



**1-800-222-TIPS (8477)**

*Remain Totally Anonymous  
Collect Rewards in Cash  
Help Our Community be Safe*

---

August 9, 2010

Crime Stoppers USVI is outraged with the lenient, and perhaps illegal, sentencing recently given to Jamal Wesselhoft, and we are in full support of Police Commissioner Novelle Francis's public statement on this.

Mr. Wesselhoft was apprehended in January 2010 after a high-speed chase, and pleaded guilty to numerous serious charges involving drugs and two illegal firearms, one of which was an AK-47. Our understanding is that an AK-47 is an automatic weapon under Virgin Islands law. According to newspaper reports, the defendant was seen brandishing an automatic weapon in a public housing project in St. Thomas. Concerned for the safety of the neighborhood, one of the residents of the housing community reported this to police and the defendant was subsequently arrested. We believe that these offenses required the judge to give the offender a minimum mandatory sentence of 10 to 20 years in prison because Act 7091, signed into law on September 11, 2009, provides a mandatory sentence of 10 to 20 years for possession of an automatic weapon. Instead, the judge gave Mr. Wesselhoft a two-and-a-half-year suspended sentence, two years probation, and 200 hours of community service. In addition, this conviction will be expunged from Mr. Wesselhoft's record if the probationary period is successfully completed.

We feel that the sentencing in this case exposes the community to danger, diminishes the efforts of law enforcement and of concerned citizens who provide information to Crime Stoppers and to the police, and will undoubtedly lead criminals to conclude that the consequences for the possession of illegal weapons are minimal or non-existent. Since the judge has not given a public explanation of his sentencing, it appears to us that he ignored Virgin Islands law and minimized the consequences for this select offender, which seems to us to be a violation of the Separation of Powers Clause of the Constitution, and it communicates to Virgin Islanders that there are special rules for special people. We think our community is built on the premise that all of us are required to comply with the law and that all of us will be treated the same way by the duly-appointed judges of our court system.

With all of the above in mind, Crime Stoppers USVI respectfully calls upon the Attorney General of the Virgin Islands to seek a writ of mandamus from the Virgin Islands Supreme Court directing the trial judge to re-sentence the offender, consistent with Virgin Islands law.

Sincerely,  
Crime Stoppers USVI Board of Trustees