

BUDGET PRESENTATION

BEFORE THE LEGISLATURE OF THE VIRGIN ISLANDS

COMMITTEE ON FINANCE

July 7, 2016



FISCAL YEAR 2017 BUDGET

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ELECTION SYSTEM OF THE VIRGIN ISLANDS

1 **INTRODUCTION**

2 Good Afternoon, The Honorable Chairman Clifford F. Graham,
3 distinguished members of the Committee on Finance, other members
4 of the 31st Legislature, members of the press, the viewing and listening
5 audience. It's an honor to appear before you today to present the
6 Elections System of the Virgin Islands (which encompasses the Office
7 of the Supervisor, St. Thomas – St. John District Board and the St.
8 Croix District Board Fiscal Year (FY) 2017 budget request and provide
9 an overview of our critical role in enhancing and increasing our
10 registered voters knowledge through education, outreach, voter's
11 feedback and suggestions.

12 I am Caroline Fawkes, Supervisor of Elections, present with me are St.
13 Croix District Chairwoman, Mrs. Lilliana Belardo de O'neale, Ms. Lisa
14 Harris Moorhead and other Board Member(s) to provide testimony on
15 Fiscal Year 2017 budget.

16 As the Territory's Elections agency, the Election System's mission
17 is: ***“To provide American citizens in the Virgin Islands with the***
18 ***mechanism to exercise their right to vote according to the United***
19 ***States Constitution. Our primary goal is to ensure a Fair,***
20 ***Accessible and Transparent Election process”.***

21 The Election System of the Virgin Islands was created through Act 936
22 on February 20, 1963 by the Legislature of the Virgin Islands. The
23 authority of the Elections System of the Virgin Islands is derived from
24 Title 18 of the Virgin Islands Code.

25 The Office of the Supervisor of Elections is charged with the day to day
26 administration of the Election System of the Virgin Islands. The areas
27 of concentration are: *voter registration, election management, candidate*
28 *nomination process, financial disclosure, voter information/education*
29 *and preparation for the execution of the Elections.*

30 First, I would like to acknowledge and thank the purpose driven,
31 passionate and committed staff of the Elections System, which
32 presently consists of fourteen employees. The Board of Elections is
33 composed of members representing all sectors of our community,
34 genuinely committed to the Virgin Islands. They may differ on their
35 opinions but all are passionate regarding what they believe is best for
36 the future of the Virgin Islands. The Board and the Office of the
37 Supervisor continue to work collaboratively to mitigate any problems
38 ensuring a smooth electoral process.

39 We are mandated to comply with numerous Federal Laws for every
40 Election:

41 **The Voting Rights Act of 1965**

42 The Voting Rights Act significantly widened the franchise and is
43 considered among the most far-reaching pieces of civil rights legislation
44 in U.S. history. On August 6, 2015, the United States celebrated the
45 fiftieth anniversary of the Voting Rights Act. The District Boards along
46 with the Office of the Supervisor will be embarking on an educational
47 campaign to educate, motivate and inspire our citizenry to take this
48 precious right seriously.

49 **The Voting Accessibility for the Elderly and Handicapped Act of**
50 **1984**

51 This Act promotes the fundamental right to vote by requiring "access
52 for elderly and handicapped individuals to registration facilities and
53 polling places for federal elections".

54 **The Americans with Disabilities Act of 1990 (ADA)**

55 This Act affords similar protections against discrimination to
56 Americans with disabilities as the Civil Rights Act of 1964; which made
57 discrimination based on race, religion, sex, national origin, and other
58 characteristics illegal. In addition, unlike the Civil Rights Act, the ADA
59 also requires covered employers to provide reasonable accommodations

60 to employees with disabilities, and imposes accessibility requirements
61 on public accommodations.

62 ADA disabilities include both mental and physical, medical conditions.
63 A condition does not need to be severe or permanent to be a disability.

64 **PROPOSED BUDGET**

65 It should be noted, with all the demands placed on the Elections System
66 of the Virgin Islands, the Budget for the Elections System has remained
67 at the same level as the past four fiscal years.

