

The Virgin Islands Consortium

Ethics Bill Held In Committee. It Has Too Many Issues, Testifiers And Lawmakers Say

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Dictionary definition of the word Ethics.

ST. THOMAS -- An ethics bill that was praised in a press release [issued Wednesday](#) by its sponsor, Senator Janette Millin Young, was held in the Committee of Rules and Judiciary on Friday, after both testifiers and lawmakers found a myriad of problems with the measure, to include funding, undefined terms, concerns about a commission that would be created through the law and, most pointedly, the bill's exclusion of the Senate from oversight.

"One of the concerns we have is that the Legislature has exempted itself from this bill. I'm not sure why; I mean, maybe someone could answer," said Attorney General Claude Walker. "It applies to the executive branch but it isn't applied to the legislative branch. I'm not the one to ask questions; certainly I'm testifying, but it's just an observation I made."

[Bill No. 32-0003](#) would establish the Virgin Islands Commission of Ethics and Conflicts of Interest. The commission would be responsible for investigating alleged ethical violations by public officials and government employees, enforcing rulings and undertaking appeals that are made.

Aside from exempting the Legislature, the bill severely limits the role of the Department of Justice, although D.O.J. would retain its authority to prosecute. Mr. Walker, who opposed the measure, said an ethics legal counsel within D.O.J. would solve much of the issues the bill seeks to address.

Senator Brian Smith -- his sentiments shared by some of the committee's members -- said the bill could be used as a tool to hurt political opponents during election cycle; was not needed at this time; and that the economy should be of central concern to lawmakers, not a bill, he opined, that would create more bureaucracy.

"As we look at this bill, I don't think at this particular junction that it's probably necessary," Mr. Smith said. He suggested that the Attorney General's Office, along with the U.S. Attorney's Office and the media, were enough entities to keep government in check. "To add another level of bureaucracy in this small community that's cash strapped" would not be prudent, he said.

Rules and Judiciary Committee Chairman Novelle Francis said the best examples of justice for those involved in government corruption are arrests and prosecution. "That's what we need to see around here, and certainly I know of a number of cases that's pending and before long, we will see some of that going on," he said.

But not all lawmakers opposed the measure. Senator Dwayne DeGraff built his remarks on information provided by Mr. Walker, who stated that the last time a measure of similar nature was enacted in the territory, was through an executive order by Governor [Ralph Moses Paiewonsky](#), 56 years ago. Mr. DeGraff said it was long overdue that the matter be revisited, "because to me, in 56 years, a lot of people who should have gone to jail, [haven't] gone to jail yet." He said while the bill in its current form has issues, those issues could be corrected.

The measure was first introduced by former Senator Shawn-Michael Malone in the wake of a widely reported misconduct audit that rocked the U.S.V.I., when a joint federal and local investigation found that the 26th, 27th, and 28th Legislatures misspent some \$6.9 million.

Also coming out of the scandal was an action by the 30th Legislature to introduce transparency measures as a means through which it could regain the public's trust. But those provisions were never implemented.

Mrs. Millin Young requested that the measure be held in committee, stating that she'd received a lot of feedback from persons inside and outside the Legislature on changes that could advance the bill. "I am happy that people are paying attention, and they are

very happy that this proposal is before us," she said. "However it ends up in the end, I want a structure, or an entity, that will begin to restore public confidence in government."

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