does not create eligibility for annual leave, sick leave, overtime, holiday pay, health insurance, group life insurance, paid administrative leave, longevity pay, salary step increases, classified service status, tenure, civil service preference, collective bargaining unit status, or additional Government Employees Retirement System service credit.

(e) A retired Government employee or former law enforcement officer serving as a reserve officer does not forfeit, suspend, reduce, or increase any existing Government Employees Retirement System annuity solely by serving in the Police Reserve Unit.

(f) This section applies only to reserve officers appointed under this subchapter.

§1168. Liability and legal protections

(a) A reserve officer acting within the scope of an approved Department assignment is afforded the same legal protections and liability coverage provided by law to a Virgin Islands Police Department officer acting within the scope of official duties.

(b) This section does not provide legal protection or liability coverage for acts outside the scope of Department authorization, acts of willful misconduct, private security work, or acts performed while the reserve officer is not on approved duty or otherwise authorized to act.

§1169. Oversight and administration

(a) The Commissioner shall develop policies, procedures, and appointment protocols for the Police Reserve Unit. The policies and procedures must include:

(1) recruitment and application requirements;

(2) appointment, renewal, suspension, inactive status, and revocation procedures;

(3) training and certification tracking;

(4) assignment and supervision procedures;

(5) timekeeping and service-hour documentation;

(6) standards for uniforms, identification, equipment, and vehicles;

(7) standards for discipline, complaints, use of force review, and reporting; and

(8) restrictions on outside employment and unauthorized law enforcement activity.

(b) The Commissioner may designate a Reserve Program Coordinator to manage the day-to-day administration of the Unit.

§1170. Annual reporting

(a) Not later than March 31 of each year, the Commissioner shall submit an annual report to the President of the Legislature of the Virgin Islands on the operations of the Police Reserve Unit for the preceding calendar year. The report must include:

(1) the number of active, inactive, newly appointed, renewed, suspended, and separated reserve officers;

(2) total duty hours worked, by category of assignment;

(3) training and firearm qualification compliance;

(4) expenditures for compensation, equipment, training, workers' compensation claims, and administration;

(5) operational benefits, staffing support, and deployment uses;

(6) complaints, disciplinary actions, use-of-force incidents, and liability claims involving reserve officers, to the extent disclosure is permitted by law; and

(7) recommendations for statutory, budgetary, or policy changes."

SECTION 2. Title 23 Virgin Islands Code, chapter 15, section 1157 is amended by designating the existing language as subsection (a) and adding the following subsection (b):

"(b) If an auxiliary officer seeks appointment as a reserve officer under 23 V.I.C., chapter 13, subchapter. II, the officer must independently satisfy the eligibility, appointment, certification, training, and service requirements provided for in that subchapter."

BILL SUMMARY

This bill amends title 23 Virgin Islands Code, chapter 13 by designating the existing sections as subchapter I and adding subchapter II establishing the Police Reserve Unit within the Virgin Islands Police Department. The bill provides eligibility requirements for reserve officers, the types of assignment the reserve officer may perform, the requirements for maintaining reserve officer status, firearm and other training requirements, compensation and benefits entitlements, liability protections for reserve officers, and it authorizes the Commissioner of the Virgin Islands Police Department to implement policies to administer the Police Reserve Unit. The bill also amends 23 V.I.C., §1167 authorizing auxiliary officer to perform reserve officer duties.

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