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## Prosecutors Seek 24 to 30 Years for Ray Martinez, 7 Years for Jenifer O'Neil in Mon Ethos Corruption Case

**Martinez's defense says the 57-year-old former police commissioner's brain surgery, hypertension, colon surgery and other ailments make a 24- to 30-year term effectively a life sentence, while prosecutors seek 84 months for Jenifer O'Neil.**

Federal / **Published On June 02, 2026 07:09 PM /**

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**Jenifer O'Neal and Ray Martinez. Prosecutors** By. ERNICE GILBERT, V.I. CONSORTIUM.

Federal prosecutors are asking a judge to sentence former V.I. Police Commissioner Ray Martinez to between 24 years and 4 months and 30 years and 5 months in prison for his role in the Mon Ethos corruption case, arguing that his abuse of public office, leadership in the scheme and obstructive conduct warrant a substantial custodial sentence.

The government is also seeking a \$250,000 fine and three years of supervised release for Mr. Martinez. For co-defendant Jenifer O'Neil, former director of the Office of Management and Budget, prosecutors are recommending 84 months in prison, a \$100,000 fine and three years of supervised release.

“His egregious abuse of public office and creation of a scheme to demand and accept bribe payments... warrants a significant custodial sentence, particularly when coupled with his leadership role in the scheme and his obstructive conduct,” prosecutors argued in their sentencing memorandum.

Martinez, 56, now faces the possibility of spending what could amount to the rest of his life in federal prison. Prosecutors' recommendation is based on an advisory sentencing guideline range of 292 to 365 months, or roughly 24 years and 4 months to 30 years and 5 months. They acknowledge that the range exceeds the 20-year statutory maximum attached to several of the counts against him, and suggest that the court impose a portion of the prison time on other charges consecutively, rather than allowing all sentences to run at the same time. If the court imposes the top end of the recommendation, Martinez would be in his mid-80s by the time the term expires. Even a sentence of half that length would keep him incarcerated into his early 70s, underscoring the life-altering stakes of the sentencing phase.

Mr. Martinez's defense is asking for a far shorter sentence of 60 to 72 months, or five to six years, arguing that the government's recommended range overstates both his culpability and the proven financial harm. His attorneys contend that the presentence report's calculation rests on a loss figure “nearly fourteen times the actual harm established at trial,” while the government's asserted restitution amount is \$77,257.39. The defense says the corrected guideline range should be 78 to 97 months.

The sentencing filings follow the December 2025 convictions of Mr. Martinez and Ms. O'Neil in the federal public corruption case involving Mon Ethos Pro Support and its owner, government witness David Whitaker. Mr. Martinez was convicted of honest services wire fraud, federal program bribery, money laundering conspiracy and obstruction charges. Ms. O'Neil was convicted of honest services wire fraud, federal program bribery and money laundering conspiracy.

According to prosecutors, Mr. Martinez “devised the criminal scheme” beginning in November 2022 by soliciting and accepting bribes from Mr. Whitaker in exchange for using his position as VIPD commissioner to authorize and facilitate payment of invoices for Mr. Whitaker's companies, and later to help facilitate a one-year sole-source contract worth up to \$1,489,683.

The government says Mr. Martinez accepted approximately \$100,000 in bribes between November 2022 and June 2024. Prosecutors described those benefits as equipment and labor for his restaurant, luxury all-expense paid trips to Boston, tickets to sporting events, tuition payments for his children, and rent payments for a new home.

Prosecutors say the bribery scheme initially centered on expediting payment of Mon Ethos invoices, then expanded to include the formal VIPD contract funded through the American Rescue Plan Act. Once the contract was finalized, the government says Mr. Martinez agreed to inflate related invoices so the excess money could be used for personal expenses.

“In January 2024, Martinez expanded the scheme to include O'Neil, the then Director of the Virgin Islands Office of Management and Budget,” prosecutors wrote.