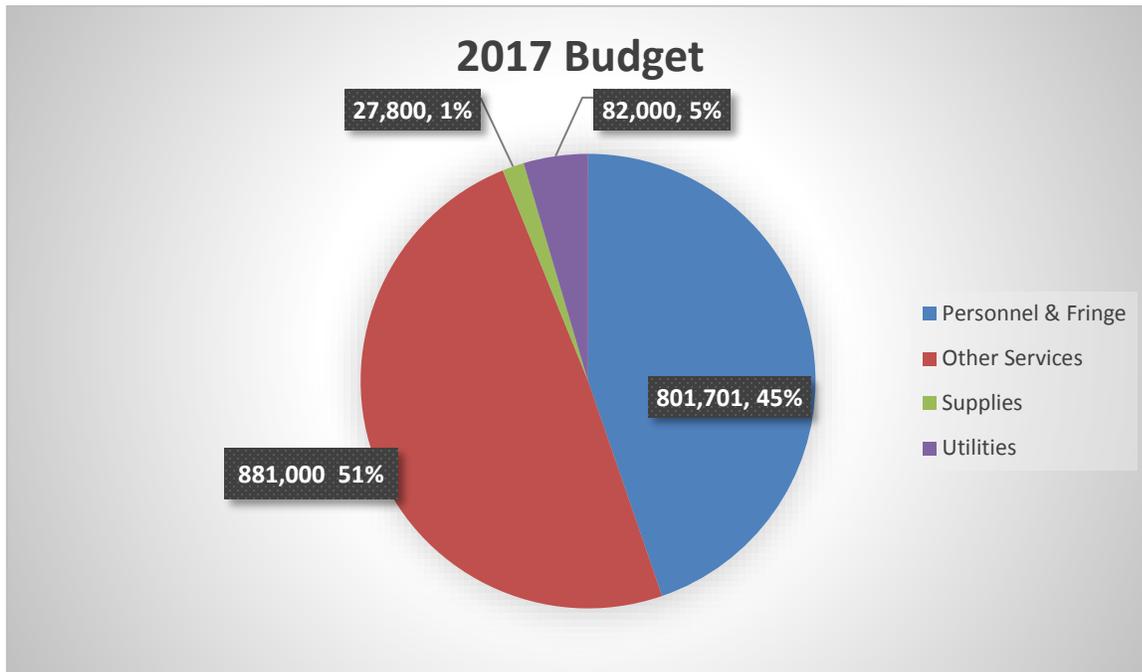
68 The Office of the Supervisor is requesting **\$2,157,501.00**. This funding
69 is necessary for the following reasons.

70 Capital Improvement in the amount of \$340,000.00 for the build-out of
71 a modern office building with adequate storage space. This will be
72 discussed in detail later in my Testimony. Funding needs to be
73 available in order to offer any letter of intent or make a commitment to
74 any landlord.

75 When you deduct the amount requested for Capital Improvements, our
76 requested budget will be closer to \$1,792,501.00. This is a
77 \$392,501.00 increase from fiscal year 2016.

78 An estimate of 45% of the budget is spent on Salaries and Fringe
79 Benefits, 51% on Other Services and Charges which includes

80 Professional Services, Rental of Land/Building, Communication &
81 Security to name a few, Supplies – 5% and Utilities – 1%.



82
83 This proposed budget will ensure the non-unionized employees will
84 obtain their long overdue step increases, estimated at \$185,000.00.
85 This amount does not include retro-pay.
86 We must follow the trend of obtaining new technology enhancements,
87 which includes upgrading the telephone systems, the internet
88 connectivity speed to meet demands, a new digital voter's ID card and
89 a streamlined voter's historical database for an estimated cost of
90 \$40,500.00. This budget includes payment for a prior year outstanding
91 invoice from the 2012 Election in the amount of \$58,878.45, to an off
92 island vendor.

93 The Elections System relies heavily on IT technical support and we
94 want to extend our Thank You to the Bureau of Information
95 Technology staff that has assisted the Elections System of the Virgin
96 Islands over the years, however our need to monitor and maintain the
97 computer systems and networks continues to demand more time and
98 resources. We are the point where we need to contract an IT person
99 for daily operations, because of the contractual requirement with
100 Election Systems and Software, the constant updates especially
101 during an election cycle. The IT Contractor will be able to install and
102 configure computer systems, diagnose hardware, software faults,
103 solve technical and applications problems, either over the phone or in
104 person, however they will be dedicated to us.

105 It's crucial to ensure the correct running and maintenance of the IT
106 systems within the Election Systems office, therefore, it's now become
107 a requirement for us to Contract an Information Technology specialist
108 at an estimated cost of \$50,000.00.

109 The next area which continues to increase is the legal fees with each
110 new court case. This fiscal year, we have expended over \$78,000.00 in
111 legal fees, with at least two cases pending. As Senators you are aware,
112 the Attorney General's office sent correspondence stating they will no

113 longer represent the Board of Elections. While this cost cannot be
114 forecasted, there should be monies in the budget for legal fees. Lastly,
115 additional funding is required for the newly acquired lease for the ADA
116 Complaint St. John Office, in the amount of \$26,615.52.

