

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE GOVERNMENT OF THE VIRGIN ISLANDS, THE VIRGIN ISLANDS POLICE DEPARTMENT, AND MARIO BROOKS, in his official capacity as Police Commissioner of the territory of the Virgin Islands,

Defendants.

Case No. 3:2025-CV-50

FIRST SUPPLEMENTAL AND AMENDED COMPLAINT

Pursuant to the Court's August 21, 2026, Order [ECF 83], Plaintiff submits the following First Supplemental and Amended Complaint against Defendants the Government of the Virgin Islands, the Virgin Islands Police Department (VIPD), and Mario Brooks (the Commissioner or Commissioner Brooks), in his official capacity as Police Commissioner of the United States Virgin Islands (collectively Defendants).

INTRODUCTION

1. The United States brought this action on December 16, 2025, alleging that VIPD and Commissioner Brooks engaged in a pattern or practice of conduct that deprived individuals of their Second Amendment rights in violation of 34 U.S.C. § 12601 (Section 12601).
2. Specifically, in its original complaint, Plaintiff alleged that Defendants were imposing unreasonable delays in issuing firearms licenses, requiring firearms license applicants to install a home safe, requiring firearms license applicants to consent to warrantless searches of their homes,

and requiring firearms license applicants to provide a “proper reason” for obtaining a firearms license beyond a general need for self-defense.

3. The original complaint was correct.

4. In discovery responses and Commissioner Brook’s own declaration, Defendants admit that VIPD engaged in a pattern or practice of conduct that violated persons’ constitutional rights.

5. After Plaintiff filed the original complaint, Plaintiff uncovered additional constitutional violations.

6. On June 25, 2026, the U.S. Virgin Islands (USVI) enacted Act No. 9113, the “2026 Second Amendment Rights and Public Safety Act” which amended USVI’s firearms statutes.

7. Act No. 9113 imposes numerous restrictions and requirements on law-abiding gun owners, the enforcement of which, as described below, causes a pattern or practice of conduct by VIPD law enforcement officers that deprives law-abiding gun owners of their Second Amendment rights.

8. Section 12601 makes it unlawful for law enforcement officers to engage in a “pattern or practice of conduct” that deprives persons of their constitutional rights. 34 U.S.C. § 12601(a).

9. If the United States has “reasonable cause” to believe that such a pattern or practice of conduct has occurred, it may seek “appropriate equitable and declaratory relief.” 34 U.S.C. § 12601(b).

10. The past existence of the pattern or practice of conduct that deprives persons of their constitutional rights establishes the violation of Section 12601.

11. Once that pattern or practice is established, the defendant is liable. This is true even if the law enforcement agency promises to stop violating citizens’ rights.

12. The whole point of Section 12601 is to give the United States authority to address past systemic patterns or practices of law enforcement misconduct. H.R. Rep. No. 102–242, 102nd

Cong., 1st Sess. at 137. Defendants would be able to make a mockery of Section 12601 if they could avoid liability merely by forswearing the violation of constitutional rights once they are caught.

13. Recently, the United States learned that VIPD's pattern or practice of unlawful conduct goes back literally decades to at least 2004 when they began arbitrarily enforcing firearms restrictions with absolutely no statutory authority to do so. USVI law enforcement officers have violated the Second Amendment rights of the long-suffering citizens of the Territory for far too long, and the United States brings this action to vindicate those rights.

PARTIES

14. Plaintiff is the United States of America.

15. Defendant Government of the Virgin Islands is a governmental body existing pursuant to the Revised Organic Act of 1954.

16. Defendant Government of the Virgin Islands is a governmental authority within the meaning of that term in Section 12601.

17. Defendant VIPD is the chief law enforcement agency in USVI.

18. Defendant Mario Brooks is the Commissioner of the United States Virgin Islands Police Department, and he has held that position since on or about January 23, 2025. In his capacity as the Commissioner of VIPD, Defendant Brooks is the official responsible for issuing firearms licenses and registration certificates to qualified applicants.

JURISDICTION AND VENUE

19. This Court has jurisdiction over this action under 48 U.S.C. § 1612(a) and 28 U.S.C. §§ 1331, 1343(a)(3), and 1345.

20. The United States is authorized to initiate this action against Defendants and seek equitable relief under the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601(b).

