

The Virgin Islands Consortium

Attorney General Files Suit Seeking Temporary Restraining Order Against Arturo Watlington For Allowing Voter Registration Ahead Of Runoff

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From left to right: Deputy A.G. Joseph Ponteen and A.G. Claude Walker (VIC)

Attorney General Claude Walker on Tuesday filed suit in the Superior Court of the Virgin Islands against Board of Elections Chairman Arturo Watlington, seeking a temporary restraining order and preliminary injunction permanently restraining and enjoining Mr. Watlington from taking action to allow voter registration in St. Thomas for the runoff election, which Mr. Walker contends contravenes Virgin Islands law.

Mr. Watlington opened up voter registration for four days beginning today; he has said only the courts would stop him and not Mr. Walker's legal opinion, which was sought by the board's vice chair, Raymond Williams.

Because of [Mr. Walker's opinion](#), issued on Friday, Mr. Williams said St. Croix would not move forward with voter registration. "A run-off election is a continuation of a general election and only those individuals who were registered and qualified to vote in the November 6th election are qualified to vote in the runoff," Mr. Walker opined.

The restraining order seeks to stop Mr. Watlington, in his capacity as chairman of the Board of Elections, from registering new voters between November 13, 2018, and November 25, 2018. In particular, the government seeks to prevent the registering of new voters, as it would be contrary to Virgin Islands law, particularly 18 V.I.C. § 94, the filing said.

A portion of Section B. of V.I.C. § 94, says the offices of the Board of Elections must be open "for the examination and registration of electors every day from 8:00 o'clock a.m. to 5:00 o'clock p.m., except Saturday, Sunday, legal holidays and except during the period of 30 days immediately preceding and five days immediately following each election." Mr. Walker contends that the runoff election is the continuation of general election. Furthermore solidifying his point, Mr. Walker believes, is the date in which the runoff election is set -- 14 days after the general election -- which is well outside of the 30-day deadline that would allow voter registration before a new election.

In a statement accompanying the restraining order filing, Mr. Walker explained what led to his TRO action. He said two St. Thomas board members, Harriet Mercer and Max Schanfarber, were in agreement with his stance. Mr. Walker also stated that he was contacted by former and current Delegates to Congress, Donna Christensen and Stacey Plasket, respectively, both of whom decried Mr. Watlington's action.

"The St. Thomas board thinks they are above the law!" Ms. Christensen is quoted as stating. See attachments below.

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