

Veto This Bill: The Public Deserves to Know What Was Passed

By Kosei ("Ko-Say") Ohno

The most disturbing part of the Legislature's half-day firearm session is not only that Amendment 36-364 was rushed through without meaningful public review. It is that, even after the vote, many Virgin Islanders still do not know exactly what the Senate passed.

That is not transparency. That is not democracy. That is government by ambush.

A sweeping rewrite of the Territory's firearm laws and criminal code should never be handled this way. Residents, citizens, and stakeholders were asked to testify on a bill they were not allowed to see. The public had no fair opportunity to study the text, understand the consequences, or compare it to constitutional alternatives. Yet the Police Department and government lawyers had access. The people being regulated were kept in the dark, while the agencies being sued helped shape the rules. That is like letting an agency accused of violating civil rights grade its own homework, rewrite the test, and hide the answer key from the public.

What was the rush? There was no public emergency requiring Chapter 5 to be overhauled overnight. If the bill is constitutional, fair, and necessary, why hide it? If VIPD's licensing system is lawful and timely, it should not fear discovery in court.

The U.S. Virgin Islands has its own history, culture, and local self-government. But Virgin Islanders are not second-class citizens when it comes to the Bill of Rights. The Second Amendment, part of the Bill of Rights, commands: "...the right of the people to keep and bear Arms, shall not be infringed." That applies here. So does due process.

Due process requires fair, clear procedures before government can deprive people of liberty or property. A firearm license tied to a constitutional right is not a government favor. Vague sensitive-place traps, broad discretion, and forcing citizens to hire lawyers simply to make VIPD act raise due-process concerns as well.

This approach does not solve violent crime. Criminals do not register firearms, provide fingerprints, buy safes, pay fees, take classes, and wait months or years for VIPD approval. It burdens law-abiding citizens: fathers, single mothers, waitresses, small-business owners, homeowners, veterans, retirees, and licensed citizens trying to follow the law.

Worse, it creates traps. Expanding "sensitive places" without real security protocols does not make people safer. Declaring more places off limits without controlled entrances, metal detectors, security, or funding is not public safety. Words on paper and signs do not stop criminals; they disarm the person willing to obey.

Almost every concern Senators raised had already been addressed in VISGO Amendment A35, available to lawmakers and the public on VISGO340.org for months.

Senator Carla Joseph asked what happens if VIPD fails to issue a permit on time. The government's practical answer was: go pay for a lawyer and file a lawsuit. A35 provides a real answer: a hard deadline, and if VIPD does not act, the application is deemed approved. Rights should not depend on whether a citizen can afford to sue the government.

Senator Heyliger asked how citizens are supposed to protect their hearing if suppressors are banned outright. A35 allows federally lawful NFA items through an enhanced background-check process.

Senator James noted that even a \$400 firearm may be difficult for a working Virgin Islander to afford. Yet this bill preserves excessive costs: license fees, registration fees, safes or lock boxes, and recurring training. A35

reduces the burden to \$25 for a five-year license and removes unnecessary recurring recertification. We do not charge citizens \$150 every time they exercise their right to speak. The Second Amendment deserves the same respect as the First.

The Attorney General previously assured the public that Bill 36-0144 was constitutional. That assurance was wrong then. Repeating it now, while admitting the government had not prepared the historical analysis required to defend new firearm restrictions under the Supreme Court's standard, is not enough. Passing first and researching later is not responsible governing.

This is especially dangerous because the Territory depends on roughly \$20 billion-plus in federal recovery and reconstruction support, while the federal government is already challenging VIPD's firearm practices. The Virgin Islands should not invite deeper conflict with the same United States government helping fund our recovery, schools, hospitals, roads, and infrastructure.

At a time when residents struggle with basic public services, including keeping the lights on, government should not waste money defending avoidable constitutional mistakes.

Governor Bryan should veto this bill. Before any firearm overhaul becomes law, the final text should be published, the public should review it, and witnesses should testify on what is actually being voted on. The Legislature should start over with Amendment A35 or a similar constitutionally drafted bill.

Public safety and constitutional rights can coexist. But secret bills, rushed votes, and unconstitutional shortcuts serve neither.

Kosei ('Ko-Say') Ohno is founder/lead of Virgin Islands Safe Gun Owners (VISGO) and President and owner of Crown Bay Marina in St. Thomas, which has been engaged in the Virgin Islands community since 1998. He also leads Project Bleachers, a community initiative to restore public recreational facilities and create safe, supervised spaces for youth, families, mentorship, recreation, and positive alternatives to violence. He earned a B.S. in Business Administration from the University of Southern California's Marshall School of Business and previously worked as a real-estate investment banker with Salomon Brothers Inc and Lehman Brothers advising clients across the country.