

The Virgin Islands Consortium

Mapp Signs Into Law Bill Ending Symbol Voting; Vetoes Measure Aimed At Forcing Voting Loyalty To Territory

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ST. THOMAS -- Governor Kenneth Mapp on Tuesday took action on several measures, among them one that sought to end symbol voting in the territory, an option that had caused much confusion during the 2014 General Election. The measure was sponsored by Senator Kenneth Gittens, who has been working and reworking a string of election reform bills.

"The new law now provides that each voter may choose whom they wish to vote for notwithstanding that the voters' choice of candidates may be persons of varying political

persuasions,” the governor wrote in his message to Senate President Neville James. “I commend the Democratic Party Senators of the legislature who voted to protect the voting rights of the people of the Virgin Islands over political party interest. BRAVO!”

In 2014, then-gubernatorial candidate Mapp and his running mate Osbert Potter filed suit against Elections Supervisor Caroline Fawkes in the Supreme Court of the Virgin Islands, that ultimately forced the Board of Elections in both districts to make available the DS200 machines that the board had claimed could not be used because they were not functioning properly, as they were failing to notify voters of errors.

In other action, the governor rejected a measure, also sponsored by Mr. Gittens, that would require a senator, governor or lieutenant governor to immediately forfeit their office if they are found guilty of voting in any election outside the territory. In addition to forfeiture, the proposed sanctions include fines of not more than \$5,000.

In his transmittal letter to Mr. James, the governor reminded all of the events of 1989, when he had been removed from the legislature for participating in a presidential primary as a private citizen.

“The full voting rights of American citizens living in the Virgin Islands is a right we all wish to exercise as members of the family of American Citizens,” the governor wrote. “While I am aware that the current construction of the US Constitution makes no provision for American citizens living in the territories to participate in presidential elections; I yearn to have a say in choosing my American president.

“As governor, I can tell you that many Virgin Islands’ residents share this desire. I will not join with the legislature to condemn or punish any Virgin Islander who seeks to or participates in a national election.”

According to Government House, Mr. Mapp believes the Legislature is acting outside its authority as provided for in the Revised Organic Act of 1954. That Act establishes conditions for the removal of an elected official and the Legislature retains the power to at any time determine the qualifications of any of its members to serve in the Senate.

“The bill as constructed is confusing,” Mr. Mapp wrote. “In what forum would the governor, lieutenant or senator be found ‘guilty’ of voting? While I recognize that persons can be found guilty of voter fraud; I have been unable to find any jurisdiction in America where a person can be found ‘guilty’ of voting.”