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Bill Opens Up Absentee Voting to All Eligible Virgin Islanders and Electronic Absentee Voting For Those in the Military

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Lawmakers in the Committee on Rules and Judiciary on Thursday voted unanimously to amend two election reform bills related to compiling an active and non-active voters list and to accommodate early voting and no-excuse absentee voting, ahead of the November 2022 General Election.

The amendments will allow eligible voters to vote in elections in the U.S. Virgin Islands by absentee ballot. Those outside the USVI and in the military will be allowed to send in their absentee ballot through facsimile.

The hope of Senator Alma A. Francis Heyliger, who initially proposed the bill, is that it will make voting more accessible to those eligible to participate.

"We have been making quite a bit of attempts over the years to upgrade and modernize our elections code, and one of the things that we have been trying to do is to bring it into modern times by adding areas that are necessary," she told the committee.

Once passed in the Legislature and approved by Governor Albert Bryan, the USVI would join 27 other districts in the United States that offer absentee ballots. As part of the amendments, the bill will clarify the meaning of "facsimile" for the absentee process to mean any electronic means of voting.

"Right now we do that just for the military so we'll just open it up for everyone else," stated Elections Supervisor Caroline F. Fawkes, adding that 100 absentee applications have already been submitted for the upcoming elections.

"As we open it up for the public you will get an increase. Based on our historical data, I don't see it being more than 500 in none of the districts," she said. A person can apply for an absentee ballot up to election day.

In addition, the legislators agreed to maintain the powers of the Supervisor of Elections to set a time and date for early voting, after hearing from Ms. Fawkes that "flexibility is the best way to go" in that situation.

"We do not support early voting under the requisites stated in the bill. A year or two ago early voting requisites were amended to give the Supervisor of Elections the authority to decide dates, places, etc. based on internal operations of the office and processes of early voting," stated Ms. Fawkes.

She said there was no way for her office to support 30 days of early voting as proposed in the bill.

She further explained that not all election offices have the same staffing, same voting equipment, or utilize the same processes.

"We cannot support 30 days of early voting because we must end early voting at least five days prior to any election in order to forward critical data to the vendor in Nebraska for conversion and uploading. The data is then returned in a secure file in preparation for Election Day. We must allow additional time for any unforeseen data errors."

Beginning this election year, the bill will also allow the entity to compile a list of active voters versus registered voters who have not participated in two consecutive election cycles also known as inactive voters. This exercise will begin 90 days after each general election, starting with the 2022 election and will allow the supervisory body to get a more accurate outlook of the voter participation rate in the territory.

"We really will see the results in the November election. So, we have time to do the educational portion," Ms. Fawkes shared, as she urged lawmakers to pass the bill now which will give the body enough time to go to the trial process.

2022 Elections Calendar:

- Thursday, 7, July was the last day for registration. Offices were open until 7:00 p.m. on St. Croix and St. Thomas; On St. John until 4:00 p.m.
- July 13th – Wednesday, Testing of electronic voting machines and tabulating equipment for the Early Voting Period. Certification by the Board of Elections. This is open to General Public and Media
- July 18th – Monday, First Day of Early Voting. Locations are St. Croix – Elections Office, Sunny Isle & St. Joseph Hospitality Lounge; St. Thomas – Charlotte Amalie High School Gymnasium and Tutu Park Mall, the old Scotiabank location; St. John – Julius Sprauve Elementary School Cafeteria.
- July 19th – Tuesday, Last Day for receipt by the Supervisor of Elections of applications for Mail Out Absentee Ballots for the Primary Election.
- August 2nd – Tuesday, Testing of electronic voting machines and tabulating equipment, certification by Boards for the Primary Elections. This process is Open to General Public and Media. 1
- August 1st Monday - Last Day of Early Voting
- August 6th Saturday - Primary Election