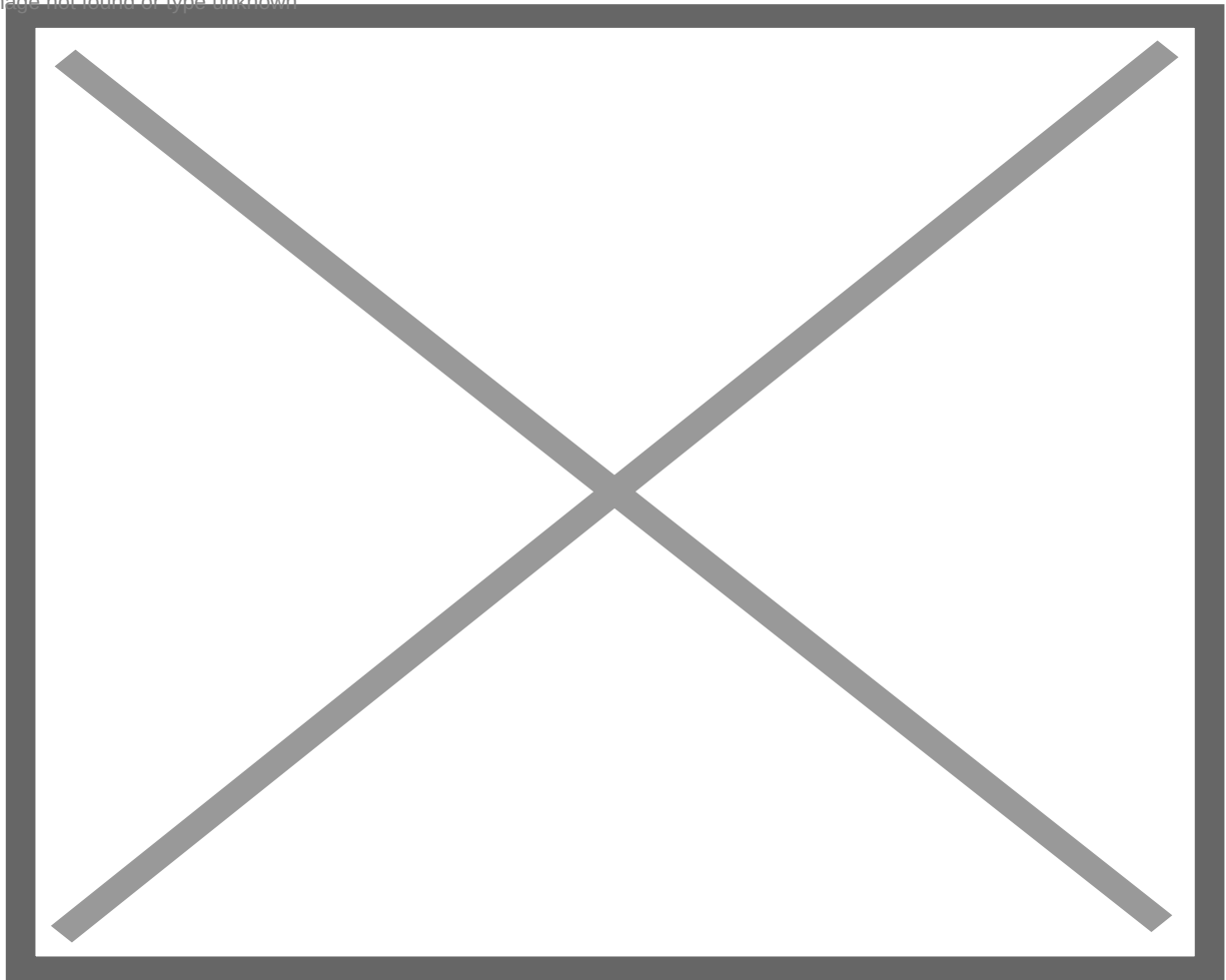


# Board of Elections Chairman Chastises Member for Casting Doubt on Voting Process as General Election Heats Up

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Board of Elections Chairman Raymond Williams during a Thursday board meeting chastised board member Harriet Mercer for what Mr. Raymond deemed a betrayal of her oath to the board following comments Ms. Mercer made on radio. Those comments, he said, sowed doubt in the community about the integrity of the territory's elections, and said Ms. Mercer should have addressed her concerns to board members instead of going to the airwaves.

The chairman's comments followed a letter from Senator Alma Francis Heyliger read into the record by Supervisor of Elections, Caroline Fawkes. In her letter, Heyliger requested information urgently regarding the testing of the electronic voting machines prior to the start of early voting on October 10.

