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As Bill Calling for Removal of B.O.C. Director Fails, Ceremony is Held to Rename Prison on St. Croix

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John. A. Bell served six terms as a Senator in the Legislature (1975-82, and 1985-1986). He was bestowed with the Medal of Honor by the 30th Legislature of the Virgin Islands for his commitment to the people of the Virgin Islands. By. GOVERNMENT HOUSE

Members of the Committee on Rules and Judiciary on Thursday objected to a resolution calling on Governor Albert Bryan to demand the resignation or otherwise terminate the employment of Wynnie Testamark, the director of the V.I. Bureau of Corrections.

The resolution's rejection came the same day a ceremony for the official renaming of the prison facility on St. Croix was held. Present at the event were Bryan administration officials, among them the governor, Ms. Testamark, and Public Finance Authority official and former senator

Alicia "Chucky" Hansen, who sponsored the measure during her tenure in the 30th Legislature renaming the facility from the Golden Grove Correctional Facility to the John A. Bell Adult Correctional Facility.

At the hearing, Bill No. 34-0209 was tabled indefinitely after much discussion. It was presented by Senator Franklin Johnson who said that shortly after Ms. Testamark's arrival at B.O.C., something changed in its operations and it was not a change for the better.

"Communications broke down, lack of accountability, lack of willingness to participate in the process to keep the Bureau in a forward direction," said Mr. Johnson as he shared an example of Ms. Testamark instructing her employees not to comply with instructions for a Nov. 2021 consent decree status hearing. He said she told the employees not to comply with the monitors and not to provide information.

Mr. Johnson also informed the committee that since Testamark started her tenure some 61 officers have left the Bureau – nine were terminated; 37 resigned and 17 retired.

Senators, while not disagreeing with the problems at B.O.C., decided against approving the resolution. Senator Novelle Francis said that it was unfair to hold one person accountable for the problems which he said have been occurring for over 30 years at B.O.C. He further endorsed the suggestion by the United Industrial Workers of Seafarers International Union, which represents B.O.C. employees, that called for Ms. Testamark to be censured but not terminated.

"We agree with the senator's acknowledgement that the Bureau of Corrections is plagued with staffing shortages, a deteriorating physical plant, the terrible situation of holding in solitary confinement inmates suffering from serious mental illness and not having sufficient support and services for other mentally ill within the Bureau's facilities," stated Jacqueline P. Dickenson, president of the Seafarers union, local chapter.

She added, "Now, as ever, the situation of security breaches, broken sally port doors, downed fences, broken lights and cameras all support the traffic of drugs and contraband and lead to a general sense of insecurity. Terrible officer-to-inmate ratios place staff in the line of inmate violence.

"Understaffing making daily counts and meal service a challenge, but failure to observe every protocol in doing these administrative tasks results in swift discipline, including termination of even [those] who are on the eve of retirement.

"Furthermore, understaffing is a vicious cycle as staff retention becomes impossible under such deplorable conditions. And with fewer staff, working conditions worsen."

David Andino, a former supervisory lieutenant and auditor for the U.S. Bureau of Prisons who was hired by Governor Bryan on Dec. 7, 2020 based on Mr. Andino's over 20 years of correctional knowledge and the ability to assist in restoring correctional institutional practices, testified against Ms. Testamark. He said while he was fired by the director, he hasn't received a letter from the governor dismissing him from his position of assistant warden.

"I am here to testify the first-hand knowledge of the lack of supervisory skills Ms. Testamark possess. Her lies and disrespectful behavior of staff/ employees as well as basic knowledge of repairing and correcting correctional practices as a director has given the B.O.C. and the people of the Virgin Islands a very bad reputation within the islands and abroad," Mr. Andino said. "Ms. Testamark is a very toxic individual and makes herself and people around her that much more

unpredictable and untrusted. If your observance of staff suddenly retiring, resigning and getting fired without Governor Bryant's knowledge due to no letters issued of such firings or reasons for being let go does not show you her lack of authentic leadership, then you are turning a blind eye as she continues to destroy the trust of the Virgin Islands people, the B.O.C. and its staff."

Yet even as lawmakers agreed that the situation was bad at B.O.C., they dissented with their colleague, Mr. Johnson, on the issue of demanding Ms. Testamark's removal.

Senator Carla Joseph said it is a very low point when the Legislature starts to go into the realms of the executive branch. "There is a fine line between separation of powers. If we have a challenge with someone who the governor has on his cabinet-level, we as senators could always communicate not only with the governor but with the chief of staff and let them know our concerns based on what we are hearing in the field from our constituency," she said.

"I don't see it; it is not our place to do that. This is a call for the executive branch — it is an executive branch role to determine whether they terminate or whether they keep. I could not get into their positions on that," Ms. Joseph added as she revealed that she has had discussions with former B.O.C. employees who confirmed leadership challenges at the Bureau.

Senate President Donna Frett-Gregory, who is not a member of the Committee on Rules and Judiciary, condemned the push to get Ms. Testamark removed. She said the problems at B.O.C. are not new and to put all the issues on one person is unfair. A similar sentiment was expressed by Senator Milton Potter, chairman of the committee.

By the end of the discussion, the resolution was voted on to be tabled indefinitely. Those voting in further of tabling the measure were Senators Joseph, Potter and Francis. Voting against tabling the measure indefinitely were Senators Kenneth Gittens and Johnson, while Sen. Genevieve Whitaker abstained and Sen. Steven Payne Sr. was absent.

In other action Thursday, Dept. of Licensing and Consumer Affairs Commissioner, Richard Evangelista, was approved to become a member of the Virgin Islands Cannabis Advisory Board. He told the committee that his short-term goals for the board are to complete the rules and regulations in a way that aligns with national and global standards; ensure the reliability and safety of a Virgin Islands testing laboratory; develop a medical cannabis safety education campaign and educate and train enforcement team.

His long-term goals are to ensure affordable access to medical cannabis; de-stigmatize cannabis and its use; recruit stakeholders to participate in the cannabis program, and create pathways for USVI residents to reap the economic benefits associated with the cannabis industry.

"It is my hope that through partnership at every level of government and within our community, we can create a cannabis economy in the Virgin Islands that is sustainable and fruitful," he said.