

Elections Board Keeps Single Ballot Even as Law Requires Separate Ballot for Federal Contest

After the Board was told separate ballots could be produced by the June 17 absentee deadline, members voted 6-3 to keep federal and local races together, prompting objections that the law requires the Delegate contest to be placed on a separate ballot.

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Despite acknowledging that Virgin Islands law requires separate ballots for federal and local electoral contests, the V.I. Board of Elections voted Wednesday to continue using a single ballot for the upcoming election.

The decision came after board members met in executive session with a representative from Election Systems & Software, the contractor that provides voting equipment for the territory.

According to Board Chair Raymond Williams, the representative confirmed that separate ballots could be produced in time for the June 17 deadline to mail ballots to voters who qualify for absentee voting.

The confirmation meant that the statutory requirement for a separate ballot could be met without compromising the upcoming ballot mailing deadline. However, Mr. Williams asked whether “the majority of the membership is comfortable with proceeding” with separate ballots.

Board member Kareem Francis then moved to keep the current structure in place. “While I understand what the law states, I also want to move that...we keep the ballots as they are...and we continue discussions as we can ensure future elections...follow the law to the letter,” Mr. Francis said.

The motion drew immediate objection from board member Cleopatra Peter, who argued that the Board should comply with the law now rather than postpone the issue again.

“We gotta follow the law...every year is the next year,” Ms. Peter said. “We had two years to figure it through,” she added, questioning what had been done during that period to ensure the Election System would be ready to comply for the upcoming election.

Board member Barbara LaRonde also objected to keeping the single ballot. She noted that the contractor had just confirmed that separate ballots could be prepared and mailed in time, and said voter education could still take place before and during the election process.

“Public education happens even at voting time,” Ms. LaRonde said. “I am strongly, strongly suggesting that we follow the law.”

Title 18, Section 21 of the Virgin Islands Code, which governs elections to federal office, states in paragraph b) that “After review and approval by the Joint Boards of Elections, the Supervisor of Elections shall cause to be entered on the Official Ballot a separate ballot containing the names of candidates for the office of Delegate to the House of Representatives which shall be contained in the electronic voting machines.”

Despite that language and the contractor’s confirmation that compliance was possible by the absentee ballot deadline, the Board voted to keep using one ballot. The motion passed 6-3.

After the vote, board member Harriet Mercer attempted to introduce another motion “that we stop violating the law,” but Mr. Williams quickly stopped the effort and moved the meeting forward.

The decision leaves the Election System on course to continue placing federal and local contests on the same ballot for the upcoming election, even after several members said the law requires a separate ballot for the Delegate to Congress race and after the voting equipment contractor confirmed that separate ballots could be produced in time.