The government says Mr. Martinez instructed Mr. Whitaker to inflate an invoice by \$70,000 to fund purchases for himself and Ms. O’Neil. Prosecutors say the co-conspirators later agreed to launder part of the money by using the proceeds to pay \$17,730 toward Ms. O’Neil’s lease obligations for her coffee shop, Java Grande, at Yacht Haven Grande.

In Ms. O’Neil’s sentencing memorandum, prosecutors described her conduct as “calculated, deliberate, and grounded in greed, self-interest, and a complete betrayal of the public trust.”

They argued that Ms. O’Neil, as OMB director, occupied “one of the most powerful financial oversight positions within the Government of the Virgin Islands” and had substantial influence over government financial processes. Prosecutors say she knowingly helped move an inflated invoice tied to the bribery scheme and personally accepted benefits from the proceeds.

The government said the conduct was especially serious because the case involved federal COVID-relief funding intended to help the Virgin Islands during a period of economic uncertainty and public hardship.

“Public corruption is always damaging, but corruption involving disaster-relief or emergency funds carries an especially corrosive effect because it undermines public confidence in the government’s ability to administer aid honestly during times of crisis,” prosecutors wrote.

The government also pointed to recorded communications in which Ms. O’Neil expressed concern about traceable payments. In a recorded April 2024 meeting, according to the prosecution filing, Ms. O’Neil discussed the lease payment and said, “I don’t like traces of anything” and “[w]ire means it’s traced.”

Prosecutors also argued that Ms. O’Neil’s education, professional success and senior government experience do not support leniency. In the government’s view, those factors aggravate the conduct because she had the training, authority and institutional knowledge to understand and stop the misconduct, but instead participated in it.

The government also said Ms. O’Neil refused to provide the Probation Office with financial statements, supporting documentation, or an executed financial information release authorization, preventing an assessment of her ability to pay a fine.

For Mr. Martinez, prosecutors say the sentencing recommendation is driven not only by the bribery and money laundering counts, but also by his obstruction conduct after learning of the federal investigation.

According to the government, after law enforcement served Mr. Martinez with a federal grand jury subpoena on June 12, 2024, he instructed Mr. Whitaker the next day to destroy his old phone and laptop so the FBI could not search the devices. Prosecutors say he later read aloud a fake promissory note, explained a false justification for it, and coached Mr. Whitaker on what to say if questioned.

The promissory note was backdated to August 15, 2023 and produced to federal authorities on June 26, 2024, prosecutors said, calling it “an attempt to obstruct the grand jury’s ongoing criminal investigation.”

The government also accused Mr. Martinez of trying to distance himself from criminal proceeds after the verdict, saying that less than two weeks after his conviction, he purported to give up his ownership interest in the restaurant that received proceeds from the fraud.

Prosecutors argued that a strong sentence is needed both to punish the conduct and deter other public officials. They said the scheme damaged the integrity of government procurement and deceived both companies seeking to compete for public work and citizens who believed officials were maximizing taxpayer dollars.

“The defendant corrupted the VIPD and robbed the people of the Virgin Islands to benefit himself,” prosecutors wrote.

They added that Mr. Martinez’s conduct was especially serious because, as the highest-ranking member of the territory’s police force, he was uniquely positioned to understand the criminality of his actions.

“Rather than live up to the duties of his position, Martinez chose to betray the people he was sworn to protect,” prosecutors wrote. “This betrayal does not warrant leniency.”

Mr. Martinez’s defense, however, argues that the recommended 292- to 365-month sentence is disproportionate and would amount to “what would effectively be a death sentence inside the Bureau of Prisons.”

His attorneys describe him as a 57-year-old first-time offender who spent more than three decades in public service, including as an Army soldier, aircraft rescue firefighter, labor relations officer, internal affairs director, intelligence director and ultimately police commissioner.

The defense says Mr. Martinez has no prior criminal history, not “a single arrest, charge, or conviction in 57 years of life,” and fully complied with pretrial release for more than 13 months before voluntarily self-surrendering to the U.S. Marshals Service on February 20, 2026.

His attorneys also cite significant health issues. According to the defense memorandum, Mr. Martinez underwent a complex seven-hour surgery at Massachusetts General Hospital in 2023 to remove a benign pituitary gland tumor that was compressing his optic nerve and affecting his vision. The defense says he continues to experience pressure-related migraines and requires ongoing neurological monitoring.

