

The Virgin Islands Consortium

BOE Members No Show At Emergency Meeting, Early Voting Continued Sat. Despite Supreme Court Ruling

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When Board of Elections (BOE) Chairman for the St. Croix District, Adelbert Bryan, called an emergency meeting on Saturday at 9 a.m. to discuss the ramifications of Friday night's Supreme Court ruling ordering Elections Supervisor Caroline Fawkes to recall all ballots with Sen. Alicia "Chucky" Hansen's name on them or place a sticker over the senator's name to conceal it, it was expected that all Board members would be present at the important meeting. However, not a single member showed up--with the exception of Bryan himself.

In fact, the meeting started about six minutes before 10 a.m.--almost a full hour after the scheduled time, forcing Bryan to call the meeting to order without quorum. Only media

and a few concerned citizens were present, precluding Bryan from taking any action on the sole agenda item: "Discussion and Decision regarding Virgin Islands Supreme Court Ruling effective Friday, October 24, 2014, relative to Bryan vs. Caroline Fawkes, Supervisor of Elections (S. Ct. Civ. No. 2014-0066)," as Board decisions cannot be made without at least four members being present.

Bryan began speaking, revealing that the email notification of the meeting was sent out on Friday night by sole Board of Elections employee, Administrative Assistant Terrell Alexandre, who confirmed he had indeed emailed the emergency meeting notice to all Board members.

Bryan expressed his dissatisfaction with Board members not being present at the critical meeting, stating they had no issues making quorum in the past -- and said the longer they procrastinated, the more active they would become in holding up the election process.

In light of the Supreme Court's Friday ruling, all voting was supposed to come to a halt on Saturday morning until the issue of Hansen's name being on the ballot was rectified. Yet, people continued voting early, placing the Board of Elections in a precarious situation, as Board members could now be held in contempt of court for not following a Supreme Court ruling.

Not having the power to make any decision without Board members' approval, Bryan spoke to the small group that had gathered about the Board's options.

He said the ballots currently available would have to be discarded, and new ones ordered without Sen. Hansen's name. The Chairman said this would not be a difficult task because the Department of Property and Procurement has the capability out of St. Thomas to print the ballots in "mass capacity", which could be ready by Monday.

Media personnel then questioned Bryan about those who had already voted early, asking what would become of their ballots. The Chairman said those persons would simply have to vote again because the votes they cast early were never scanned or placed into the tabulator, two requirements of early voting, due to the DS200 voting machine malfunctions.

Bryan was then reminded that the Supreme Court also said Hansen's name could be blotted out with a sticker, but the Chairman protested, saying that the DS200 machines would not recognize a ballot with a sticker placed on it, and would therefore refuse it. He added that if a sticker were to be used, no one would be able to stop someone from simply removing the sticker concealing Hansen's name and vote for her.

When asked if the embattled senator could mount a write-in campaign, Bryan said she could, but that would still not make Hansen an eligible candidate for office in the 31st Legislature. He stressed that the Supreme Court has ordered her name off the ballot, so writing her name onto the ballot has no effect.

Concerning the early voting problems the Board of Elections is currently facing with the DS200 machines, which Bryan calls cross-voting--a scenario where someone marks his or her ballot, but the machine fails to show where the voter placed that mark and allows said voter to vote in another category--ballots were not being scanned through the

DS200 machines.

Bryan said contrary to what Fawkes had previously alluded, the Board was aware of the machine problems since before the primary elections, as it was brought to the Board's attention by Bryan himself, along with Administrative Assistant Terrell Alexandre and Board member Roland Moolenaar.

Bryan, on multiple occasions, said that early voting could be halted by the District Board in accordance with Virgin Islands Code; however, because members were not present, nothing could be done.

The meeting lasted well past an hour, and when it was about to come to an end, Board members Liliana Belardo de O'Neal and Moolenaar showed up. When asked to offer their position on the Supreme Court's latest ruling on Hansen, O'Neal shrugged and said she would not discuss the issue. Moolenaar, on the other hand, said he agrees that Hansen's name should be taken off the ballot.