

The Virgin Islands Consortium

With Suspects Being Killed While Their Cases Pend, Superior Court Eyes End of Sept. For Resumption of Jury Trials

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Kyle Murphy **July 15, 2021**



Police investigate shooting at Estate Paradise near the abandoned Evelyn M. Williams Elementary School in May 15, 2020. By. ERNICE GILBERT FOR VI CONSORTIUM

Lawmakers during a Wednesday budget hearing for the V.I. Judiciary advocated for the resumption of jury trials, which was halted in March 2020 as a result of the Covid-19 pandemic. The urgent plea was tied to the backlog of cases, which Senator Kurt Vialet said was leading to street justice where criminals wind up killing each other.

Superior Court Presiding Judge Harold Willocks said the court is eyeing the end September for the return of jury cases.

According to Supreme Court Chief Justice Rhys S. Hodge , "All jury trials were suspended so every jury trial that was filed from March of last year still remains pending."

In a passionately plea, Senator Kurt Violet stated, "It's one of the most important issues facing the Virgin Islands right now. When you look at the murder rate and individuals that are being killed, I would say at a minimum 50 percent are awaiting a case... so you are seeing a large number of individuals that have been arrested 2-3 years ago and they are out on bail and they end up dying on the streets."

He added, "Part of the solution for us in reducing the murder rate is for us to have speedy trials, because when justice is not enacted by the judicial system, the street takes care of justice."

The V.I.P.D. has confirmed on many occasions that suspects of gun-related and homicide cases have been killed before standing trial.

Judge Willocks said one of the longstanding problems that has led to a backlog of cases even before the Covid-19 pandemic, is that oftentimes attorneys — sometimes defense, sometimes prosecutors and sometimes both — come to court unprepared. This leaves the judge with two options, "to grant the continuance or dismiss the case," he said.

Mr. Violet then stated, "The onus is also on the Attorney General's Office. They can't be dragging their feet... It's not just the judicial. All the components must come together or else we are going to have serious issues."

When Judge Willocks said the court was aiming for "the end of September," for the resumption of jury trials, Mr. Violet expressed his displeasure. "Oh god," he said, suggesting that September was too far off. Judge Willocks then stated that the court would aim to resume jury trials for misdemeanor cases earlier. "Maybe August," he stated.

"That means the major criminal cases — attempted murder and gun charges — they are going to linger," Mr. Violet said. "How many more individuals are we going to lose between now and September to street justice?"

When questioned by Senator Janelle Sarauw on the matter, Judge Willocks revealed that come August, a list of twenty priority cases will be sent to the Attorney General's Office, the respective attorneys and defense counsel. This is being done to say that "these are the twenty cases that we are handling for the next two months," Judge Willocks said.

He said the move would result in a lot of "plea agreements coming down."

Judge Willocks then turned his attention to the public, calling on residents not to shun being part of jury trials. He said "the highest civic duty is to be on the jury."

Even so, the judge said the court must have safety protocols in place when jury trials resume. "We have to make certain that when we open up for jury trials that our employees are safe and just as importantly, the public is safe," he said.

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