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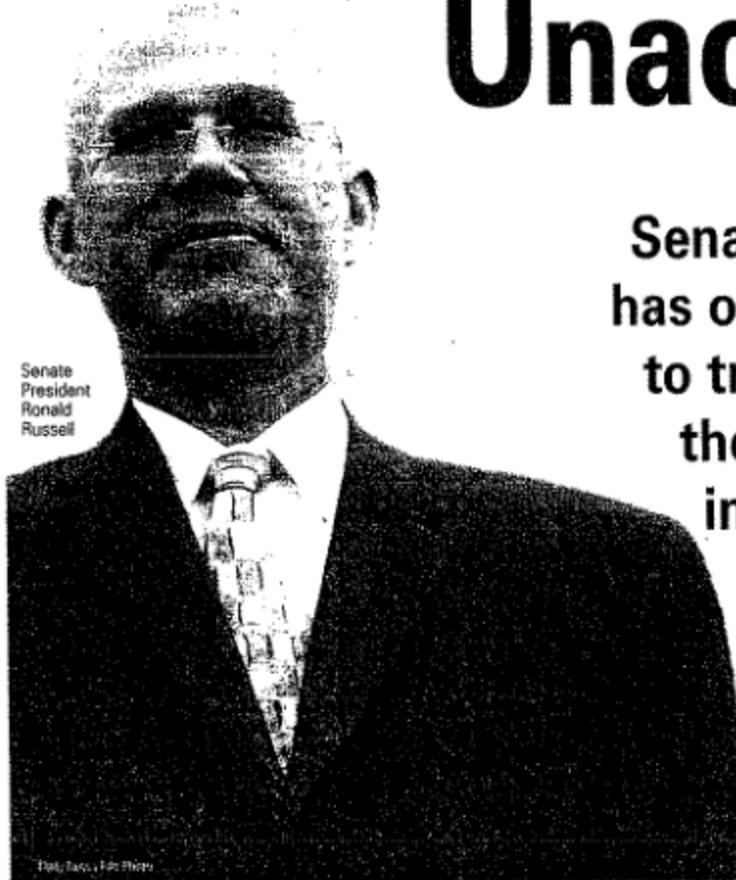
THURSDAY, OCTOBER 12, 2006

Unaccountable

For the last 10 months,
Senate President Ronald Russell
has obstructed the public's access
to travel records and concealed
the facts behind \$6.9 million
in 'questionable' spending
by the Legislature

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Bonus bonanza? Bill would allow
Russell to give bonuses to Senate staff
retroactive to Jan. 1, 2000 Page 2



Senate President Ronald Russell

Daily News / File Photo

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10 months after audit, Russell still withholding Legislature's travel and cash advance records

By LOU MATTEI
Daily News Staff

As the V.I. Legislature continues to obstruct public access to travel expense records, The Daily News announced it is examining all legal options to bring the documents to light.

In the 10 months since The Daily News requested the documents from Senate President Ronald Russell in December, the Senate leader has provided several excuses for not producing the records — but no documents.



Ronald Russell

In the most recent exchange, Russell contacted The Daily News' attorney expressing an interest in meeting with the newspaper's publisher to provide the records and be interviewed about their contents.

Daily News Publisher Jason Robbins responded with an Oct. 1 letter telling Russell that The Daily News looked forward to receiving the records and would interview him after the newspaper had a chance to review them.

Nothing had been provided as of Wednesday, and Russell denied having seen Robbins' letter.

Contacted Wednesday, Russell at first hesitated when asked about the documents.

"Give me an idea of what you're talking about," Russell said.

He later said he had authorized the release of the records and he believed they were ready to be disclosed.

"It's just a matter of getting the information to you," Russell said.

He then directed a Daily News reporter to V.I. Legislature Executive Director Pamela Richards Samuel for further information about accessing the records.

"She could probably help you out," Russell said.

When asked about the records, Samuel said Russell pulled her off the project a month ago.

"I don't have the information you're looking for," Samuel said. "He took that project back."

Samuel and Russell both later said that compiling the records is now the responsibility of a finance department employee who, as of Wednesday, was out of the office on jury duty. They did not elaborate.

Samuel said she would have to look into the issue further and might have more information today.

Meanwhile, The Daily News announced Wednesday it is preparing to take legal action to gain access

“
It's just a matter of getting the information to you.
She could probably help you out.

— Senate President Ronald Russell referring to V.I. Legislature Executive Director Pamela Richards Samuel

“
I don't have the information you're looking for.
He took that project back.

— V.I. Legislature Executive Director Pamela Richards Samuel

to the records.

"This request was made Dec. 15 of last year," Robbins said. "Ten months later, we still have not received anything but misrepresentation and obstruction. The people of the Virgin Islands deserve better. This issue was urgent when it came to light last December, and it's even more urgent today."

The records request was sparked by a joint federal and local audit of the Senate describing "highly questionable practices" involving the management of public funds that resulted in more than \$6.9 million of lost revenue, unnecessary expenses and unsupported costs. The report was published by the V.I. Inspector General's Office and the Office of the Inspector General at the U.S. Department of the Interior.