The filing also cites a ruptured colon in 2002 that required emergency surgery removing two to three feet of his descending colon, long-term hypertension, unresolved heart palpitations, urological and renal concerns found one week before his self-surrender, a past rotator cuff injury and dental issues.

“The cumulative effect of these conditions neurological, cardiovascular, gastrointestinal, and urological presents a profile that makes incarceration significantly more burdensome for Mr. Martinez than for the average defendant,” his attorneys wrote.

The defense also leaned heavily on Mr. Martinez’s public service record. It said he joined the U.S. Army after graduating from Central High School in 1986, served honorably until 1988, earned the rank of E-4 Corporal and received two Army Commendation Medals. He later served as an aircraft rescue firefighter with the Virgin Islands Port Authority, worked in labor representation, led the Public Employment Relations Board and held multiple senior positions in the V.I. Police Department.

His attorneys described his 35-year career as “direct, personal service to the people of the Virgin Islands.”

Several character letters were filed in support of Mr. Martinez. Delbert Phipps Sr., a retired VIPD detective police corporal and father of fallen officer Delberth Phipps Jr., asked the court to show leniency based on Mr. Martinez's prior service and character. He wrote that after his son was killed in the line of duty, Mr. Martinez gave his family time and support during court proceedings.

"Ray Martinez, Commissioner of Police, friend and an individual who has held many positions in our government does not fit the character of the individual that is portrayed," Mr. Phipps wrote.

Pastor Ronald D. Walker Jr. of Word of Faith International Christian Center also asked for "utmost leniency," writing that Mr. Martinez had shown remorse and sincerity in seeking to make amends.

Helen Schjang, former executive director of the Virgin Islands Public Employees Relations Board, wrote that Mr. Martinez "demonstrated strong leadership, sound judgment, and genuine concern for others." She also recalled that Mr. Martinez and VIPD worked diligently after her daughter was killed by a stray bullet, and that she "never forgotten the compassion and professionalism shown to my family during one of the most painful times in our lives."

Other letters described Mr. Martinez as a loyal friend, devoted family man, public servant, mentor and community supporter. Retired VIPD Captain Adelbert Molyneaux Sr. wrote that while Mr. Martinez "is not perfect, and he made mistakes that brought him before the Court," he should be judged by "the totality of their life, service, and character."

Mr. Martinez's defense also emphasized the impact on his family. The filing says his wife, Diana Martinez, is now the family's sole income earner and continues to work at VIPD while supporting two sons, ages 18 and 16. The defense says his older son was scheduled to graduate in June 2026 and had planned to study civil engineering in Georgia, but has decided to attend the University of the Virgin Islands to remain with his mother and younger brother.

The defense argues that Mr. Martinez has already suffered severe consequences, including loss of career, income, public standing and financial security. His attorneys say his family has more than \$161,000 in liabilities and no meaningful assets beyond an undeveloped parcel of land.

The government rejects leniency, saying Mr. Martinez's background does not explain or mitigate the corruption.

"There is nothing remarkable in the defendant's background that would mitigate, excuse, or explain his criminal behavior," prosecutors wrote. They argued that he and his family had a joint income of \$383,657 in 2023, and that the offense was motivated by "his own greed and selfishness."

Prosecutors said a guideline sentence is necessary because public corruption is difficult to detect and because a lighter sentence could lead other officials to believe the benefits of fraud and corruption outweigh the costs.

For Ms. O'Neil, prosecutors also stressed deterrence, arguing that public officials across the territory must understand that abusing authority over public funds carries serious consequences.

"A substantial sentence is necessary to send a clear message to other public officials that misuse of public office and diversion of taxpayer resources for personal benefit will not be tolerated," the government wrote.

Sentencing will now determine whether the court accepts the government's position, the defense's request, or another punishment. For Mr. Martinez, the gap is substantial: prosecutors are seeking more than two decades in prison, while his defense is asking for five to six years.

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