



THE UNITED STATES VIRGIN ISLANDS  
DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

June 11, 2018

CLAUDE EARL WALKER, ESQUIRE  
ATTORNEY GENERAL

Via Electronic Mail and U. S. Mail

Jevon O. A. Williams  
Minority Leader  
Board of Elections  
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Re: **Applicability of Decisions made by the District Boards of Election after August 1, 2017**

Dear Mr. Williams:

This opinion letter is in response to your letter dated June 11, 2018, requesting legal advice concerning actions and decisions that were made by the District and Joint Boards of Election after August 1, 2017, when the District Boards were to be dissolved.

**ISSUE PRESENTED**

Whether the Board of Elections must reconsider actions taken by the defunct boards, including, but not limited to, motions and resolutions transacted during meetings of the board or its committees; the adoption of rules, procedures, and motions for the governance of the Election System of the Virgin Islands or the administration of elections within the territory; and the expenditure of funds or human resources/personnel matters.

**ISSUE ANSWER**

Yes. The Superior Court has ordered that all actions taken by the District Boards subsequent to August 1, 2017, are null and void.

### DISCUSSION

The question posed above does not require legal analysis of the type normally given in a formal Attorney General's opinion letter. Opinion letters serve to answer questions of law raised by public agencies or officials, and carry the weight of law, until such time as a court overrules the opinion. In this particular case, a Court has already issued a ruling as to the question asked above.

On May 10, 2018, Judge Denise Francois issued an order that stated:

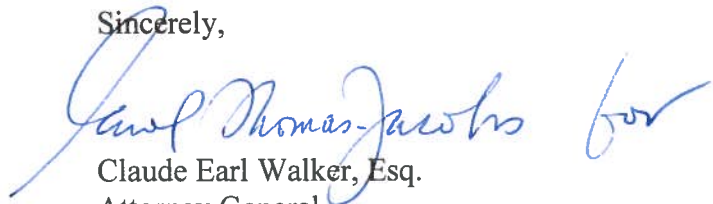
**ORDERED, ADJUDGED AND DECREED** that the judgment is entered against the Defendants and in favor of the Government of the Virgin Islands on Count I of the Government's Complaint adjudging that all decisions made by the St. Thomas and St. John District Board and the St. Croix Croix (*sic*) District Board of Elections after August 1, 2017 are **VOID**[.]

This ruling settles the matter and explicitly states that the members of the single Board of Elections must revisit all decisions made after August 1, 2017. Furthermore, on June 8, 2018, the Virgin Islands Supreme Court affirmed this decision—settling any question as to its effect.

### CONCLUSION

The newly-formed single Board of Elections must revisit each item that was decided upon by the District Boards subsequent to August 1, 2017. The Board may vote against past actions, it may ratify past actions, but it must affirmatively revisit each and every decision that was made.

Sincerely,

  
Claude Earl Walker, Esq.  
Attorney General