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V.I. Dept. of Justice Files Criminal Charge Against Senator Marvin Blyden For 'Willfully Exposing Public to Contagious Disease'

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Ernice Gilbert **September 25, 2021**

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Senator Marvin Blyden By. V.I. LEGISLATURE

The V.I. Department of Justice Attorney has filed a criminal charge against Senator Marvin Blyden for willfully exposing the public to a contagious disease after testing positive for Covid-19, following a DOJ investigation, V.I. Attorney General Denise George has announced.

The D.O.J. said Mr. Blyden is alleged to have tested positive for Covid-19 on September 15, and was ordered to quarantine until September 25, according to Department of Health officials. However, members of the community, witnessed Senator Blyden out at an event at Tillet Gardens, on September 18, 2021, when he should have been home quarantining.

D.O.J. Special Agent Kisha Mitchell worked closely with investigators from the V.I. Department of Health and other agents from within the Department of Justice to investigate the allegations against Mr. Blyden, according to the release.

The release stated that after a thorough investigation, the V.I. Department of Justice filed charges in the Superior Court late Friday afternoon against the senator for violation of 14 V.I.C. § 886 – Exposure in a Public Place while Infected with Contagious Disease. The V.I. Code states, "Whoever willfully exposes himself or another afflicted with any contagious or infectious disease in any public place or thoroughfare, except in his necessary removal in a manner the least dangerous to the public health, shall be fined not more than \$200 or imprisoned not more than 1 year, or both."

A.G. George stated, "No one is above the law, willfully exposing people from within our community to this potentially deadly communicable disease is not something that should be brushed aside. We all have a duty to protect our fellow Virgin Islanders and elected leaders are not exempt by status or position from following the law."

Mr. Blyden has been summoned by the Superior Court of the Virgin Islands to appear and answer the charges on October 1, at 10:00 a.m.

The Consortium [reported exclusively on Monday that Mr. Blyden had flouted Dept. of Health Covid-19 protocols](#) when he went to an event with scores of people in attendance two days after testing positive for Covid-19. Mr. Blyden said he was first tested at the Legislature on Tues., Sept. 14 and refused to believe he was positive, so he sought another test at the V.I. Dept. of Health, which also returned positive Wednesday, Sept. 15. The senator said he was advised by D.O.H. to quarantine for 10 days. However, instead of following the health department's protocols, Mr. Blyden said he tested at home several times after and those tests came back negative. That prompted the senator to attend the function at Tillet Gardens using a government-owned, Legislature-issued, LEG 5 vehicle Saturday night.

The senator said he attended the Tillet Gardens event Saturday night to meet with investors he had invited to the territory. It was not clear why the meeting could not have been conducted virtually. The senator also hasn't produced results from the home tests that he maintains show he was Covid negative. The one test result he provided to the Consortium showed a manually written date of July 16, 2021, with Mr. Blyden's name also manually written on the Abbott Covid test kit as well.

Both the [Senate](#) and the [V.I. Dept. of Justice](#) launched separate investigations into Mr. Blyden's actions. The 34th Legislature has convened the Committee on Ethical Conduct (CEC) which on Friday announced its members as Senators Milton E. Potter, Kenneth L. Gittens, Kurt A. Vialet, Carla J. Joseph, and Dwayne M. DeGraff. Mr. Potter, who is leading the inquiry as CEC chairman, said the committee is taking the allegations very seriously.

"Given the danger coronavirus poses to our community and the many lives lost to this terrible virus, we must thoroughly evaluate all evidence and the complaint before us," Mr. Potter said. "I can assure the public that this matter is being carefully reviewed."

CEC Vice Chairman Gittens noted the need to hold elected officials to a higher standard.

"Here at the Legislature, we are bound by a code of conduct and our sworn oath of office," Mr. Gittens said. "Our Rules state that Senators must act in a manner complimentary to the Senate and with dignity and respect for the office. We are expected to set an example."

The Legislature's release said a formal complaint was lodged against Mr. Blyden on September 20 and amended on September 21 by officers of the 34th Legislature, including Ms. Frett-Gregory, Vice President Novelle E. Francis, and Legislative Secretary Genevieve Whitaker.

According to Mr. Potter, the CEC met Tuesday to review the complaint and have found it "in accordance with the Legislature's Rules."

Mr. Blyden has been issued a copy of the complaint and was also advised of the CEC's plan to move forward with the administrative process established to review his conduct. Mr. Blyden will have an opportunity to respond to this complaint and to offer any evidence or witnesses he deems relevant.

"We ask for the public's patience as we do our best to fairly evaluate this matter," Mr. Potter said. "We promise to keep you informed."

Sixty-nine Virgin Islanders have died from Covid-19 complications, including 43 on St. Thomas, 23 on St. Croix and 3 on St. John. As of Saturday, there were 190 active cases territory-wide, 139 on St. Croix, 46 on St. Thomas, and 5 on St. John, according to D.O.H.