117 The St. Thomas/St. John and St. Croix District Boards 2017 Budget
118 requests is **\$125,598.00** each.

119 The Joint Board of Elections is the policy making body of the elections
120 system, however, there are two election districts within the Virgin
121 Islands: the district of St. Croix and the district of St. Thomas/St. John.
122 Each district has a separate board consisting of seven members who
123 are elected for a four year staggered term.

124 The St. Croix District Board of Election is comprised of Chairwoman
125 Lilliana Belardo De O'Neal, Vice-Chairwoman Barbara Jackson-
126 McIntosh, Secretary Glenn Webster, members Adelbert Bryan,
127 LisaHarris-Moorhead, Roland Moolenaar, and Raymond Williams. The
128 St. Thomas/St. John District Board of Elections is comprised of
129 Chairman Arturo Watlington, Jr., Esq., Vice-Chairwoman Lydia
130 Hendricks, Secretary Carla Joseph, members Lawrence Boschulte,
131 Diane Magras-Urena, Ivy Moses, and Alecia M. Wells.

132 The boards of elections have jurisdiction over the following: the
133 registration of electors and the conduct of primaries and general
134 elections; performance of all functions with respect to party enrollment
135 of electors; the preservation, storage and maintenance of registers and
136 primary and general election equipment of all kinds; issuance of
137 certificates of appointment to election officers; investigation of election
138 frauds and irregularities; receive from election officers the returns of all
139 primaries and general elections, canvass and compute the returns, and
140 certify, no later than one week following the primary or general
141 elections, and forwarding of the results thereof to the supervisor of
142 elections. The board makes recommendations to the legislature
143 regarding amendments to election laws in conjunction with the
144 Supervisor of Elections.

145 Nearly 80% of the District Boards budget is spent on Salaries & Fringe
146 benefits for the Administrative Assistants, which does not include
147 overtime. A salary of \$47,000.00 with fringe benefits of \$14,000.00
148 totals \$61,000.00. An automatic deduction of \$61,000.00 from
149 \$75,000.00 the balance is \$14,000.00. The remaining funds are used
150 for Board Members Stipends; this leaves little funds for training of the
151 Board Members. Therefore, the funding for much of the training

152 mandates for the Board Members have to be taken from the Office of
153 the Supervisor Budget, which is also underfunded.

154 During an election year the Board Members are mandated by VIC 18 to
155 conduct registrations and demonstrations along with other educational
156 outreach. An estimate of thirty (30) meetings, demonstrations and
157 canvassing of elections results are projected for the fiscal year 2017,
158 since it's an election year, it's estimated at a cost of \$15,570.00.

159 This example, clearly illustrates that a stagnant budget of \$75,000.00
160 for both District Board is unrealistic.

161 **ADA COMPLAINT MODERN OFFICE BUILDING WITH ADEQUATE**
162 **STORAGE SPACE**

163 We are happy to report the St. Thomas and St. John Elections Offices
164 are in ADA Compliant office space and meet our current and future
165 needs. However, the St. Croix Office is not. The Elections System of
166 the Virgin Islands has outgrown the current office and storage space in
167 the St. Croix Office. Aside from the job scope itself, one factor that
168 significantly influences how employees feel about work is the
169 environment. A comfortable and spacious work environment
170 contributes positively to employee morale and productivity.

171 On St. Croix, our major deficiency is evident on Election Night as many
172 of you are aware, the space in our St. Croix office does not afford the
173 media and public to observe the tallying of election results. This creates
174 a major concern in relations to transparency. We presently rent two
175 50" TVs, borrow a tent from the Department of Agriculture, hire staff
176 members from the Bureau of Information Technology and our local
177 Channel 12 station provides the live feed to the outside of our office. In
178 2016, this is an archaic way of doing business and it is extremely
179 costly.

180 We continue to spend funds to upgrade our current facility to become
181 ADA compliant in areas such as repairing outdated air conditioning
182 systems, installing air conditioning in the 2,500 square foot storage
183 space, repairing roof leaks, along with many other deficiencies, the
184 funds we are presently expended can be best utilized in obtaining an
185 modern facility.

186 Because of these deficiencies, we are requesting an estimate of
187 \$365,000.00 of Capital Improvement funding in FY 2016 budget to
188 relocate the St. Croix Office. We have conducted a few site visits to
189 various buildings with the Department of Property & Procurement
190 Property Manager and Department of Public Works Engineer. The St.

