

The Virgin Islands Consortium

Governor De Jongh Pardons 'Chucky' Hansen

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Governor John P. de Jongh, Jr. has pardoned Senator Alicia 'Chucky' Hansen.

She has asked for that pardon. And I shall grant it because I believe that the wrong that she committed stands, as it has stood, as a mark against her and her record, but that it is properly for those who have elected her to public office knowing the facts of her conviction to decide whether she should serve again.

In a statement released on Wednesday, de Jongh said he was not "comfortable with an outcome that denies the voters of St. Croix an opportunity to decide again for themselves what they have twice before decided during the elections for the 29th and 30th

Legislatures." He added that it was "publicly known at the time of those elections that the Senator had been convicted of these crimes."

The governor also said that Hansen fulfilled obligations that arose from her sentence, and that her candidacy was "challenged in each of those election cycles and the election system qualified her and placed her name on the ballot for each of those two elections."

After giving an explanation in the statement, de Jongh revealed that Senator Hansen "has asked for that pardon. And I shall grant it because I believe that the wrong that she committed stands, as it has stood, as a mark against her and her record, but that it is properly for those who have elected her to public office knowing the facts of her conviction to decide whether she should serve again."

Repercussions:

The Governor's pardon of Chucky Hansen opens up a new chapter in the riveting story involving her eligibility to represent the people of the Virgin Islands as a senator since being barred from the November 4th ballot by the Virgin Islands Supreme Court on grounds of "moral turpitude".

On Tuesday, August 26 the Virgin Islands Supreme Court heard testimony by attorneys representing Senator Alicia 'Chucky' Hansen, defendant, and Board of Elections Chairman Adelbert Bryan, plaintiff, concerning the legitimacy of the Senator's candidacy and more pointedly her eligibility to seek office in the upcoming 31st Legislature of the Virgin Islands.

In Hansen's defense, attorney Lee Rohn argued that the crimes Hansen was convicted of were misdemeanors, therefore they did not fall under the 'moral turpitude' umbrella. However the prosecutor, attorney Emile Henderson, contended that they were indeed acts of moral turpitude because the Senator's actions were "willful", a term used when determining moral turpitude.

On Thursday, August 28 the V.I. Supreme Court unanimously decided that Hansen was ineligible to seek office and ordered the Superior Court to remove her from the November 4th ballot.

So what happens now that de Jongh has pardoned the Senator?

The governor said it's now up to the people of the Virgin Islands to determine if they want to be represented by Senator Hansen, however there's another roadblock that may prevent the Senator from being placed on the ballot, and it's Elections Supervisor Caroline Fawkes.

Fawkes would essentially be neglecting the Supreme Court's order by allowing Senator Hansen's name on the ballot and could be held in contempt of court.

Soul Searching

Governor de Jongh said he knows that his decision is controversial and will spark "much emotion and discussion." However he feels that the best decision in the end is to allow the electorate to decide whether they want Hansen to represent them, therefore by

pardoning her, the people of St. Croix will choose to either endorse her candidacy by voting her into office, or reject her come November 4th.

"I am fully aware that this is a controversial decision that will provoke much emotion and discussion. However, after much soul searching, I have concluded that the best decision I can make is the one I have made because I know that that decision will be immediately put to the test of ratification by the electorate of St. Croix," de Jongh concluded.

The Governor's Official Statement:

"I am making this statement with respect to the action I have taken today regarding Senator Alicia "Chucky" Hansen and her request for a pardon and her eligibility to run for a seat in the 31st Legislature and her ability to serve if so chosen by the voters of St. Croix. In so doing, I am not questioning the past illegal acts taken by the Senator to which she has pled guilty. Nor am I questioning the fact that these crimes have been definitively defined by The Supreme Court of the Virgin Islands as crimes of moral turpitude. Those determinations have been made.

"However, I am not comfortable with an outcome that denies the voters of St. Croix an opportunity to decide again for themselves what they have twice before decided during the elections for the 29th and 30th Legislatures. It was publicly known at the time of those elections that the Senator had been convicted of these crimes. It was also known that she had completed her sentence and fulfilled the obligations that followed from her conviction and sentencing. Moreover, her candidacy was challenged in each of those election cycles and the election system qualified her and placed her name on the ballot for each of those two elections. She was elected in both.

"Now, having again been initially certified as a candidate for the 31st Legislature, the challenge to her eligibility was taken to a higher level, indeed the highest level in our judicial system, and the determination has been made that the crimes to which she pled guilty would disqualify her from service in the 31st Legislature unless she is pardoned. She has asked for that pardon. And I shall grant it because I believe that the wrong that she committed stands, as it has stood, as a mark against her and her record, but that it is properly for those who have elected her to public office knowing the facts of her conviction to decide whether she should serve again. They will have an opportunity in November to decide whether anything has changed and it is my view that the voters should make the decision with respect to her continued service.

"I should also note that the Attorney General has informed me that his office reads the elections laws to state that having been disqualified by reason of the Opinion of the Supreme Court the Senator is entitled to the notice and opportunity to cure set forth in 18 VI Code 411 (c). I trust that she will be afforded that opportunity. I would hope that the Senator, as all citizens, will be afforded the fullest due process to which she is entitled because I believe that if she does not receive such due process there will be continued litigation on this matter further complicating the processes of this election cycle. If that were to occur, there will be nothing more that I can do beyond what I have done which is to state plainly my view that on the facts of this case, and the history of past actions taken and elections held, the proper decision-makers with respect to the Senator's continued service should be the voters of the island of St. Croix.

"I am fully aware that this is a controversial decision that will provoke much emotion and discussion. However, after much soul searching, I have concluded that the best decision I can make is the one I have made because I know that that decision will be immediately put to the test of ratification by the electorate of St. Croix."

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