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# Johnson Says He Will File Court Action Against Martinez to Squeeze Information From Commissioner if Compliance Falters

**Senator Johnson says his ultimatum for transparency may prompt court action against VIPD commissioner if information is not forthcoming**

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**Senator Franklin Johnson** By. V.I. LEGISLATURE

In a December interview, Senator Franklin Johnson went on the record with Consortium journalists about his gripes with the perceived lack of responsiveness of VIPD top leadership to community concerns.

The sit-down came after lawmakers [expressed their extreme frustration](#) at the absence of any V.I. Police Department representative during a November meeting of the Committee on Homeland Security, Justice and Public Safety convened specifically to address public safety concerns on St. John.

Mr. Johnson's comments during that session drew ire from VIPD Commissioner Ray Martinez, who [insulted the lawmaker's intelligence](#) during a fiery interview with this publication. The commissioner claimed that the senator's November comment – "it looks like the cowards are the cops" – in reference to the commissioner's non-appearance at that committee hearing had done damage to the morale of the force.

Speaking just ahead of the holiday season, Mr. Johnson said he was not referring to rank and file police officers, but specifically to Mr. Martinez, who he says is ducking accountability by a pattern of failing to appear before the public safety committee. "The commissioner only showed up to two out of nine" committee hearings, Senator Johnson noted, showing a printout that indicated a VIPD representative attended two additional meetings.

The lawmaker rejected the suggestion from Commissioner Martinez that an invitation to testify before the Senate is one which he is free to accept or decline as he chooses. "We're responsible to question, [to] ask commissioners about anything with our rights," Mr. Johnson said, noting that the first branch of government is responsible for funding, legislation and accountability.

A lack of regular attendance at committee hearings was not the only complaint levied against the commissioner by Mr. Johnson. Mr. Martinez has also not shown any enthusiasm when it comes to working towards key initiatives that could improve public safety and community relations, the lawmaker claimed. As evidence, Johnson pointed to the recent gun buyback program for which he and Senator Dwayne DeGraff helped raise \$30,000. Remaining funds could be used for additional buybacks, but attempts to engage Mr. Martinez on this issue have been futile," the senator stated. "We've been trying to get the commissioner because we have an additional \$12,000 in this account...to date the commissioner has not responded."

Mr. Johnson also blamed the commissioner for the death of the Police Athletic League (PAL), which he says became defunct because the building that used to house its activities fell into disrepair. "In my first year of coming into this Senate, I signed on to a bill with Senator Javan James to fix that property up. As we speak today, not a blade of grass has been touched on the facility."

As of late last year, the beloved program co-ordinator is reportedly conducting ad hoc activities from his home, but "he doesn't feel comfortable doing that," Mr. Johnson disclosed. "These children on the western part of the island want to have a palace to go (where) they can learn music, they can learn little skills – the commissioner has not touched that," the lawmaker complained. Draft legislation that would expand the threshold for prosecution of disorderly conduct towards law enforcement officers has also been left languishing for the better part of a year because of the commissioner's chronic lack of availability, Mr. Johnson continued.

When it came to the decision of Mr. Martinez not to answer any questions from him during official Senate hearings, Senator Johnson argued that by extension, "he's not responding to the community that he chose to serve." Despite several legislators being elected from the same district, each representative has his or her own pool of constituents, he noted. The senator recounted being approached by a former classmate whose son was killed in a police shooting incident in 2019. "And as of today, she hasn't spoken to anyone in the department," Mr. Johnson

said. He's been trying to get Mr. Martinez to meet with the bereaved mother, to no avail. Another constituent who was reportedly shot in the back by law enforcement personnel and subsequently paralyzed has complained to the senator about a shoddy investigation process.

"These are the kinds of things that...I feel strongly that I need to go to the highest police [officer] which is the commissioner," Johnson asserted.

The lawmaker vowed then to continue asking questions of the man hired to lead the VIPD, and kept his word during this week's committee hearing. Compelled under power of subpoena, Commissioner Martinez was responsive to Senator Johnson's questions.

"However, if Mr. Martinez reverts to his November stance now that the subpoena has expired, Mr. Johnson is willing to take the matter to the government's judiciary branch. According to the senator, Title 3 of the Virgin Islands Code permits "any person, not just a senator, if you want public information, he must give it to you. If not, you can take him to court and the judge will order him to give it to you."

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