

DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 2008-158
	)	
THE TERRITORY OF THE VIRGIN	)	
ISLANDS, and VIRGIN ISLANDS POLICE	)	
DEPARTMENT,	)	
	)	
Defendants.	)	

---

**ATTORNEYS:**

Je Yon Jung, Esq.  
Marina Mazor, Esq.  
Thomas Jackson Morse, Esq.  
Ronald Sharpe, United States Attorney  
Joycelyn Hewlett, AUSA  
United States Department of Justice  
Washington, D.C.  
*For the plaintiff,*

**Carol Thomas-Jacobs, AAG**  
Virgin Islands Department of Justice  
St. Thomas, U.S.V.I.  
*For the defendants.*

**ORDER**

**GÓMEZ, J.**

Before the Court is the Consent Decree in this matter. The Consent Decree currently in place requires submission of quarterly monitor's reports. The timing of those reports currently makes it difficult for the Independent Monitoring Team (the "monitor") to include progress made at the end of each quarter. The Court realizes that this may present some

*United States v. Territory of the Virgin Islands, et al.*  
Civil No. 2008-158  
Order  
Page 2

difficulty for the parties at the hearings held to determine the amount of progress made each quarter. The parties, in consultation with the monitor, have moved this Court to amend the Consent Decree in order to facilitate the preparation of a more accurate and complete report at the end of each quarter.

The premises considered, it is hereby

**ORDERED** that the Consent Decree, as amended by this Court's May 22, 2014, order is hereby further **AMENDED** to include a new Paragraph, to be numbered Paragraph 105, which shall read as follows:

On a quarterly basis, the Virgin Islands Police Department shall select at least two (2) subject areas (e.g. training and citizen complaint process) of the Consent Decree in which the Virgin Islands Police Department believes it can achieve substantial compliance. The subject areas chosen shall be designated as the Virgin Islands Police Department's "quarterly goals." Such goals must be reviewed and accepted by the Court. Upon the Court's acceptance, the Virgin Islands shall be obligated to complete the quarterly goals by the end of the quarter.

The quarters shall end on the first Friday of May, August, November, and February of each calendar year. The proposed quarterly goals shall be submitted to the Court no later than ten (10) weeks before the end of the quarter in which those goals are to be accomplished.

The Monitor's quarterly report, as required by Paragraph 96, shall address progress made towards achievement of the quarterly goals for the quarter that has ended. Each party shall also file a report regarding the progress made towards the achievement of quarterly goals for

*United States v. Territory of the Virgin Islands, et al.*  
Civil No. 2008-158  
Order  
Page 2

the quarter that has ended by the third Friday of May, August, November, and February.

An evidentiary hearing shall be held on the fourth Thursday of May, August, November, and February unless otherwise ordered by the Court. At the hearing, the parties shall be prepared to present such testimony and evidence as are necessary to apprise the Court fully of the status of the Consent Decree.

The failure of the Virgin Islands to achieve quarterly goals accepted by the Court may result in a finding of contempt.

It is further **ORDERED** that Paragraph 96 of the Consent Decree shall be **AMENDED** to read as follows:

The Monitor shall issue quarterly written, public reports detailing the Territory of the Virgin Islands' compliance with and implementation of each substantive provision of this Agreement. These reports shall be written with due regard for the privacy interests of individual officers and the interest of the Territory and the VIPD in protecting against disclosure of nonpublic information. On the first Friday of May, August, November, and February, the Monitor shall provide a copy of the draft Monitor's quarterly report for the quarter that has just ended to the parties for input as to whether any factual errors were made or whether any sensitive data or non-public information is disclosed. The parties must provide such input within one calendar week. The Monitor shall consider the parties' responses and make appropriate changes, if any, before issuing the report. The final quarterly report shall be filed by no later than the third Friday of May, August, November, or February. The Monitor may testify in this case regarding any matter relating to the implementation, enforcement or dissolution of this Agreement.

*United States v. Territory of the Virgin Islands, et al.*  
Civil No. 2008-158  
Order  
Page 2

It is further **ORDERED** that Paragraph 98 of the Consent Decree shall be **AMENDED** to read as follows:

Beginning April 7, 2010, and no later than every quarter thereafter until this Agreement is terminated, the VIPD shall file with the Monitor and Virgin Islands Attorney General's Office, with a copy to the DOJ, a status report delineating the steps taken by the VIPD during the reporting period to comply with each provision of this agreement. The VIPD's quarterly status report shall be filed on the first Friday of May, August, November, and February. The VIPD shall also file such a report documenting the steps taken to comply with each provision of this Agreement during the term of this Agreement 120 days before the end of the Agreement's term.

S\ \_\_\_\_\_  
CURTIS V. GÓMEZ  
District Judge