The letter read in part, "My staff has searched the Board of Elections official website to review the official procedures regarding the testing of the voting machines. The procedures are not provided on the website."

In her correspondence, Ms. Heyliger requested the serial numbers of seals and tags and all voting equipment that will be used during early voting for the St. Thomas/St. John District, the date and time that the machines were sealed, and whether the final certification of the machines by Board of Elections members occurred before or after the machines were sealed.

After the letter was read into the record, B.O.E. Chairman Raymond Williams took a moment to address what he called "a pressing matter," in response to statements made by B.O.E. member Harriet Mercer on a local radio show on Thursday. The comments were related to the sealing and certification of the voting equipment to be used in this year's election.

"We thrive on a motto of a fair, honest and transparent election," Mr. Williams told Mercer.

"You swore an oath," Mr. Williams added, speaking passionately. "If you saw and thought something was wrong, you should have dealt with it within the confines of the board and the supervisor."

He added, "I think it is disingenuous of you as a member of this board to believe that planting this scenario of doubt in anybody or anyone in this community... you go against the grain of what we all literally live to do, to ensure free, transparent, and clear elections. You could have made your concerns known and asked the appropriate questions when you had the opportunity. Going on a radio program and taking it as a point of privilege that you don't have, and more-so the point that you are giving misleading information."

"You cannot do that member Mercer," Mr. Williams said firmly. "I am calling you out singularly because what you've done goes absolutely against the grain of your oath and against the grain of what we do. When you were not a member, it was okay for you to do that. I need you to appreciate that you are a member of a board... collective."

Responding to Mr. Williams, Ms. Mercer addressed her concern that led to her comments on radio. "There were three witnesses, myself and two other people. The deputy supervisor can tell you I asked a question. I asked a question about when will the seals go on, and she let the technicians answer that, and of course it would be after the machines are tested. I left... and I thought they will be certified, sealed and tagged."

She went on to defend her comments made live on air. "When you hear any statement I make on the radio, as you know, here on the board every member and any member, and we've said it over again, can go the airwaves. I've gone to the airwaves many times and shared information. There's nothing I said that was inaccurate. I disagree with you totally Chairman Williams. I said the machines were tested, but I didn't see them sealed and tagged and I was concerned about that."

Ms. Mercer suggested that if her comments were inaccurate, the chair of the board, upon hearing them, could have taken it upon himself to call in and correct her.

"You had every right if you hear any member to call in," she noted, as the discussion grew increasingly heated. "As a matter of fact as chairman, for any election coming up, there should be some dialogue always to give the voters and the general public as much confidence in the system. At this moment, I know for sure, I can't say that I said anything wrong."

Other members of the Board of Elections expressed dissatisfaction with the way Ms. Mercer had handled the situation. All who spoke agreed that the member should have gone to the board, rather than speaking publicly.

Deputy Supervisor Kevermay Douglas, who had been present on the occasion in question, provided clarity on what had actually transpired. She said member Mercer indicated that she was at the testing event "not as a member but as a candidate because her name was on the ballot."

Douglas noted that the team present on that day had undergone a thorough process in explaining the procedures. She noted that everyone who was present left before the technicians put the seals on.

"During the testing, I personally brought out all the seals, a bag of purple seals and I placed them there in front of everyone's view," she said.

Douglas said that once the machines were finished being tested, that would have been the point where the technicians would have sealed them. She noted that everything had been documented.

Supervisor Caroline Fawkes stated on the record at Thursday's meeting that "both districts conducted testing the same exact way."

"The board has a role and the Office of the Supervisor has a role. No board writes down seal numbers, that's done by the staff," she said. "If you have a staff and you don't trust the staff, then the board need to be here to do that work. The seals are there for the public and anyone to review. It is not a board member's duty to write the seal down. If you would like to do that, that's on you, but that's not a board requirement. The board is a policy-making body."

Ms. Fawkes noted that she had sent emails to all candidates for the 2022 Primary Election so they could come and see the sealing, the opening, and rest of the processes.

"I don't understand why we think it's any different than St. Croix," she said. "It was done, maybe it finished earlier, but you have to stay to the end... We do early voting, testing, its on the calendar. You come in, test, then you seal. You can't seal before you test. The numbers are written down and you know who removes that seal? The judge. It's in the judge's book when they remove the seal and do their process everyday."

Ms. Fawkes ended her comments on a neutral note, "We are here to conduct a fair, accessible, secure, transparent process, that's all I know."

Mercer eventually apologized for casting aspersions in any way. Even within that apology, she noted that her only regret was not staying behind to make sure the seals went on.