

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

Elections System of the Virgin Islands

#4 SUNNY ISLE SHOPPING CENTER ANNEX, ST. CROIX, V.I. / 9200 LOCKHART GARDEN, ST. THOMAS
P.O. Box 1499 · Kingshill · St. Croix · U.S. Virgin Islands 00851-1499
P.O. Box 6038 · St. Thomas · U.S. Virgin Islands 00801-6038

Sent via Email: stedmannhodge@hotmail.com & vi.dtc.secretary@gmail.com

May 24, 2024

Mr. Stedmann Hodge, Jr.
State Chairman
The Democratic Party of the Virgin Islands
2704 Murphy Gade,
St. Thomas, V.I. 00801

Re: Letter Dated May 23, 2024

Dear Chairman Hodge, Jr. ,

The Elections System of the Virgin Islands is in receipt to your letter dated May 23, 2024.

Thanks for addressing your concerns in a timely manner. The Elections System of the Virgin Islands promotes Democracy for all voters in accordance with the applicable constitutional laws.

First, the statement made that Elections Laws cannot be amended within the six months period is inaccurate. As with the judicial and legislative authority, laws can be amended at any time prior to the date of any action to be taken. Elections Laws have been amended within the six-month window for over twenty-years, which means the precedence has been set. The last law that was amended within the six-month window was for the 2022 election, Act No. 8591, Bill No. 34-0230 signed by Senate President Donna Frett-Gregory dated July 27, 2022, and signed by Governor Albert Bryan, Jr. on August 8, 2022. This law was requested to be enacted by the Elections System of the Virgin Islands for the 2022 General Election. Copy attached.

Now, I will respond to your concern on the U.S. District Court issued Opinion and Order dated January 10, 2024, and why I made the statement, which I continue to stand by. The Office of the Supervisor cannot conduct a Primary Elections unless the legislature amended certain sections in VIC Title 18, that are contradictory and problematic with the Judge's Order, which impacts on the Office of the Supervisor Casting Lots on May 31, 2024, the beginning of the Primary Election process.

As you stated in your letter, section 232, first sentence states, Party Primary elections shall be held in the Virgin Islands on the first Saturday of August for the purpose of choosing candidates for nomination to **public offices** to be voted for at the ensuing general election. Public Offices on the 2024 Ballots are Delegate to Congress, Legislature, Legislature At Large, Board of Elections,

Re: Letter Dated May 23, 2024

Board of Education and Board of Education At Large, all these offices will appear again on the General Elections Ballot.

This clearly means, that all the Democratic Aspirants who filed for Political Party Offices are not in accordance with VIC 18, Section 232 first sentence. The Court Opinion and Order made it clear that the Elections System of the Virgin Islands must not be involved in Political Party business. You shared Delaware's Election Laws; however, I am not sure your Ad Hoc Committee research in-depth to notice they do not conduct a Primary for Political Party Offices. Of the forty-nine states and three other Territories/Commonwealth, they do not conduct Primaries for Political Party Offices. Attached is a copy of two of Delaware's Primary Election Aspirants Listing, none of them contains Political Party Offices.

For this and other reasons, I made the statement No Primary Elections will be conducted until the laws are amended at the Legislative Hearing on May 13th. As the Supervisor of Elections, I must follow the law as written not what we wish it to be.

The Office of the Supervisor will not support a split or hybrid process, once we are statutory mandated to conduct the Primary Election, we will perform the entire process. The Board of Elections may weigh in on your letter, as a separate entity.

The Board of Elections is planning an Emergency Meeting for May 30, 2024, at 3:00 p.m. via MS Teams and In Person in the Elections Conference Room, the public is invited to attend.

As the Supervisor, I am awaiting the Legislative action to clear up the contradictory and problematic sections of VIC Title 18 before I can move forward with conducting the Primary Election, as per the first sentence in VIC 18, Section 232.

The Staff will work on the requested Aspirants (Public & Party Offices) Nomination Petitions listing and we will forward both Districts Listings to you upon completion of the Certification Process.

I would like to take this opportunity to share important dates of the upcoming 2024 General Election. I would appreciate it if you could share this information with your membership. For updated information, you can visit vivote.gov or your elections office.

2024 General Election
Last Day to Register to Vote: October 6, 2024
Early Voting Dates: October 14-28, 2024
Election Day: Tuesday, November 5, 2024

Page 3

Re: Letter Dated May 23, 2024

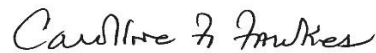
I am also attaching a copy of the 2024 Elections Calendar, so you can review the dates that the Primary process begins.

The Elections System role is to ensure our voting process is fair, accessible, secure, and transparent, for All Voters.

If you have any additional questions, please do not hesitate to contact the undersigned via email at caroline.fawkes@vi.gov.

Your Vote is Your Voice and Your Voice is Your Vote.

Sincerely,



Caroline F. Fawkes, CERA
Supervisor of Elections

Cc: Members, Board of Elections

Encls: Two Delaware Primary Election Offices Listing
2024 Elections Calendar