

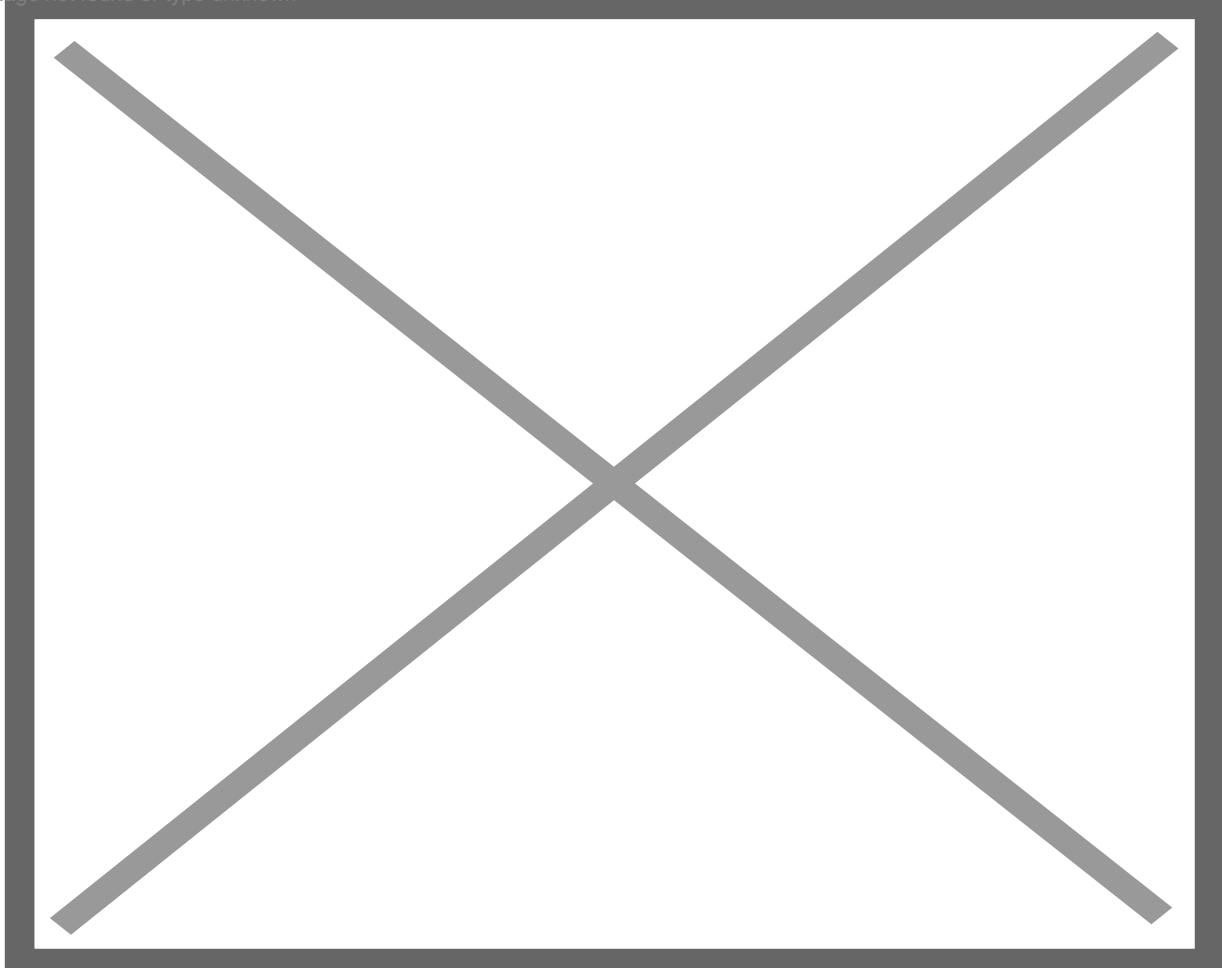
“Ridiculous at This Point”: Senators Challenge 39-Year Consent Decree Despite BOC Compliance Strides

Federal review credited BOC with meeting key medical and dental standards, yet lawmakers pressed the agency on how it intends to end 39 years of supervision, raising concerns about financial strain, enforcement burdens, and slow progress on requirements.

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The John A. Bell Correctional Facility on St Croix. By. V.I. CONSORTIUM.

The Bureau of Corrections is still tied down to a federal consent decree 39 years after it was first introduced. Now nearly four decades on, the BOC is hopeful that steady progress can be made toward removing the imposed restrictions.

In testimony before the Committee on Homeland Security, Justice, and Public Safety on Thursday, BOC's director Winnie Testamark told lawmakers that BOC "continues to advance towards full compliance with the federal consent decree."

The most recent strides have been made in St. Croix. On November 20th, Senior District Court Judge Wilma Lewis cited the Bureau's "sustained and verifiable compliance with required medical and dental care standards." Ms. Testamark explained that longstanding deficiencies in that department have been replaced by "sound, modern and constitutionally compliant practices."

According to Ms. Testamark, compliance with the medical and dental requirements is a "powerful testament" to the Bureau's commitment to the care of the detainees and inmates. "It also signals the beginning of the final phase of compliance, as the Bureau continues its forward trajectory towards complete resolution of the settlement agreement," the director testified.

There is still, however, a long way to go.

"Thirty-Nine years of federal supervision is kind of ridiculous at this point," Senator Alma Francis Heyliger commented. She wondered how the Bureau intends to free itself of that oversight and the related cost.

"We get out of it by continuing to do what's right," Ms. Testamark replied. The recent commendation from the courts is a "big start" she said. "We still have to continue. We have to keep it up."

There are 125 issues still being monitored under the Bureau of Corrections' consent decree. Thirty-eight are at the "substantial compliance" status and 56 are at the "sustained compliance" level.

While the Bureau was buoyed by its steady progress, some lawmakers were displeased with the entire arrangement.

Senator Kenneth Gittens minced no words when he addressed the consent decree conversation. "I really believe that this federal consent decree is a scheme going on," he argued, not for the first time. He lamented that the territory is paying "hundreds of millions of dollars in these federal consent decrees." For Sen. Gittens, these restrictions are better placed elsewhere.

"Ain't nobody need more federal oversight watchdog hanging over them more than ICE right about now with their conduct," he argued. Senator Gittens is hopeful that "our good President hold to his word to get rid of these federal consent decrees."

"We could do a lot more with these monies," he said.

Notwithstanding Sen. Gittens's sentiments, under the current legal arrangements BOC must continue striving to achieve acceptable compliance in each area – something that after nearly 40 years the Bureau has been unable to achieve.