21. Venue is proper in the District of Virgin Islands pursuant to 28 U.S.C. § 1391(b)(1)-(2) because all Defendants are located in and carry out their operations primarily in the District of Virgin Islands, and the events or omissions giving rise to this claim, including the processing of applications for licenses to carry a firearm, occurred within the District of the Virgin Islands.

GENERAL ALLEGATIONS

A. The Application Process.

22. In the USVI, mere possession of a firearm, whether openly or concealed, including in the home for self-defense, is a crime unless authorized by law. *See* 14 V.I.C. § 2253(a); 23 V.I.C. § 452(a). (Unless otherwise noted, all citations to USVI statutes are to the current versions as amended on June 24, 2026, by Act No. 9113.)

23. Under 23 V.I.C. § 453(c), persons who have a valid registration certificate for a particular firearm and a valid firearms license issued under the licensing regime set forth in 23 V.I.C. §§ 453-460 are, for any firearm for which they possess a valid registration certificate, authorized to possess or carry such firearm, subject to various restrictions based on location and circumstances. 23 V.I.C. §§ 452(a); 453(f), (h), (i). Any valid firearms license the Commissioner issued prior to the enactment of Act No. 9113 serves as both a Virgin Islands Firearms License and a registration certificate until the date of expiration shown on the license. 23 V.I.C. § 452(b).

24. A valid firearms license does not permit an individual to carry a firearm openly in public or carry a “longarm firearm” as defined in 23 V.I.C. § 451(s) in public in any manner. 23 V.I.C. § 453(i).

25. Commissioner Brooks supervises VIPD. *See* 23 V.I.C. § 2(a). He discharges his official

duties individually and through the VIPD officers who assist him in the performance of those duties. *See* 3 V.I.C. § 257 (a)(3) and 23 V.I.C. § 8(a).

26. Commissioner Brooks is statutorily charged with the authority and duty to issue firearms licenses and registration certificates. 23 V.I.C. §§ 454-456, 459. Therefore, Defendant Brooks' official duties include accepting applications from, and issuing firearms licenses and registration certificates to, individuals who satisfy applicable statutory eligibility requirements.

27. A firearms license is valid for no more than five years after the date of initial issuance or renewal. 23 V.I.C. § 457(a). Registration certificates are valid indefinitely.

28. Anyone "who owns, possesses, or acquires a firearm" is responsible for the "safe storage" of the firearm, which means that the firearm is stored in a locked manner to prevent discharge or in a safe location that is inaccessible to all except the licensed owner of the firearm. 23 V.I.C. § 489a(a), (d). Applicants for a firearms license or a registration certificate must certify under oath that they will comply with these safe storage requirements. 23 V.I.C. §§ 455(a)(8), 459(a)(7).

29. Possessing, transporting, or carrying a firearm without a registration certificate for the firearm and a firearms license is an offense subjecting an individual to a term of imprisonment of not less than ten years, and/or a fine not less than \$10,000 nor more than \$15,000. 14 V.I.C. § 2253(a).

30. The first step for an individual seeking a firearms license is to complete and file an application with VIPD.

31. Following the filing of a firearms license application, VIPD reviews the application and investigates the applicant. 23 V.I.C. § 456(a), (d)(1).

B. Manifestations of Pattern or Practice of Law Enforcement Misconduct.

32. For literally decades VIPD law enforcement officers have engaged in a pattern or practice

of conduct that deprived the citizens of the USVI of their constitutional rights. Upon information and belief, individuals whom VIPD previously deprived of their rights continued to suffer those deprivations. That pattern or practice of conduct has manifested itself in many ways over the years, including the following:

1. Safe Installation Requirement.

33. Absent any legal authority, VIPD required applicants for firearms licenses to install a safe that was permanently bolted to their home's structure. VIPD required that each applicant have his or her own safe even if they shared a home with another applicant (as in the case of married couples).

