

The Virgin Islands Consortium

Rodriguez Deemed Ineligible To Be Seated As Member Of 32nd Legislature

Politics / **Published On June 28, 2017 09:53 PM /**

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ST. THOMAS -- Senate Democrats dealt a crushing blow to Kevin Rodriguez on Wednesday, with a majority of the lawmakers voting that Mr. Rodriguez, a Democrat, was ineligible to be a member of the 32nd Legislature.

The decision not to seat Mr. Rodriguez sets a strong precedent for those who will seek elected office in years to come: make sure that your house is in order before attempting to serve here, and be sure to follow the law of the land.

Mr. Rodriguez's demise, stunningly, did not come from the Minority Caucus, whose members include Senators Millin Young, Positive Nelson, Tregenza Roach, Alicia

Hansen and Wayne DeGraff -- all Independent lawmakers bar Mrs. Milling Young, a Democrat. Mr. Rodriquez's fall was handed to him by members of his own party, with a majority of them -- Senators Kurt Violet, Myron Jackson, Nereida Rivera-O'Reilly, Neville James, Novelle Francis, Jean Forde, Sammuel Sanes and Marvin Blyden -- voting against seating the beleaguered senator-elect.

They voted against seating Mr. Rodriquez, even as the Senate's legal counsel said members of the Legislature should not judge other members based on wrongs that they may have committed.

But Mr. Violet said while Mr. Rodriquez should be applauded for protecting his family, signing a document that included untruthful information about his residency, was perjury -- which is a crime of moral turpitude -- a fact that Mr. Violet said should not be simply cast aside, as it will set a strong precedent moving forward.

In fact, most of the senators who voted against Mr. Rodriquez, deemed his action to save the home that his wife and children lived in as commendable, and one almost any family man would do. "But at the end of the day, he undermined being a bona fide resident [of the U.S. Virgin Islands] by telling the state of Tennessee that I am a resident [of Tennessee] and I've been living here for three years, and only in Tennessee for three years," said Majority Leader James. "That's unfortunate."

"Mr. Kevin Rodriquez found himself in a very, very unfortunate predicament," Mr. Francis said, adding that what the senator-elect did to save the home that his estranged wife and children resided in should be applauded. But, Mr. Francis, sidestepping the issue of probity, added, "For me, the most convincing and persuasive decision that was made was made by the Supreme Court." Mr. Francis was referring to the .I. Supreme Court's [decision to bar](#) Mr. Rodriquez for taking the oath of office, opining that the Superior Court had committed [judicial estoppel](#) when it took a position contrary to one it took during an earlier proceeding.

"At the end of the day, I'm hoping that the wounds can be healed and we could forward," Mr. Francis said, keenly aware of the wedge any outcome could create.

Senator Nereida Rivera-O'Reilly, who levied the toughest questions at Mr. Rodriquez, echoed the sentiments of her colleagues who stated that what he did to help his family was a commendable act. However, she went through multiple instances where Mr. Rodriquez listed his residency as Tennessee when, according to Mr. Rodriquez himself, he had actually resided in the U.S. Virgin Islands for three years.

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