191 Croix Board along with the Office of the Supervisor staff has agreed on
192 a building located in the La Reine area. This building is readily
193 available, accessible by public transportation, equipment security and
194 safety and lastly it meet our future needs. There are a few offices
195 already built out, ADA compliant entrances, exits and restrooms. This
196 building is what's consider – a turnkey facility. We are requesting the
197 Legislature's support in appropriating the funding necessary to lease
198 this modern, ADA complaint office building with the required square
199 footage necessary for current use and future growth. An estimate of
200 \$165,000.00 is needed for the office space build out. An estimate of
201 \$200,000.00 is proposed in this budget for possible leasing, office
202 furnishing, security systems and automation. The building is available
203 now for leasing, if we receive positive feedback from this Legislature, we
204 can move forward with requesting bids for the buildout. Without
205 funding we are stuck. We will take the minimal amount of funding
206 necessary to attain this facility with the Department of Property &
207 Procurement and Department of Public Work Engineers' assistance.
208 The proposed new building space, is a modern building comprising of
209 adequate office space, adequate storage space, a tabulation room,
210 media room, secure store room for the ballots and sensitive equipment,
211 conference room space with adequate seating for the public, ADA

212 accessible restrooms, video-teleconferencing capabilities and office
213 space for the District Board.

214 **TRAINING & DEVELOPMENT**

215 Giving staff and voters an opportunity to look at the election and focus
216 on issues that are not often part of mainstream news will help broaden
217 their understanding of the political process and foster a greater
218 awareness of the role of democracy in shaping our everyday lives. In a
219 time when change is more rampant than ever before, it is necessary for
220 organizations to be kept abreast with the changes and train their
221 employees accordingly. For instance, technology is evolving so rapidly
222 that what organizations commonly used ten years ago is obsolete today.
223 A trained and focused organization has a clear roadmap for training
224 their employees to sustain and enhance the productivity of the
225 organization as a whole.

226 A positive work environment would have routine trainings to improve
227 efficiency and instill positive attitudes among employees. Since most
228 trainings are conducted off island, this is an inherent cost, which
229 increases yearly.

230

231 **REGISTERED VOTERS**

232 The total numbers of registered electors by district are: St. Thomas-
233 21,820, St. John - 1,750 and St. Croix – 21,588 for a total of **45,158**
234 voters in the territory as of June 30, 2016.

235 We would like to take a few moments to explain the voting apparatus
236 that the Joint Board of Elections purchased in October 2014. After
237 careful consideration and utilizing their best judgement, the Joint
238 Board of Elections purchased the Express Vote. The Express Vote is a
239 Universal Voting System that combines paper-based voting with touch
240 screen technology to create a break-through in voting solutions for
241 early vote centers and on Election Day in polling places. Election
242 officials no longer must guess the number of ballots to print. Instead,
243 the Vote Session Activator is printed with a barcode that determines
244 the ballot style to display on the touch screen. As a universal voting
245 system, Express Vote allows all voters, including those with special
246 needs, to cast their ballots privately and autonomously.

247 This machine is presently certified for use in twenty-one (21) states.
248 The Express Vote machine uses blank card stock that can be used for
249 any election, saving the territory and tax payers money in the process.

250 The Express Vote meets and exceeds the more rigorous 2005
251 Voluntary Voting Systems Guidelines and HAVA section 301
252 accessibility requirements providing the industry leading universal
253 voting system for all eligible voters without discrimination of voters
254 with disabilities. The Express Vote machines will be replacing the
255 outdated bulky Automarks voting machines. We currently have forty-
256 three (43) Automark machines and are purchasing fifty (50) Express
257 Vote machines as replacements. The quantity is determined by the
258 number of voters per polling place. The Express Vote machines will
259 be utilized in the 2016 General Election. Please be reminded, the
260 voter still has the option of utilizing the paper ballots. Again, we
261 would like to stress, we are keeping up with the technology afforded to
262 us. Arkansas, Tennessee, Virginia and Washington, D.C., utilized the
263 Express Vote machines for use the first time in the 2016 Presidential
264 Primary.

265 Before closing, we would like to share some background information
266 about Election System and Software, LLC. This company is the world's
267 largest elections-only company providing election equipment and
268 services for nearly 35 years. ES&S serves 42 states and more than
269 2,400 of the 3,144 county level governments across the United States.