34. VIPD's enforcement of its unilateral and arbitrary safe installation condition is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

2. Unconstitutional Home Searches.

35. For years, VIPD imposed a mandatory inspection of applicants' homes. VIPD never established probable cause to suspect any wrongdoing by applicants prior to any of these searches. If an applicant did not consent to the home inspection, VIPD refused to process the application. Thus, VIPD required firearms license applicants to consent to a violation of their Fourth Amendment rights as a condition of exercising their Second Amendment rights.

36. VIPD took several months to a year to schedule and complete such home inspections. As a practical matter, this meant applicants would have to wait several months to a year to receive a firearms license.

37. VIPD's enforcement of its unilateral and arbitrary home search condition is part of its pattern or practice of conduct that deprived individuals of their Second Amendment and Fourth Amendment rights.

3. Arbitrary Application Denials.

38. VIPD denies firearms licenses to otherwise qualified applicants whenever it deems that the applicant has “too many” firearms.

39. VIPD’s enforcement of its unilateral and arbitrary firearms limit is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

4. Unreasonable Delays in Issuing Licenses.

40. VIPD has routinely taken many months and often up to a year to issue a firearms license after receiving an application. This is an abusive licensing practice.

41. VIPD’s abusive licensing practice is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

5. Imposition of Proper Cause Requirement.

42. As used herein, the term “Proper Cause Requirement” means the requirement that a firearms license applicant shall have “established to the satisfaction of the Commissioner that he has good reason to fear death or great injury to his person or property, or . . . any other proper reason for carrying a firearm . . .” 23 V.I.C. § 454(3) (prior to amendment by Act No. 9113).

43. For years, USVI law enforcement officers imposed the Proper Cause Requirement on firearms license applications.

44. This pattern or practice of law enforcement conduct continued even after the Supreme Court’s decision in *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022).

45. Defendants claim they have stopped imposing the Proper Cause Requirement, but they have steadfastly refused to produce evidence that would allow Plaintiff to independently verify that claim.

46. Defendants claim that the mere fact that the Proper Cause Requirement no longer appears

in USVI statute necessarily means the Commissioner has stopped imposing it. Sadly, history has proven in many instances that whether the USVI firearms application statute contains a regulation is of little consequence to the Commissioner. As discussed below, many times VIPD has unilaterally imposed firearms regulations that did not appear in any statute.

47. VIPD's imposition of the Proper Cause Requirement is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

6. Arbitrary Imposition of Extra-Textual Firearms Regulations.

48. For many years, VIPD arbitrarily imposed firearms regulations that have no grounding in federal or territorial statute.

49. For example, on August 13, 2026, VIPD admitted that for decades it enforced the firearms and magazine capacity restrictions that were contained in the Federal Assault Weapons Ban of 1994 even after that statute expired in 2004.

50. For years, VIPD unilaterally imposed restrictions on the types of firearms the citizens of the USVI could possess even though such restrictions did not appear in any territorial or federal statute. VIPD's unilateral imposition of restrictions on the types of firearms the citizens of the USVI could possess is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

51. For years, VIPD unilaterally imposed restrictions on the capacity of firearms magazines possessed by the citizens of the USVI even though such restrictions did not appear in any territorial or federal statute.

52. VIPD unilaterally restricted individuals from possessing magazines with a capacity in excess of ten rounds.

53. VIPD's unilateral imposition of a restriction on magazines with a capacity greater than ten

rounds is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

54. VIPD's unilateral imposition of *any* firearms regulation that is not authorized by statute is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

55. Given VIPD's long history of disregarding its statutory authority (or lack thereof), even if every provision of the USVI firearms statute were constitutional (this is not the case) it would not remedy the actual pattern or practice of law enforcement misconduct. By definition, a statute cannot remedy law enforcement misconduct that manifests itself as a disregard of statutes.

7. Ban on Public Carry of Firearms.

56. One of *Bruen*'s central holdings is that the Second Amendment protects a "general right to *publicly carry arms* for self-defense." *Id.*, 597 U.S. at 31 (emphasis added).

57. For years, even when VIPD issued licenses it would restrict the licenses to particular locations such as "home protection" or "business protection." Thus, even persons who had demonstrated that they are law-abiding citizens by completing the application process were denied the right to public carry.

58. VIPD's enforcement of its restrictions on public carry is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

8. Complete Suspension of Issuing All Licenses.

59. On March 20, 2026, VIPD advised the public that it would only be accepting firearms license applications and that "all other services" were "suspended."

