

The Virgin Islands Consortium

Op-Ed | USVI Legislature Turns A Blind Eye To Public Outcry For Accountability, Transparency And Integrity In Government

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The need for an independent Commission or Commissioner has never been greater. My suggestion of how government accountability can be promoted is by putting in place the Office of the Conflict of Interest & Ethics Commissioner.

Office of the Conflict of Interest & Ethics Commissioner (OCIE)

The Conflict of Interest and Ethics Commissioner is an independent Officer of the Virgin Islands Department of Justice (DOJ) responsible for helping appointed and elected

officials prevent and avoid conflicts between their public duties and private interests. With the support of the DOJ and Office of the Inspector General, the Commissioner applies the rules, regulations, and guidelines which govern issues of Conflict of Interest, Ethics, and Integrity for public office holders to include the Executive and Legislative branches of government.

The mission of the Office is to administer the conflict of interest, ethics, and integrity rules and regulations for Members of the Executive branch and the VI Legislature and public office holders in order to maintain and enhance the trust and confidence of the Virgin Islands public in the conduct of these elected and appointed officials.

The Office is also responsible for the prompt investigation of any claims or complaints of conflict of interest and ethics violations of government officials or employees. These claims or complaints can be made by government officials, agencies, employees, and/or Members of the general public but for action on claims or complaints to be valid it requires either documentary evidence and witness testimony or both.

The Commissioner should immediately refer for further investigation or prosecution any and all PROVEN (based on tangible, documented evidence, and/or testimony) claims or complaints of criminal actions related to conflict of interest and/or ethics violations of government officials and/or government employees to the appropriate agency to include the Virgin Islands Department of Justice (DOJ), Virgin Islands Police Department (VIPD), Federal Bureau of Investigation (FBI) or Drug Enforcement Agency (DEA) if such claims or complaints are deemed to be violations of Virgin Islands or Federal law.

The Legislature, on the recommendation of the Governor, pursuant to the Revised Organic Act of the Virgin Islands appoints the Conflict of Interest and Ethics Commissioner on an interim basis, to hold office during good behavior, for a term of six months, and fixes the salary at an amount to be equal to that of a sitting judge of the Superior Court, as amended from time to time, effective at time of appointment.

When there is sufficient evidence to support comprehensive investigations of valid claims of impropriety and or breaches made by government officials and/or government employees and/or the general public, the term of appointment of the Commissioner may be increased until said matters are concluded.

Crimes should be prosecuted strictly in accordance with the law and a Grand Jury must be empaneled to seek indictments instead of crimes being prosecuted at the discretion of the Attorney General or DOJ.

It is that simple; but it appears that no one in the current Legislature wants to open dialogue much less implement such a radical idea. All the while Wayne James faces prosecution while others have been given a slap on the wrist as others see fit by paying back money they illegally accessed or simply ignored until the statute of limitations has run its course.

With the emerging rhetoric from many gubernatorial and senatorial candidates as being that of accountability for Federal and FEMA funds that are seemingly in abundance in the USVI, it is incumbent that we have checks and balances regardless of who is in leadership positions.

We can do better in the USVI. We should do better.

Submitted by: *Collister M. Fahie, legal administrative coordinator / public safety officer*

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