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Prosecutors Name More Participants in Fahie Cocaine Trafficking Conspiracy, Former Premier Could Face Life Sentence

Sentencing set for August 5, with prosecutors arguing for enhanced charges based on Fahie's central role

Crime / **Published On July 04, 2024 05:55 AM /**

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Former BVI Premier Andrew Fahie

Government prosecutors have filed their objection to Andrew Fahie's pre-sentencing report, claiming that the former premier of the British Virgin Islands was [a central figure](#) in the drug trafficking and money laundering conspiracy he was convicted for, rather than a bit player as he continues to claim. In doing so, prosecutors named several BVI officials – who were not charged as co-conspirators – as participating in the scheme.

Prosecutors argue that the court should include a 4-level aggravating role adjustment when considering a sentence for Fahie, calling him an “organizer or leader in criminal activity that involved five or more participants.” They claim that Fahie exercised decision-making authority in the scheme by approving the drug trafficking proposal in the first place, and later, when he instructed convicted co-conspirator Oleanvine Maynard and Roxane Sylvester, former Deputy Chair of the BVI Port Authority, to go to Miami to retrieve a purported \$500,000 payment that he was expecting.

The trip, prosecutors say, was ordered over the objections of Ms. Maynard. According to text messages between the two, she was reluctant to go because there would be nobody left in Tortola to sign documents. “Here, again, the defendant wielded his authority and directed Oleanvine Maynard’s international travel to Miami, Florida in furtherance of the cocaine importation scheme,” government prosecutors argue.

Indeed, it was Fahie who orchestrated the initial meeting with the Drug Enforcement Administration’s confidential source, prosecutors say. At that meeting, he accepted a \$20,000 bribe to “seal the arrangements,” according to the document filed on June 28. Additionally, by ordering Ms. Maynard and Ms. Sylvester out of a meeting with the DEA source shortly before he was arrested, Fahie established himself as the leader of the drug trafficking scheme.

Prosecutors also name former head of the BVI Customs Department Wade Smith as being roped into the conspiracy by Fahie. During a meeting between the former premier and the DEA source, the pair discussed how to “handle” customs officials, with Fahie promising to gain the co-operation of Smith. The next morning, prosecutors say Fahie and Smith spoke for approximately 10 minutes.

Another argument for placing Fahie at the head of the conspiracy to import cocaine into BVI waters is that the deal was structured in such a way that the former premier received the lion’s share of the proceeds. Twelve percent – approximately \$7 million after the cost of bribes was subtracted – of the sale of each shipment was supposed to go to Fahie, while Ms. Maynard was set to receive 5% and her son Kadeem Maynard was not allocated any share at all. If the scheme unfolded like Fahie had planned, with twice monthly shipments for four months, he stood to earn approximately \$56 million for letting the waters of the BVI be used as a safe harbor in the shipment of cocaine from Colombia through to Puerto Rico and onward to Miami and New York.

An additional accomplice, named only as “Tattoo” in the court documents, would serve as Fahie’s liaison to collect his payments at sea.

Fahie’s willingness to bribe officials and misuse his authority as premier to bend the bureaucracy of the territory to his will “further undermined the public’s trust in the BVI government,” prosecutors argue.

Apart from the three convicted in the drug trafficking scheme, prosecutors identified an additional four people as unindicted co-conspirators: Sylvester, Smith, an unnamed “handler” of Kadeem Maynard’s at the BVI airport, and a Senegalese contact of Fahie named Baye Cisse. Mr. Cisse was reportedly promised a cash payment of \$133,000 after encouraging Fahie to participate in the scheme when asked, while the handler reportedly provided Kadeem Maynard with the list of documentation that would be required for the DEA source’s plane to land in the BVI.

Prosecutors argue that the 4-level enhancement be added to the 2-level abuse of trust enhancement already included in the pre-sentencing report. The 2-level reduction for a clean prior record, however, should be removed, as the aggravating role adjustment makes Fahie ineligible for this

reduction.

If the court agrees with the prosecutors' assessment of Fahie's central leadership role in the conspiracy, it would calculate a total offense level of 43, which under federal sentencing guidelines makes Fahie eligible for a sentence of life imprisonment. However, the sentencing judge is not required to issue a sentence that falls within the guideline range.

After several adjournments, Fahie's sentencing is set to take place on August 5.

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