60. One of services that was suspended was issuing firearms licenses.

61. For weeks after March 20, 2026, VIPD did not issue firearms licenses.

62. VIPD blamed this disruption on “technical difficulties.”

63. But rather than issuing temporary or provisional licenses while these difficulties continued, VIPD simply stopped performing its constitutional duty to issue licenses altogether.

64. VIPD’s weeks-long complete suspension of the issuance of firearms licenses is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

9. VIPD Is Enforcing the Unconstitutional Provisions of Act No. 9113.

65. On June 12, 2026, the Virgin Islands territorial legislature held a session to consider the bill that would become Act No. 9113.

66. A video recording of the June 12, 2026, session is available at <https://www.youtube.com/live/FEHh-9ExKsU>.

67. On or about June 12, 2026, Sean Santos, Sr., Assistant Police Commissioner of the VIPD, testified regarding the bill that would become Act 9113.

68. Mr. Santos testified that “the Virgin Islands Police Department wholeheartedly agrees” with the provisions of Act 9113.

69. Mr. Santos testified that VIPD would use the provisions of Act 9113 as “guidelines” for VIPD’s law enforcement conduct.

70. On information and belief, Mr. Santos kept his pledge, and VIPD has in fact used the provisions of Act 9113 as “guidelines” for VIPD’s law enforcement conduct.

71. Act 9113 was effective on June 24, 2026.

72. On information and belief, since June 24, 2026, VIPD has engaged in a pattern or practice of conduct of enforcing the provisions of Act 9113.

73. VIPD has never disavowed enforcement of any provision of Act 9113.

74. The Third Circuit issued its decision in *Ass’n of New Jersey Rifle & Pistol Clubs, Inc. v.*

Att’y Gen. New Jersey, 183 F.4th 211 (3d Cir. 2026) (*Cheeseman*) on July 17, 2026.

75. In *Cheeseman*, the court considered a New Jersey statute that “impose[d] a de facto ban on magazines holding more than 15 rounds.” *Id.*, 183 F.4th at 249. The court held the ban “violate[s] the Second Amendment.” *Id.*, 183 F.4th at 250.

76. In the month of July 2026, Act No. 9113 banned the possession of magazines that can hold more than 15 rounds. 23 V.I.C. §§ 451(q), 493(a).

77. As of July 17, 2026, Defendants knew this ban violated the Second Amendment.

78. VIPD never disavowed enforcement of the unconstitutional magazine ban.

79. This is just one example of an unconstitutional provision of Act No. 9113 that VIPD enforced. As set forth below, there are more.

10. Restrictions on Constitutionally Protected Firearms.

80. Act No. 9113 prohibits individuals from selling or transferring any firearm manufactured to hold more than 15 rounds. This restriction covers constitutionally protected firearms such as AR-15-style rifles. *See Cheeseman*, 183 F.4th at 242 (holding that semi-automatic rifles like the AR-15 are “plainly in common use” for lawful purposes and therefore constitutionally protected).

81. “Common sense dictates that the right to bear arms [includes] a right to acquire arms, just as the right to free press necessarily includes the right to acquire a printing press, or the right to freely practice religion [includes] a right to acquire a sacred text.” *Ortega v. Grisham*, 148 F.4th 1134, 1143 (10th Cir. 2025). Therefore, such an onerous restriction on the private sale or transfer of a constitutionally protected firearm is itself unconstitutional.

82. VIPD’s enforcement of such restrictions on selling or transferring constitutionally protected firearms is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

11. Banning Constitutionally Protected Magazines.

83. Act No. 9113 bans possession of standard capacity firearm magazines that can hold more than 15 rounds. 23 V.I.C. §§ 451(q), 493(a).

84. Many constitutionally protected firearms, such as AR-15-style rifles, come standard with magazines that can hold more than 15 rounds. *Cheeseman*, 183 F.4th at 250.

85. A ban on such magazines is unconstitutional. *Id.*

86. Even after the enactment of Act No. 9113, VIPD continued to impose a restriction on the possession of magazines with a capacity greater than *ten* rounds (i.e., even less capacity than the unconstitutional statute).

