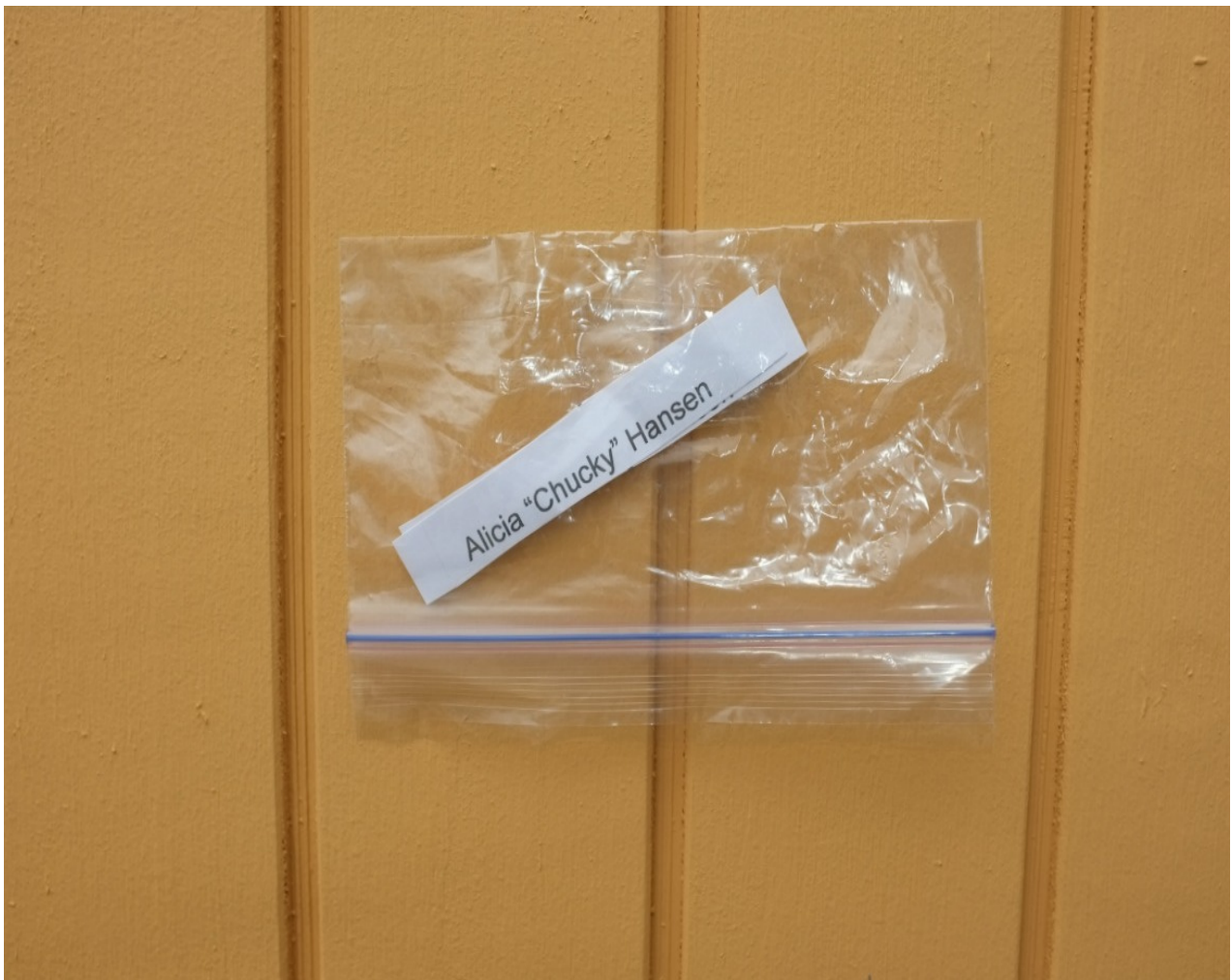


The Virgin Islands Consortium

Supreme Court Denies Hansen Recount, Chastises Superior Court For Multiple Errors

Politics / **Published On January 09, 2015 10:11 AM /**

Ernice Gilbert **January 09, 2015**



The Supreme Court of the Virgin Islands Thursday upheld a decision made by the Superior Court of the Virgin Islands on Dec. 24 to grant petitioner, Sen. Nereida Rivera-O'Reilly, a writ of mandamus--an order from a court to an inferior government official ordering the government official to properly fulfill their official duties or correct an abuse of discretion--directing the St. Croix District Board of Elections, its members, and the Government of the Virgin Islands, to cease immediately a recount of votes cast for Sen. Alicia "Chucky" Hansen for the office of Senator in the Nov. 2014 General Election.

Hansen appealed the Superior Court's decision to the Supreme Court on Dec. 29, arguing that Superior Court Judge Harold Willocks' decision was inconsistent with



Senator Alicia "Chucky" Hansen

"Today we filed an appeal to the Virgin Islands Supreme Court, we feel that it is flawed that someone could be declared by the Supreme Court not to have been damaged by the decision to remove at the last minute from the ballot, because she could run a write-in candidacy, and then when she did and her votes weren't counted, not be a candidate to demand that her votes be counted. That appears to be totally inconsistent," [said](#) Hansen's attorney, Lee Rohn, in December.

In its latest Opinion, the Supreme Court chastised the Superior Court on various levels, stating that the court "exceeded its jurisdiction when it disregarded a notice of removal of these proceedings to the federal court," although the error was "harmless because the United States District Court remanded the matter and acknowledged that proceedings in the Superior Court were ongoing."

The Superior Court also erred, the Supreme Court said, "in holding that Hansen lacked standing as a 'candidate' to petition the Board of Elections for a recount," and "in implicitly rejecting the claim that elections officials unilaterally commenced a recount without first obtaining authorization from a majority of the Board of Elections by vote granting the petition for a recount, which the Board's official records all indicated had not been done."

The Supreme Court went on to opine that Hansen's recount was initiated with no legal authority, and thus the petitioner, Rivera-O'Reilly, was entitled to a writ of mandamus.

As seen in the aforementioned, the Supreme Court found many errors with decisions made by the Superior Court, in addition to an error of concluding that "the Board could waive statutory timeliness requirements governing recount petitions as set forth in 18 V.I.C. § 629."

However, despite the errors, the Supreme Court maintained that the Superior Court's Dec. 24 "ultimate decision to grant the writ of mandamus directing that the recount be ceased was correct and that result is affirmed."

View the original embedded media (unavailable in the recovered archive)

For a timeline of the Hansen case, go [here](#). Read the Supreme Court's full Opinion [here](#).

Feature Image: Stickers used by supporters to affix Sen. Hansen's name to ballots in the November 2014 General Election.

© Viconsortium 2026