

Rules of the Virgin Islands Republican Caucus March 10, 2012

- 1. Purpose:** On March 10, 2012 (the “Caucus Date”) the Republican Party of the United States Virgin Islands (“VIGOP”) will hold its caucus for the selection of six at-large Delegates and six at-large Alternates to the Republican National Convention to be held in Tampa, Florida during August 27–30, 2012. These Rules and the Appendices hereto shall govern the conduct of the caucus and shall be posted on the VIGOP (<http://www.vigop.com/>) and prominently displayed at each caucus site during the caucus.
- 2. Caucus Sites – Opening and Closing of Balloting:** The caucus sites shall be as determined no later than two weeks prior to the Caucus Date by a subcommittee of the Territorial Committee of the Republican Party of the United States Virgin Islands appointed by the Chairman consisting of no fewer than three persons who are also members of the Territorial Committee and who themselves are not Delegate Candidates (the “Caucus Subcommittee”). There shall be one site located in the District of St. Thomas and St. John and another located in the District of St. Croix (the “Caucus Sites”). Balloting shall be opened promptly at noon, Atlantic Standard Time and shall close promptly at 6:00 p.m. Atlantic Standard Time.
- 3. Eligibility to Participate in the Caucus:** Participation in the caucus shall be limited to persons domiciled in and registered to vote in the United States Virgin Islands and being officially registered in the Republican Party in accordance with Title 18 of the Virgin Islands Code.
- 4. Supervision of the Caucus Sites:** Supervision of the Caucus Sites and implementation and enforcement of these Rules shall be the responsibility of no fewer than two persons present at each Caucus Site and designated by the Caucus Subcommittee (“Caucus Supervisors”). Such persons shall be selected from among persons eligible as electors as set forth in Section 3, above, and may not be Delegate Candidates. Caucus Supervisors shall be familiar with these Rules.
- 5. Verification of Eligibility:** Eligibility to participate in and cast a ballot at the caucus shall be verified by a Caucus Supervisor. Prospective electors shall present valid photo identification upon entry to the caucus and eligibility shall be verified by reference to updated lists of eligible electors provided by the Virgin Islands Bureau of Elections and present at the caucus site. Such lists may be maintained in electronic form. Presentation of a valid Virgin Islands voter’s registration card bearing the elector’s photograph and showing registration in the Republican Party shall be deemed *prima facie* evidence of eligibility to participate in and cast a ballot at the caucus. The validity and

eligibility of Absentee/Offsite Ballots shall be determined by comparison of the Verification Form accompanying such ballots (as provided in Subsection 7(c), below, and Appendix 2 of these Rules) with the lists of eligible electors.

- 6. Delegate Candidates – Pledged and Uncommitted Delegates:** Candidates for election as Delegates and Alternates (“Delegate Candidates”) must meet the eligibility requirements of participation in the caucus as set forth in Section 3, above, and shall be those persons having declared their candidacy by submission of a written declaration of candidacy to the Executive Director of the VIGOP received by the Executive Director no later than 5:00 p.m. on February 10, 2012. No special form of declaration shall be required except that such declaration shall bear the signature and include the name, address and telephone number of the declarant and the name (if applicable) of the candidate for the Republican nomination for President of the United States to which he or she shall be pledged. If no such person is named, such Delegate Candidate shall be deemed to be uncommitted. Delegate Candidates that declare as being pledged shall be deemed to have promised, if elected, to vote for such declared candidate for the Republican nomination for President of the United States on the first ballot of the Republican National Convention. Delegate Candidates who have so declared, but whose declared candidate for the Republican nomination has withdrawn his or her candidacy prior to the Caucus Date shall be deemed uncommitted.
- 7. Ballots and Voting:** Each elector shall be entitled to complete and cast one ballot including votes for no more than six Delegate Candidates. Ballots shall include official ballots cast by electors present at the caucus site and Absentee/Offsite Ballots received at the caucus sites as hereinafter provided. Electors shall be allowed to participate only at the caucus site located within the District in which they reside.
- a) Records of Participation:** As each elector is qualified (or as each Absentee/Offsite Ballot is verified) the name of each elector shall be recorded in alphabetical lists maintained at the caucus site. No person shall be allowed to participate or cast a ballot whose name has been recorded as having previously cast a ballot at the caucus or for whom an Absentee/Offsite Ballot has been previously received. Such lists shall be open to inspection by any qualified elector at the close of the balloting and prior to the certification of the results of the caucus.
- b) Official Ballot:** The Official Ballot shall be substantially in the form as the Sample Ballot Form set forth as Appendix 1 of these Rules, with such additions or modifications (e.g., caucus supervisor initials or watermarks) approved by the Caucus Subcommittee to insure clarity and that only Official Ballots issued at the caucus sites and verified Absentee/Offsite Ballots are placed in the ballot boxes and tallied at

