

The Virgin Islands Consortium

Brian Smith Calls For Recount: 'Margin Of Victory Was Extremely Great,' He Contends After Placing Last

Politics / **Published On August 08, 2018 10:21 PM /**

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Senator-At-Large Brian Smith has formally requested a recount of ballots in the Senator-At-Large race, following his loss during the Democratic primary election on Saturday, where Mr. Smith placed last with 1,237 votes -- a result that effectively eliminated his chances of being reelected.

In a letter addressed to Supervisor of Elections Caroline Fawkes, Mr. Smith cited what he said were irregularities with the results. "I am respectfully requesting a manual recount of the votes for the Senator-At-Large race," he wrote. The senator listed the following as cause for the recount request:

- The margin of victory was extremely great
- The winner of the race received more votes than the winner of the gubernatorial race
- The percentages of the votes received by all candidates were almost identical territory-wide

"Finally, it is worth noting that this situation is an irregular statistical probability, as such a thorough investigation is warranted," Mr. Smith wrote.

Mrs. Fawkes told The Consortium Wednesday that the letter, which was addressed to her, should have been addressed to the Board of Elections, as it's the board that decides whether a recount should or should not occur. The supervisor cited Virgin Islands Code Title 18, Section 629, which addresses election recounts, procedure, appeal of elections and new elections. "We communicated this with Senator Smith's office," Mrs. Fawkes said.

"A petition for a recount may be filed by any candidate or election who believes that there has been fraud or error committed in the canvassing or return of the votes cast at such primary or election. The petition shall be filed with the Board of Elections of the legislative district in which the recount is requested," reads part of Title 18.

It adds, "The petition may not be filed later than 7 working days after the board has issued its official report of the primary, general or special election at which the votes were cast."

The code also says, "If the Board of Elections decides not to approve the petition and grant the recount, it shall record its reasons for such decision. The aggrieved candidate may, within 5 days after the decision of the board has been made, appeal his case to the District Court. The District Court shall review the appeal promptly and render a decision. If the decision is in the favor of a recount, the Board of Elections shall be so notified and shall proceed as provided in subsection B of this section."

Mr. Smith's fall was expected after being recorded on video by The Consortium at the Sunny Isle Intersection with a Government Employees' Retirement System sign that read "Save GERS". Asked how being on the corner, as a lawmaker, would help the pension system, Mr. Smith choked up, eventually telling the reporter to "go do whatever makes you happy."

The video went viral, with over 34,000 views on our [Facebook platform](#).

But the video was not Mr. Brian's only blunder. He recently praised the Limetree Bay/GVI oil refining agreement, proclaiming during a hearing, "glory days are here again!" But when it was time to take the important vote, Mr. Smith had already left for St. John.

He was also caught sleeping during hearings.