"We attribute the serious deficiencies to an absence of formal policy and procedures as well as weak internal controls," the report states. "The unregulated administration of public funds has led to a culture with almost no accountability and transparency, especially in areas such as the improper use of allotted funds, arbitrary procurement of goods and services, and inadequately secured sensitive equipment."

The audit's major findings included:

- Payment of cash advances to senators for travel with no verification that the travel actually occurred.
- Awarding of bonuses to employees without written standards or justification of such awards.
- Selection, approval and payment of contracts without competition and internal controls, leading to overpayment and no documentation that the work had been performed.
- No reporting to the Internal Revenue Bureau, leading to underpayment of tax receipts to the V.I. government.
- No documentation for sensitive equipment, potentially leading to the

equipment being misused, lost or stolen.

The audit looked at the 26th, 27th and 28th Legislatures, although most of the findings focused on the 28th Legislature.

Senators in the 28th Legislature were Craig Barshinger, Adlah Donastorg Jr., Carlton Dowe, Louis Hill, Neville James, Wayne James, Shawn-Michael Malone, Terrence Nelson, Usie Richards, Nereida Rivera-O'Reilly, Samuel Saes, Patrick Simeon Sprauve, Michael Thurland, Celestino White Sr. and Alvin Williams Jr.

The Daily News wrote a letter to Russell in December requesting a series of documents and paperwork detailing the travel expenses and cash advances made to senators in the 26th, 27th and 28th Legislatures.

V.I. statute defines public records as "all records and documents of or belonging to this Territory or any branch of government in such Territory or any department, board, council or committee of any branch of government."

The law exempts 14 types of records from public inspection, none of which cover financial records related to the Senate spending taxpayer money for travel.

Russell recently shed some light on his view of the government's relationship to the public in an interview last month following a closed-door meeting on St. Croix between 12 senators and the governor regarding future plans for the HOVENSA refinery.

"Anything we doing ain't subject to the Sunshine Act and that's how it is," Russell said, arguing the meeting was not open to the public because it was a Senate caucus.

"You have to trust us," Russell said at the time. "Whenever we have very important information, we share it with the public."

— Contact reporter Lou Mattei at 714-9124 or email lmattei@dailynews.vi.

Obstructing the public's right to know

The following is a timeline of events related to The Daily News' ongoing attempt to obtain access to public records detailing the travel expenses of the 26th, 27th and 28th Legislatures.

- **December 2011:** An audit of the V.I. Legislature by the V.I. Inspector General's Office and the Office of the Inspector General at the U.S. Department of the Interior finds "highly questionable practices" involving the management of public funds that resulted in more than \$6.9 million of lost revenues, unnecessary expenses and unsupported costs. Senate President Ronald Russell announces an internal investigation into the audit's findings and pledges to release the results — including the names of the senators responsible for the incidents reported in the audit.
- **Dec. 15:** The Daily News hand-delivers a request to inspect travel records from the 26th, 27th and 28th Legislatures to Russell on the Senate floor. Weeks later, Russell says he "misplaced the letter."
- **Jan. 23:** The Daily News hand-delivers the letter to Russell a second time.
- **February 2012:** Russell announces he will not reveal the names of the senators implicated in the audit and says the senators can reveal their own identities.
- **Feb. 6:** The Daily News gives Russell the public information request a third time. Russell confirms receipt by phone, but does not respond to the request or provide the documents.
- **April 2012:** Russell says he is ready to make public the results of his investigation; he never does so.
- **July 2012:** Russell says federal and local investigations prevent him from releasing the results of his investigation. He says the Legislature's legal counsel advised him not to release any information regarding his investigation until the outside investigations have closed.
- **July 23:** Russell confirms via email that he received The Daily News open records request after it had been sent to him a fourth time.
- **July 31:** The Daily News request is sent to Russell again and copied to all 15 senators.
- **Aug. 1:** V.I. Legislature Executive Director Pamela Richards Samuel sends an email to The Daily News stating that Russell has charged her with filling the request. She says she cannot immediately fulfill the request because a key person is out of the office until Aug. 20.
- **Aug. 17:** Russell sends a letter to Daily News Executive Editor J. Lowe Davis acknowledging the open records request from December and indicating the Legislature's staff is working on the request. "I apologize for any inconvenience that may have been caused by the delay in our response; however, let me assure you that our staff is working to execute this directive at the earliest convenience," Russell wrote.
- **Sept. 25:** Russell contacts The Daily News' attorney, Kevin Rames, expressing a desire to meet with Daily News Publisher Jason Robbins to release all documents responsive to the newspaper's request and to sit for an interview about the data.
- **Oct. 1:** Robbins responds with a letter to Russell stating The Daily News "looks forward to your providing us with this public information" and that the newspaper staff "await the information at your earliest opportunity."
- **Oct. 10:** Russell denies having seen this letter but says he has authorized release of the documents. However, Russell is unable to provide a date, time or place for releasing the records. Samuel says that Russell pulled her off the job of compiling the documents a month ago and that the finance employee now assigned to compile the records is on jury duty.
- **Oct. 10:** The Daily News announces it is preparing to take legal action to obtain the records.