the close of the balloting. Official Ballots in sufficient number shall be prepared and distributed by the Caucus Subcommittee to the caucus sites on the Caucus Date prior to the Opening of the Balloting. Electors verified in accordance with Section 4, above, shall be given one Official Ballot and allowed to mark such ballot in private. Each such elector shall then deposit his/her single Official Ballot in the ballot box provided for such purpose in accordance with Subsection 7(f), below.

- c) Absentee/Offsite Ballots:** Persons otherwise eligible as electors in accordance with Section 3, above, shall be allowed to cast an Absentee/Offsite Ballot in accordance with this subsection and the instructions and forms set forth in Appendix 2 of these Rules. No later than February 17, 2012 final Absentee/Offsite Ballots and Verification Forms will be available in PDF format for download from the VIGOP website (<http://www.vigop.com/>). Such Absentee/Offsite Ballot shall be substantially in the form as the Sample Ballot Form set forth as Appendix 2(a) of these Rules, with such additions or modifications (e.g., caucus supervisor initials or watermarks) approved by the Caucus Subcommittee. Absentee/Offsite Ballots must be received by mail or hand delivery to the addresses set forth in Appendix 2(b) no later than the close of business on March 9, 2012 or by hand delivery to the Caucus Sites no later than the close of balloting. Prior to the close of balloting each sealed envelope bearing the Verification Form (Appendix 2(c)) and the sealed Absentee/Offsite Ballot shall be opened in the presence of the Caucus Supervisors. The eligibility of the relevant elector shall be then determined by the Caucus Supervisors from the information contained in the Verification Form. If the elector is determined to be eligible, the accompanying sealed envelope containing the Absentee/Offsite Ballot shall be immediately deposited in the ballot box. If the Verification Form is not complete, is not properly verified by declaration made under penalty of perjury, or if the Verification form is not accompanied by a legible photocopy of a government-issued picture identification card, or the information contained therein does not correspond with an eligible elector identified in the lists of eligible electors in accordance with Section 5, above, the ballot shall be disregarded. All ballots so disregarded shall be so marked on the outside of the sealed envelope, the corresponding Verification Form attached thereto, and maintained separate and apart from all other ballots.
- d) Provisional Ballots:** Persons presenting themselves at the caucus site as electors, whose eligibility cannot be immediately verified in accordance with Section 5, above, shall be allowed to cast a Provisional Ballot. Each provisional elector shall be required to sign a

Verification Form subject to the penalties of perjury in substantially the same form as appears in Appendix 3 of these Rules. Such form of Certification shall be affixed to the Provisional Ballot and such ballot shall be prominently marked as such. Provisional Ballots shall be kept separate and apart from Official Ballots and verified Absentee/Offsite Ballots and separately tallied as more fully set forth in Section 8, below. Provisional electors shall have until the close of business hours on March 12, 2012 to present to a designated representative of the Caucus Subcommittee sufficient proof of eligibility in order for the Provisional Ballot to be counted in the results to be certified in accordance with Section 11, below. In the event no such proof is presented within the prescribed time then such Provisional Ballots shall be disregarded.

- e) **Substitute and Voided Ballots:** In the event that an elector desires to obtain a substitute Official Ballot for any valid reason, such as a desire to change his vote, or spoilage of the ballot, he/she shall be given a substitute Official Ballot for use only after having surrendered the previously issued Official Ballot. Each ballot so surrendered shall be immediately and prominently marked as “Voided” and shall be kept separate and apart from all other ballots.
- f) **Ballot Boxes:** The Caucus Subcommittee shall provide one or more ballot boxes for use at each Caucus Site. Such boxes may be of cardboard construction. Each box shall be examined by the Caucus Supervisors at the Caucus Site prior to the opening of balloting and declared to be empty. Each ballot box shall then immediately be sealed with tape in such a manner as to prevent tampering and seals and/or signatures affixed to such tape in such a manner as to make any such tampering detectable by ordinary observation. Ballot boxes may not thereafter be opened except in the presence of the Caucus Supervisors after the close of the balloting.
- g) **Spoiled Ballots:** A ballot shall be deemed spoiled if any of the following conditions pertain:
 - i. If the ballot contains votes for more than six (6) persons;
 - ii. If the ballot contains lewd, impertinent or extraneous markings;
 - iii. If the ballot is substantially torn or defaced;
 - iv. If the ballot bears obvious evidence of tampering;
 - v. In the case of an Absentee/Offsite Ballot, if the ballot is not contained in its own sealed envelope separate from the Verification Form;

- vi. In the case of an Absentee/Offsite Ballot, if the sealed envelope containing the ballot contains more than one ballot or contains any other papers or articles other than the ballot itself;
- vii. If the condition of the ballot is such that the intentions of the elector cannot be reasonably determined.

