

GOVERNOR ALEJANDRO GARCÍA PADILLA STATEMENT ON PEOPLE V. SÁNCHEZ VALLE

June 9, 2016 - La Fortaleza- Governor Alejandro García Padilla issued the following statement regarding the Supreme Court of the United States decision affirming the Puerto Rico Supreme Court in the People v. Sánchez Valle case, on double jeopardy:

“I encourage the people of Puerto Rico to engage in a fair evaluation of the United States Supreme Court decision in the Sánchez Valle case. The opinion extensively acknowledges Puerto Rico’s practical reality after the enactment of the Commonwealth’s constitution in 1952. To that end, it underscores that we live under a ‘distinctive, indeed exceptional’ status that emanates from ‘a popularly ratified constitution.’

“The opinion also highlights that ‘those constitutional developments were of great significance -- and, indeed made Puerto Rico sovereign in one commonly understood sense of that term.’

“The rationale of the majority decision is limited to a historical analysis– that applies exclusively to double jeopardy in criminal cases- of the original source of power to impose criminal laws, but does not diminish the powers of our present autonomy. Nonetheless, from a legal-technical perspective, I agree with Justices Breyer’s and Sotomayor’s dissenting opinion.

“Besides, the opinion is contradictory because it recognizes the self-government powers that Puerto Rico enjoys, which the Court reiterates are similar to those of the states, and, at the same time, draws the source of that self-government, in specific cases, to the sovereignty of Congress, not to the sovereignty of the people of Puerto Rico. This dichotomy must be clarified, because in the 21st century, it is unacceptable for the United States, the international community and Puerto Rico that the political sovereignty of a people depend on the opinion of another people’s legislature, even if only for the criminal prosecution of its citizens.

“I am convinced that the judgement of the majority opinion is wrong and we have the obligation to evaluate its political consequences. It is our duty to defend our right to self-government before the international community, the people of the United States, and, above all, the people of Puerto Rico. That we will do.

“Today, we are asking for an opportunity to testify before the U.N. Special Committee on Decolonization in its June 20th session, as I had anticipated in my December 26, 2015, letter to the Secretary General.”

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