

ACT NO. 8986

BILL NO. 36-0005

THIRTY-SIXTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2025

An act amending title 16 Virgin Islands Code, chapter 2, section 99, establishing certain conditions for bail in domestic violence cases

---0---

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 16 Virgin Islands Code, chapter 2, section 99 is amended as follows:

(a) subsection (b):

(1) in paragraphs (1), (2) and (3) by striking “with no 10% provision” and inserting “however, bail must be determined based on the defendant’s risk to the victim and the community and fully secured where there is clear and convincing evidence of a threat to the victim or likelihood of flight” after “harm;” in each paragraph respectively; and

(2) by inserting the following paragraph (4):

“(4) If the underlying crime has a higher bail amount than the amount in subsection (b) of this section, the higher bail amount shall apply.”

(b) subsection (c) is amended by inserting the following after “forthwith.”: “If the People can prove by clear and convincing evidence that the defendant contacted the victim in violation of a protective order, the defendant shall be remanded to custody and bail shall be reconsidered based on the severity of the violation. The court may consider alternative non-monetary conditions, such as electronic monitoring, house arrest, or mandatory check-ins where the defendant demonstrates financial hardship, provided these measures sufficiently protect the victim. The court shall also consider risk assessments, victim statements, and law enforcement recommendations when setting bail or release conditions to ensure protection of victims while upholding constitutional protections. To be released, the defendant must demonstrate to the Court that he is not a danger to the victim.”

(c) subsection (e) is amended by inserting the following after “center.”: “Appropriate treatment options include a certified Partner Abuse Intervention Program.” The court may require the defendant to complete a domestic violence intervention program from a court approved provider.

Thus passed by the Legislature of the Virgin Islands on June 4, 2025.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 5th day of June,
A.D., 2025.



A handwritten signature in blue ink, appearing to read "Milton E. Potter".

Milton E. Potter
President

A handwritten signature in blue ink, appearing to read "Avery L. Lewis".

Avery L. Lewis
Secretary



Bill No. 36- 0005 is hereby approved.

**Witness my hand and the Seal of the Government of
the United States Virgin Islands at Charlotte Amalie,
St. Thomas, this 13th day of June, 2025 A.D.**

A handwritten signature in blue ink, consisting of stylized loops and a long horizontal stroke extending to the right.

**Albert Bryan Jr.
Governor**