87. VIPD's enforcement of the ban on standard capacity magazines that can hold more than ten rounds or fifteen rounds, as the case may be, is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

88. USVI's legislative process is not transparent and sometimes it can be difficult to be sure what the legislature is doing or has done until days after the action is complete. On information and belief, the USVI legislature has passed a bill and sent it to the governor that would amend USVI's magazine ban. Plaintiff has not had an opportunity to review the final bill, but on information and belief, the purpose of the bill is to attempt to bring the ban into compliance with *Cheeseman*. Plaintiff takes no position at this time regarding whether the legislature succeeded. Even if the text of the bill complies with *Cheeseman*, it will not remedy the pattern or practice of misconduct by the VIPD. For years, VIPD imposed its own magazine ban without statutory authority. Even after the enactment of Act No. 9113, VIPD imposed a magazine ban stricter than the ban set forth in Act No. 9113.

89. For years, VIPD has engaged in a pattern or practice of disregarding its statutory authority

(or lack thereof).

90. VIPD's disregard of its statutory authority (or lack thereof) to issue firearms regulations is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

12. Banning Suppressors.

91. Act No. 9113 prohibits possessing a "firearm silencer," which "means any device, instrument, or attachment for silencing, suppressing, muffling, or diminishing the noise of the firing of any firearm, including the frame or receiver of any such device, and any part intended for use in assembling or fabricating such device." 23 V.I.C. §§ 492(a); 451(m).

92. The right to keep and bear "arms" under the Second Amendment encompasses the right to possess firearm silencers, which perform "critical functions that make firearms both safer and more effective for their core lawful purpose of self-defense." *United States v. Comeaux*, 179 F.4th 297, 301 (5th Cir. 2026). Accordingly, under the *Bruen* two-step test, firearm silencers are presumptively constitutionally protected, and Defendants have the burden to prove that categorical bans on silencers are "consistent with this Nation's historical tradition of firearm regulation." *See Bruen*, 597 U.S. at 17. Defendants cannot satisfy that burden.

93. On information and belief, the USVI legislature has passed a bill that attempts to correct this unlawful provision of its statute. Given VIPD's long history of disregarding its statutory authority (or lack thereof), this does not necessarily remedy the actual pattern or practice of law enforcement misconduct with regard to suppressors.

94. VIPD's enforcement of the ban on suppressors is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

13. Creation of Second Amendment Exclusion Zones.

95. Act No. 9113 prohibits holders of firearms licenses from carrying their firearm “within an area designated by the Commissioner, or his designee, or other law enforcement agency” where a “demonstration in a public place is occurring.” 23 V.I.C. § 453(i)(6). The restricted area may be up to 1,000 feet from where the demonstration is. *Id.* A demonstration is “three or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances and has the effect, intent, or propensity to attract a crowd or onlookers.” 23 V.I.C. § 453(j)(1).

96. It is unconstitutional for VIPD to exercise its authority under 23 V.I.C. § 453(i)(6) to designate an area with a diameter of nearly half a mile as an area where the Second Amendment does not apply.

97. Act 9113 also gives VIPD authority to declare exclusions zones around “special events.” 23 V.I.C. § 453(i)(8).

98. VIPD’s enforcement of 23 V.I.C. § 453(i)(6) and (8) is part of its pattern or practice of conduct that deprived individuals of their Second Amendment rights.

14. Ban on Long Arms.

99. Act No. 9113 generally prohibits carrying a “longarm firearm,” which the statute defines as any firearm that is not a handgun. 23 V.I.C. § 453(i); § 451(s). This definition encompasses semi-automatic rifles, which are a “class of weapons in common use for lawful purposes” and therefore constitutionally protected. *Cheeseman*, 183 F.4th at 242.

100. Since “bans or broad prohibitions on ... carrying of a class of weapons in common use for lawful purposes fail to find support in our Nation’s tradition of firearm regulation,” Act No. 9113’s prohibition on carrying semi-automatic rifles violates the Second Amendment. *See* 183 F.4th at

242.

101. VIPD's enforcement of Act No. 9113's unconstitutional ban on carrying semi-automatic rifles is part of its pattern or practice of law enforcement conduct that deprives individuals of their Second Amendment rights.