270 As you are aware, the courts have decided that the Board of Elections
271 must conduct the primary elections. This office needs additional
272 funding to conduct this election, since Early Voting was never factored
273 in the appropriation for the Primary Election. The General Election
274 however, will be in this budget request and we humbly ask for least an
275 additional \$30,000.00. We are diligently preparing for the Primary
276 Elections, August 6, 2016 with the limited funds that was appropriated.
277 We are presently on track with all timelines based on the 2016
278 Elections Calendar for Public Office Candidates. We are in the process
279 of vetting the Candidates for the Party Offices, which will be completed
280 by Friday, July 8, 2016. We continue to notify and inform the public
281 through press releases, advertisements and appearances on local radio
282 talk shows.

283 We are truly grateful to the Elections Staff. Today, things can be even
284 more challenging as it is no longer Election Day, but Election Month
285 given all the options available to voters and the new environment that
286 we as elections officials have to be prepared for.

287 **ACCOMPLISHMENTS**

288 We would now like to share some of our significant accomplishments
289 over the past fiscal year:

- 290 a. Both District Boards conducted over twenty voters' registration
291 and voting machine demonstrations. These drives were
292 conducted at places such as the Post Office, Hospitals,
293 Supermarkets and Schools.
- 294 b. Both District Boards realigned voters with polling places closer to
295 their residential community.
- 296 c. The following non-complaint ADA polling places were closed. In
297 the St. Croix District – St. Gerard's Hall and in the St. Thomas
298 District – E. Benjamin Oliver, Leonard Dober, Ulla Muller
299 Elementary Schools & Kirwin Terrace. St. John District – Guy
300 Benjamin Elementary school was closed by the Department of
301 Education.
- 302 d. Both District Boards have chartered on new grounds, trying to
303 utilize voting centers or other government buildings and move
304 away from the traditional schools for use on Election Day.
- 305 e. Voting Apparatus was demonstrated at the Annual Agricultural
306 Fair in St. Croix – February 2016.
- 307 f. Ms. Kevermay Douglas, MBA, STT-STJ Deputy Supervisor was
308 hired in November 2015. All Elections System positions are
309 currently filled.

- 310 g. The Video tele-conferencing System was purchased and is fully
311 operational. This reduces the cost of travel while allowing the
312 Joint Board of Elections and the Office of the Supervisor to
313 conduct frequent meetings and onsite training.
- 314 h. Relocated the St. John Elections office to an ADA Complaint
315 leased space, Enighed Pond area, at the St. John's Marketplace,
316 3rd floor suite II in February 2016.
- 317 i. Eighty percent (80%) of the Elections Staff have completed the
318 Legendary Customer Service training conducted by the Ritz
319 Carlton Resort
- 320 j. Supervisor of Election completed the Contracting Officer
321 Representative Training in May, conducted by the Department of
322 Property & Procurement
- 323 k. Ms. Genevieve Whitaker, MPM, JD- STX Deputy Supervisor, is
324 enrolled in the Certified Public Manager's Program conducted by
325 the University of the Virgin Islands. Completion date September
326 2016
- 327 l. Many Board Members and Elections Staff members have attended
328 Elections Center and International Association of Clerks,
329 Records, Election Officials and Treasurer (IACREOT) training. A
330 few are working on their Elections Certification as Election

331 Officials. Many Elections Staff members participated in UVI
332 webinars, Department of Personnel training and other online
333 courses

334 **GOALS:**

335 a. Both District Boards are revisiting all polling places to ensure they
336 are ADA Compliant.

337 b. Plans are to conduct National Voters Registration Day, September
338 27, 2016 on St. Croix, St. Thomas and St. John. This will serve as a
339 community outreach program during the 2016 General Election cycle.

340 In summary, Elections are the mechanics of our democracy; Elections
341 are how each individual expresses his or her voice in selecting their
342 leaders and making decisions for their communities. Providing voters
343 with free, fair, open, and honest elections ensures voter trust in the
344 process of choosing our political leadership and the direction of our
345 community's future. Voters who have confidence in the elections
346 process are more likely to continue to be engaged and vote. We believe
347 that if our current strategy is maintained, we expect the Virgin Islands
348 Elections System to be on par with its counterparts in the other United
349 States Jurisdictions.

350 The goal of the Election Systems of the Virgin Islands is to make sure
351 that our elections are accurate and we want to make our elections
352 accessible to everyone who is eligible to vote.

353 Mr. Chairman, we thank you, Members of the Committee on Finance
354 and other Members of the 31st Legislature for inviting us to present our
355 fiscal year 2017 budget. We are prepared to engage in further
356 discussions and answer any questions you may have.