

The Virgin Islands Consortium

Rodriguez: 'I Am Not Done Fighting'

Politics / **Published On January 10, 2017 10:44 AM /**

Staff **January 10, 2017**



Kevin Rodriguez

ST. THOMAS -- Kevin Rodriguez, who was as of Sunday embroiled in a court battle over the legality of his election as a member of the 32 Legislature, said on Monday that he was not through with fighting to keep his position as an elected member of the Senate, and that he would not allow a "sore loser" to overturn the people's decision.

Mr. Rodriguez [was barred from taking the oath of office](#) yesterday by the Supreme Court, after the high court overturned a Superior Court ruling that had cleared the way for Mr. Rodriguez to be sworn in. Citing [judicial estoppel](#), the high court opined that the Superior Court could not take a position contrary to the position it had taken in the past in a legal

proceeding. The Superior Court had previously barred Mr. Rodriguez from taking the oath of office, only to overturn its own ruling following testimony from witnesses, including Mr. Rodriguez's wife, confirming Mr. Rodriguez's residency in the territory since 2013.

"It is truly a sad day in the Virgin Islands when a candidate that lost an election can dictate who can take the oath of office because she didn't win," Mr. Rodriguez said. "Janelle Sarauw is attempting to win a seat in the legislature through the courts because she lost in the ballot box. As a result of the confusion she created, I was wrongfully barred from taking my oath today as a member of the 32nd Legislature, but I am not done fighting. I want all my supporters and well-wishers to know that I am prepared to fight as long and as hard as it takes to keep the Senate seat I won on November 8 in a free and fair election. I have no intention of allowing a sore loser and her sponsors to overturn the results of the election and frustrate the true will of the voters."

The would-be senator contended that the court's time had passed, and that it was now up to the 32nd Legislature to act on the matter. He also revealed that he had written to Senate President Myron Jackson, asking that he be sworn in immediately.

"The time for the courts to act has passed. It is now time for the Legislature; not the courts; to rule on whether I have met the qualifications to be seated as a member of the 32nd Legislature," he said. "To that end, I sent a letter to Senate President Myron Jackson today, asking that I be sworn in as senator immediately, so that I can do the work that the people of the Virgin Islands elected me to do. The law is clearly on my side. I am confident that with God's help and yours, our democracy will withstand this test and emerge even stronger."

The Consortium reached out to Mr. Jackson, asking whether he had responded to Mr. Rodriguez, and what was his stance on the matter, but Mr. Jackson, at time of publishing, had yet to respond.

Mr. Rodriguez sought to ensure Virgin Islanders that contrary to the protracted court battle, he'd fully met the requirements set forth by law to hold the office of senator.

"Again, I am a resident of the US Virgin Islands. I complied fully with the laws of the US Virgin Islands regarding the eligibility to run for office as required by the Revised Organic Act of 1954, as amended, to seek the office as a member of the Legislature," he said. "I am a born Virgin Islander, I was raised and educated here and I have a home here, I have been a resident of St. Thomas for the past three-plus years. I was thoroughly vetted by the Virgin Islands Board of Elections and deemed qualified to run for office and was certified as an elected Senator on November 22, 2016 after lawfully winning the election on November 8, 2016."