15. Prohibition on Self-Defense Readiness.

102. Act No. 9113 requires "every person who owns, possesses, purchases, or acquires a firearm" to "secure or safely store their firearm," which means storing it "in a locked manner to prevent discharge or ... in a safe location that is inaccessible to all except the licensed owner of the firearm." 23 V.I.C. § 498a(b), (d).

103. To the extent 23 V.I.C. § 498a requires firearm owners to keep their firearms in a state where it is impossible to use them "for the purpose of immediate self-defense," it violates the Second Amendment. *See Heller*, 554 U.S. 570, 635 (2008).

104. This provision is part of VIPD's pattern or practice of law enforcement conduct that deprives individuals of their Second Amendment rights.

16. Unconstitutional Registration Requirement.

105. VIPD requires all firearms to be registered, and it maintains a registration system in which all firearms in the Territory are listed.

106. "Registration of all lawfully possessed guns—as *distinct from licensing of gun owners* or mandatory record-keeping by gun sellers—has not traditionally been required in the United States and even today remains highly unusual." *Heller v. D.C.*, 670 F.3d 1244, 1270 (D.C. Cir. 2011) (Kavanaugh, J., dissenting) (emphasis added). Under *Heller's* history and tradition-based test, USVI's registration requirement is therefore unconstitutional.

107. VIPD's enforcement of this registration requirement is part of VIPD's pattern or practice

of law enforcement conduct that deprives individuals of their Second Amendment rights.

C. Summary.

108. Plaintiff has described above several parts of VIPD’s pattern or practice of law enforcement conduct that deprived individuals of their constitutional rights. The aggregate of these parts (and such other parts of that pattern or practice of law enforcement misconduct Plaintiff subsequently discovers) shall be referred to collectively as “VIPD’s Pattern or Practice of Law Enforcement Conduct.” No one part of VIPD’s Pattern or Practice of Law Enforcement Conduct, standing alone, constitutes the pattern or practice of law enforcement misconduct that serves as the basis of this Section 12601 lawsuit. Furthermore, even if Defendants were to desist from one or more of the parts of VIPD’s Pattern or Practice of Law Enforcement Conduct, it would not change the fact that VIPD’s Pattern or Practice of Law Enforcement Conduct as a whole has existed for literally decades. Thus, Defendants would remain liable for equitable and declaratory relief.

109. Defendants have stated that Plaintiffs have brought a “facial” challenge to the USVI firearms licensing statute. This is not true. Plaintiff does not intend to bring a facial challenge to any statute and has not done so. Rather, the USVI’s official policy regarding firearms law is reflected in its statutes. *See Pembaur v. City of Cincinnati*, 475 U.S. 469, 480 (1986) (act of a “[legislative] body unquestionably constitutes an act of official government policy”). In *United States v. Cnty. of Maricopa*, 889 F.3d 648 (9th Cir. 2018), the court held that Section 12601 authorizes the United States to seek an injunction against “a governmental authority whose own official policy causes it to engage in a pattern or practice of conduct by law enforcement officers that deprives persons of federally protected rights.” *Id.* at 653 (citation and quotation marks omitted). *United States v. Town of Colorado City*, 935 F.3d 804 (9th Cir. 2019) made clear that Section 12601 authorizes the United States to seek relief when law enforcement officers “violate

constitutional rights—*whether or not those violations arose from an official policy.*” *Id.* at 810 (emphasis added). This Complaint alleges that VIPD law enforcement officers violated Section 12601 when they engaged in a pattern or practice of conduct that deprived citizens of the USVI of their constitutional rights when they enforced USVI’s official policies embodied in certain unconstitutional statutes.

PRAYER FOR RELIEF

WHEREFORE, the United States hereby prays that the Court grant the following relief:

- A. A declaration that VIPD’s Pattern or Practice of Law Enforcement Conduct deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States in violation of the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. §12601(a).
- B. Preliminary and Injunctive relief enjoining VIPD’s Pattern or Practice of Law Enforcement Conduct that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States in violation of the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. §12601(a).
- C. An award of all such additional relief as the interests of justice may require.

DATED: September 2, 2026

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