

The Virgin Islands Consortium

Hansen "Ineligible To Be Member Of Senate," Capehart Says

Politics / **Published On September 09, 2014 09:17 PM /**

Ernice Gilbert **September 09, 2014**



Embattled senator Alicia "Chucky" Hansen is not eligible to be a member of the Senate body," St. Croix Senator Diane Capehart says.

In a press release issued on Tuesday, the freshman senator said she refused to be a part of such a situation, adding that to not act on the matter "places the body itself in legal jeopardy."

"As the holding of the Supreme Court made it clear that Senator Hansen is ineligible to be a member of the Legislature due to determining that her conviction was for a crime of moral turpitude, her continued membership in this body is a violation of Section 6 of the

Revised Organic Act of 1954," Sen. Capehart said.

Capehart's statement continued: "Based on the law, we have no other recourse. To not act on this matter places the body itself in legal jeopardy and suggests that the body condones non-compliance with the law. I refuse to be a part of such a situation."

Capehart's stance places her directly in Hansen's pathway, something many senators have chosen to sidestep, likely for fear of political backlash. The senator contends that partisan politics should have no role in determining something as important as the Supreme Court's ruling.

"The integrity of the first branch of government, in my opinion, supersedes any threat of political ramification that may exist. Fidelity to the law must trump partisan political considerations. My colleagues and I were elected to this branch of government to not only create laws, but to adhere to them as well," Capehart concluded.

Citing Section 6(g) of the Revised Organic Act of 1954, which states that the Legislature is "the sole judge of the election and qualifications of its members," Capehart is calling on Senate President Shawn-Michael Malone to call a special meeting of the Committee of the Whole to formally address Hansen's situation.

Timeline

On Tuesday, August 25th 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, the cause of the court action against her client. However attorney Emile Henderson contended that Hansen's crimes were indeed acts of moral turpitude because the senator's actions were "willful," a term used when determining moral turpitude.

On Thursday, August 28th the Supreme Court of the Virgin Islands ruled against Senator "Chucky" Hansen, barring her name from appearing on the November 4 General Election ballot, effectively disqualifying her from seeking office in the 31st Legislature.