

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:08-cv-00158
)	
THE TERRITORY OF THE VIRGIN ISLANDS)	
and the VIRGIN ISLANDS POLICE)	
DEPARTMENT,)	
)	
Defendants.)	
_____)	

ORDER

BEFORE THE COURT is the Consent Decree in this matter between the United States of America and the Territory of the Virgin Islands and the Virgin Islands Police Department ("VIPD"). (ECF No. 3.)¹

In 2008, the United States of America filed this action against the Territory of the Virgin Islands and the VIPD pursuant to the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141. Thereafter, in March 2009, the Court approved the Consent Decree in this matter. (ECF No. 3.) In the Consent Decree, the VIPD agreed to implement comprehensive reforms to ensure that the VIPD delivers constitutional, effective policing services that promote public safety and police integrity. The Consent Decree requires monitoring by an Independent Monitor.

Recently, the Court has been informed that the current Independent Monitor is no longer able to continue his duties monitoring and reporting on the VIPD's implementation of the Consent Decree in this matter. Significantly, the Consent Decree provides for the selection of an Independent Monitor in paragraph 82. *See* Consent Decree at 20, ECF No. 3. Given the stage of the proceedings and the importance of the Independent Monitor's input

¹ The Court has amended the Consent Decree in this matter eight times. Those amendments can be found in orders entered on June 29, 2010, November 2, 2012, December 13, 2012, February 21, 2013, March 12, 2013, May 22, 2014, August 21, 2015, and October 29, 2020. (ECF Nos. 9, 61, 62, 66, 67, 97, 165, and 480.)

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towards the resolution of this matter, the Court would find the position of the parties on the identification and selection of a new Independent Monitor instructive.

The premises considered, it is hereby

ORDERED that, in light of information that the current Independent Monitor is no longer able to continue in his position, the parties shall each file a brief addressing their positions regarding the identification and selection of a new Independent Monitor by no later than March 24, 2021. Additionally, given the stage of these proceedings, to the extent the parties propose changing the composition of the independent monitoring team, the parties shall specifically address the effect of any interruption to the progress in this matter that may be occasioned by such changes.

Date: March 19, 2021

/s/ Robert A. Molloy
ROBERT A. MOLLOY
District Judge