

The Virgin Islands Consortium

Janelle Sarauw To Take Oath Of Office On July 14

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Ernice Gilbert **July 07, 2017**



ST. THOMAS -- The 32nd Legislature will meet on July 14 to swear in the April 8 special election winner, Janelle Sarauw, following the Superior Court's decision [granting Ms. Sarauw writ mandamus](#) by ordering the St. Thomas-St. John District Board of Elections to perform its "ministerial" duty of certifying the election.

"Pursuant to the Revised Organic Act of the Virgin Islands, the 32nd Legislature will convene in regular session to judge the credentials of Senator-elect, Janelle K. Sarauw if confirmed, and to administer the Oath of Office upon her and to seat her as a member of the 32nd Legislature of the Virgin Islands. Senator-elect Janelle K. Sarauw shall present her credentials to the secretary of the Legislature for consideration by the body," reads the Legislative agenda, posted on the [Senate's website](#).

Barring any surprises, administering the oath of office to Ms. Sarauw will end the overdrawn saga that has pitted Democrats against each other, with St. Thomas-St. John Democratic Party Chair Edgar Baker Phillips levying wild accusations against fellow Democrats in an effort to discredit their reason for voting against Mr. Rodriquez during the June 28 Senate session. Democrats who voted to reject Mr. Rodriquez said because he lied to a bankruptcy court in Tennessee in an attempt to keep his family from becoming homeless, he should not be seated.

But the Territorial Democratic Party has not given up. Former Delegate to Congress Donna Christensen, currently the Democratic Party's state chair, confirmed to The Consortium Thursday that a complaint filed by the party in the District Court of the Virgin Islands seeking declaratory judgement and injunctive relief to bar the Board of Elections from certifying the April 8 special election, was denied by the court because the Democratic Party had no attorney on file.

Ms. Christensen, aware of the Superior Court's latest ruling, added that the party had not given up, but would take sometime to regroup before announcing next moves. "Our position has not changed; we believe that due process was not done, the directives in the Organic Act were not followed, so we're exploring where we go from here," she said.

The state chair insists that Mr. Rodriquez should have been seated as a senator, as he was voted by the people. "There's a presumption based on his being elected that he is elected and they should act that way, not that he is an outsider trying to get in," Ms. Christensen said. She said the party's determination was to ensure due process to Mr. Rodriquez, adding that the 32nd Legislature's decision to reject Mr. Rodriquez sets a bad precedent for the future. "This has nothing to do with Janelle Sarauw," Ms. Christensen noted, telling The Consortium that Ms. Sarauw would probably do a fine job as a lawmaker. But Ms. Christensen and by extension the leadership of the Democratic Party outside of the Senate, believe that Mr. Rodriquez was treated not only unfairly, but unlawfully.

She called into question the integrity of the April 8 special election, suggesting that it may be null because lawmakers failed to follow the Organic Act. "We have never taken the position that a vacancy existed," she said, a point that may wind up deciding the validity of the special election. She pointed to Senate President Myron Jackson's letter to the Board of Elections in which he states that a vacancy exists in the Senate, a letter that could become pivotal if a case based on whether Mr. Rodriquez should have been treated as if he were a senator, sworn in subsequently dealt with if lawmakers so choosed, we're to take root.

"There wasn't a vacancy before, and that calls into question the validity of the April 8 special election," Ms. Christensen said. She said if the courts agree with the party in its belief that Mr. Rodriquez was not given due process, it would represent a major victory in the party's attempts to assure the senator-elect a fair process.

"He should have been sworn in; his legal counsel should have the opportunity to question adverse witnesses," Ms. Christensen said, referring to the recent Senate session that determined Mr. Rodriquez's fate.