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## Gittens Measures on Convicted Felons, Campaign Donations, and Electronic Filing All Fail After Reconsideration

**Gittens's proposal to bar convicted felons from seeking higher office, along with efforts to increase campaign donation limits and allow electronic filing of nomination petitions, all failed**

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**Senator Kenneth Gittens. By. V.I. LEGISLATURE**

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Towards the end of Monday's Senate session meeting in the 35th Legislature, Senator Kenneth Gittens rose to offer three measures amending Title 18, the portion of the Virgin Islands Code that

covers elections in the territory. However, after a warning from legal counsel that these actions were unlawful, Senator Gittens' efforts were defeated by his Senate colleagues.

With all amendments attached to Bill 35-0262, the first sought to bar convicted felons who have not received pardons from seeking public office. The amendment would also ban those convicted of crimes of moral turpitude, whether at the felony level or not.

Upon being introduced by Senator Gittens, the measure was immediately objected to by Senators Donna Frett-Gregory and Angel Bolques Jr. Ms. Frett-Gregory was concerned that young people who find themselves in trouble could, years later, find themselves restricted from serving in public office due to a felony conviction lingering on their record.

She was not mollified by Mr. Gittens pointing out that a gubernatorial pardon would clear their way. "I still contend that all felonies are not created equal," she argued. "You can get political favor in cases of a pardon."

Mr. Gittens was resolute that this amendment was necessary. "Allowing a person convicted of a felony will send the wrong message to the public about consequences of criminal behavior and the standards set and expected for public office," he opined. "I hold hard to this that I will be moving this amendment forward again as we restore integrity and trust to this government."

Towards the end of Monday's Committee of the Whole meeting in the 35th Legislature, Senator Kenneth Gittens rose to offer three measures amending Title 18, the portion of the Virgin Islands Code that covers elections in the territory. However, after a warning from legal counsel that these actions were unlawful, Senator Gittens' efforts were defeated by his Senate colleagues.

The next amendment, which would make provisions for nomination petitions to be filed electronically, drew objections from Senators Bolques and Francis Heyliger. This time, Mr. Bolques asked legal counsel to weigh in on whether the legislature was allowed to be passing elections-related laws at this time. "A majority of this body can choose to pass these laws, they just won't become effective," said a member of the V.I. Legislature's legal counsel arm, before clarifying that "it's against the revised Organic Act to pass it." Legal counsel also noted that a majority of lawmakers could decide to pass the amendments anyway.

Despite Mr. Gittens's insistence that none of the measures being considered would take effect until 2026, Mr. Bolques suggested that the proper move would be to amend Section 6 of Title 18 to remove the constraint on passing elections-related laws within an election year.

Mr. Gittens was undeterred, however. "If it takes effect in two years' time, then so be it. We're acting on it now to clear up the election code." His colleagues did not agree, and the second amendment failed with Senators Bolques, Frett-Gregory, Samuel Carrion, Alma Francis Heyliger, Marise James, Franklin Johnson and Milton Potter voting it down.

A third amendment, which sought to raise the ceiling for political contributions from \$1000 to \$3,500, ran into the same objections, this time from Senator Francis Heyliger. "Our legal counsel clearly stated on this floor earlier that the fact that we're attempting to amend this title is unlawful," she reminded her fellow lawmakers. "It would be so simple to bring these things in November after the election, and it would have no problems."

Mr. Gittens pushed back. "What's the difference in bringing them in November after the election? Everybody has already filed their petition papers...we know for sure that this doesn't take effect until the 2026 election cycle."

However, Ms. Francis Heyliger repeated Mr. Gittens's own concerns about public perception of government back to him as a rebuttal. "We have to be concerned specifically as to how this institution is viewed by the public at the end of the day," she argued, once again noting that the question of legality could be easily resolved by holding the amendments until after elections in November.

When it came to a vote, the tide had obviously turned against Senator Gittens' efforts – 10 of his colleagues voted nay, with only Senate President Novelle Francis supporting his colleague in the quest deemed unlawful by legal counsel.

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