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Board of Elections Delays Decision on Congressional Candidate's Disqualification Pending Further Review

Board members seek additional information before ruling on the disqualification of Ida Smith, who argues that local laws should not apply to her U.S. House candidacy

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Ida Smith. By. WTJX

The V.I. Board of Elections will wait for more information before ratifying the Elections Supervisor's decision to disqualify one congressional candidate from the ballot.?

That was the outcome of Monday's emergency meeting, which was convened to hear prospective candidate Ida Smith's appeal against her disqualification.?

Ms. Smith, who was seeking election to the U.S. House of Representatives as an independent candidate, said she was improperly disqualified from the ballot because the Election System of the Virgin Islands is erroneously using local laws to vet candidates for federal office. Instead, ballot eligibility should instead be guided by Article One of the United States Constitution, she argued.?

Ms. Smith contends that at the end of May, elections officials contacted her regarding two issues with her nomination paperwork. She was short several valid signatures for her nomination, she was informed. A complaint had also been lodged regarding her residency, Ms. Smith was informed. Elections officials believed that she was registered to vote both in the Virgin Islands and in New York, and thus she was disqualified due to that circumstance. According to Ms. Smith, rather than communicate with her directly, Elections Supervisor Caroline Fawkes instead went to the press with her allegations. Additionally, officials have thus far refused to give Ms. Smith any information about who submitted the complaint against her, she alleged.

For her part, Ms. Fawkes maintained local laws govern elections in the territory, no matter the office to which the candidate aspires. Therefore, Ms. Smith's reliance on the United States Constitution to the exclusion of the provisions in the VI Code is erroneous. Further, Ms. Fawkes said that Ms. Smith was delinquent in submitting her required paperwork for establishing her residency. Additionally, despite claiming in February that she lives and works on St. John, when she appeared before the Legislature in July, Ms. Smith utilized a New York address, the same as on her NY voter registration card. Ms. Fawkes also alleged that the would-be candidate did not cancel her New York voter registration until July 24, well after the deadline for candidate certification had passed.

Because Ms. Smith did not meet the requirements for electoral candidate by the June 11 deadline, Ms. Fawkes said she was duly disqualified as a candidate, and notified by letter. Since then, Ms. Smith has allegedly not followed the stipulated procedure to launch an appeal, the elections supervisor disclosed. Ms. Smith pushed back, saying that her NY voter registration had been canceled since February.

After some discussion, board member Harriet Mercer opined that the Board should have invited a legal representative to the meeting to provide guidance on how to proceed. "I believe we can't get too far if we don't have some legal counsel here," she said. However, Ms. Fawkes maintained that the law was clear. "All elections are local," she declared, meaning that every election in the United States Virgin Islands must be conducted under the aegis of Title 18 of the Virgin Islands Code. "All prior delegates went through the same process," she noted.

?After retreating into executive session, the board emerged to consider a motion to hold off on any decisions until a second emergency meeting is convened at a later date. Board member Lilliana Belardo De O'Neal suggested that the board seek more information from relevant parties in the interim and return better informed and better equipped to make a decision. A motion to adopt Ms. Fawkes's decision to disqualify Ms. Smith was amended to pause a final deciding vote until the board obtains more information on the circumstances. The amended version was passed six votes to five.