

logo not found or type unknown

Former Police Officer's Statement Differs from Complainant in Domestic Violence Incident; Judge Orders Bail of \$1,000 Without Concessions

Crime / **Published On June 08, 2021 06:45 AM /**

Kia Griffith **June 08, 2021**

Image not found or type unknown



Mugshot of former police officer Orlando Benitez Jr. By. THE VIRGIN ISLANDS POLICE DEPARTMENT

ST. CROIX — A former law enforcement officer on St. Croix was arrested and charged with second-degree assault and simple assault and battery, both acts of domestic violence, after allegedly strangling a woman following a verbal altercation.

The suspect, Orlando Benitez Jr, appeared in court via teleconference on Monday for his advisement hearing, which was presided over by Judge Miguel A. Camacho.

According to the probable cause fact sheet, on Sunday, June 6, the 911 Emergency Call Center received a telephone call at approximately 9:51 a.m. from an adult woman reporting a disturbance at her residence. Officer Ivoree' Friday of the Domestic Violence Unit was assigned to the location at approximately 11:00 a.m.

Benitez was invited to enter the woman's home at approximately 9:45, according to the victim's statement in the probable cause fact sheet. A verbal altercation ensued, which became physically violent in which the suspect straddled the victim and strangled her to the point of having difficulty breathing and possibly losing consciousness, according to the victim's statement in the probable cause fact sheet.

In the presence of police, the victim stated that she would seek medical attention after complaining of pain to her throat, neck, and right wrist, according to the fact sheet. However, a third-party who was present at the scene and later contacted by police said that no injuries or marks were observed on the victim.

The suspect gave a different story, according to the probable cause fact sheet. Benitez stated that he was invited into the victim's room but wanted to leave. When he began walking away to leave, the victim aggressively grabbed his hand and pleaded with him not to leave. Due to his prior law enforcement training, he reacted to her aggressive gesture by grabbing her hand into a wrist lock and continued to walk away. The victim continued to pursue him and touch him in which he stated, "Do not touch me," Benitez said, according to the fact sheet.

His statement in the fact sheet said that he called 911 for police assistance but later called back to cancel the call because the incident settled down.

Benitez left the residence and was later placed under arrest that day at 7:15 p.m. No bail was set, and the suspect was released to a third-party custodian pending his advisement hearing.

Assistant Attorney General Mackiesh Taylor-Jones requested bail be set at \$1,000 relative to [Title 16 of the Virgin Islands Code, Section 99, Subsection \(b\)\(1\)](#), which states that bail be set at \$1,000 with no 10% provision if the defendant has no prior conviction for domestic violence, if the use or threatened use of a weapon was not involved, and if there is no reason to believe that the crime for which the person was arrested resulted in substantial bodily harm.

Benitez's representation, Attorney Yohana Manning, argued that, "There's no reason in this case for a money bail. He's never had contact as a defendant with the criminal justice system. He's a former law enforcement officer, and he's complied so far with the conditions of release."

To build a case in support of his request, the victim was present at the hearing to give a statement that Benitez was not a threat, according to Attn. Manning. However, Judge Camacho refused the request.

"I don't feel there is a need to call the victim in this case. We're here for [probable cause] and the officers made a lawful arrest," said Attn. Taylor-Jones. Once again, she referenced the Virgin Islands Code. Judge Camacho ruled in favor of The People by setting bail to \$1,000, although Attn. Manning expressed that he did not feel the standard conditions needed to be placed upon his client.

Judge Camacho also found probable cause for the following:

- Michael E. Austrie was charged with driving under the influence of an intoxicating liquor in violation of V.I.C. Title 20, Section 493, Subsection (a)(1) and negligent driving in

violation of V.I.C. Title 20, Section 503. His license was suspended immediately pending resolution of this case. Mr. Austrie's license was also posted in lieu of bail.

- Shomari J. Ferrance was charged with carrying a firearm, openly or concealed in violation of Title 14, Section 2253, Subsection (a) of the Virgin Islands Code. Bail was set at \$50,000 (with the ability to post \$5,000 cash with an unsecured balance). The proposed third-party custodian was denied. If unable to provide another third-party custodian and post 10% of bail, Mr. Ferrance will continue to be incarcerated pending trial.