8. Procedures for Tallying Votes: As soon as practicable after the close of balloting the ballot boxes at each caucus site shall be opened, sealed envelopes containing Absentee/Offsite Ballots shall be opened, and the ballots tallied by the Caucus Supervisors and the total number of votes received by each Delegate Candidate recorded. Spoiled ballots shall be disregarded but shall be separately preserved. Provisional Ballots shall be tallied separately from other ballots and the provisional votes for each Delegate Candidate separately recorded. As soon thereafter the results of the tallies shall be reported in writing to the Territorial Committee. Such writing shall also include the total number of electors participating, the number of Official Ballots cast, the number of Absentee/Offsite Ballots accepted, the number of Absentee/Offsite Ballots rejected, and the number of spoiled ballots. All ballots, including spoiled ballots, voter participation lists, and tally sheets shall be preserved until such time as the Territorial Committee shall determine.

9. Disputes and Challenges: Any disputes or challenges to the caucus procedure or to the inclusion or exclusion of any elector or ballot shall be made in writing to the Caucus Subcommittee at or before the close of business hours on March 12, 2012. Challenges to procedures or actions of the Caucus Supervisors that could have been timely cured prior to the close of balloting must have been presented in writing to such Caucus Supervisors in order to be thereafter maintained.

10. Subcommittee to Resolve Disputes: Prior to the Caucus Date the Territorial Chairman shall designate a Subcommittee of no fewer than three persons who are members of the Territorial Committee and not themselves Delegate Candidates (the "Dispute Subcommittee") to resolve all disputes and challenges received pursuant to Section 9, above. Members of the Caucus Subcommittee may be members of the Dispute Subcommittee. The Dispute Subcommittee shall resolve the challenge or dispute by majority vote. The decisions of the Dispute Subcommittee may be summary in nature, shall be reported in writing, and shall be final.

11. Certification of Results and Notification of Delegates and Alternates: Prior to the Caucus Date the Territorial Chairman shall designate a Subcommittee of no fewer than three persons who are members of the Territorial Committee and not themselves Delegate Candidates (the "Certification Subcommittee"). The Certification Subcommittee may consist of

the same persons as the Dispute Subcommittee. Such Subcommittee shall meet as soon as practicable after the receipt of the tallies by the Territorial Committee in accordance with Section 8, above. Final certification of the results shall be made once it is determined that no practical differences in results can be obtained by any reasonable resolution of the status of Provisional Ballots and pending disputes or challenges. Those Delegate Candidates receiving the six highest vote totals shall be certified as Delegates. Those Delegate Candidates receiving the next six highest vote totals shall be certified as Alternates. Ties shall be resolved by a draw of cards. As soon as practicable after the certification of results the Delegates and Alternates shall be notified in writing of their selection. If applicable, notification shall include the identity of the presidential candidate to whom such Delegate is pledged. Each Delegate and Alternate shall have five days to confirm, in writing, that he or she accepts election as a Delegate or Alternate and is presently willing and able to attend the Republican National Convention. If any Delegate or Alternate fails to so confirm, his or her name shall be struck and the list of selected Delegates and Alternates adjusted accordingly. The Territorial Chairman shall then notify the Republican National Committee of the names of the Delegates and Alternates to the Republican National Convention.

12. Substitution of Delegates and Alternates – Appointment of Substitute

Alternates: In the event that a Delegate becomes unable or unwilling to fulfill the duties of a Delegate he or she shall be replaced as Delegate by the next available Alternate in the order of priority as determined by the total number of votes obtained by such Alternate, provided, however, that a Pledged Delegate must be replaced by the next available Alternate pledged to the same presidential candidate. If no Alternate has been pledged to the same presidential candidate, the next available uncommitted Alternate shall be substituted upon confirmation that he or she will vote for such presidential candidate on the first ballot of the Republican National Convention. Any vacancies among Alternates shall be filled by appointment by the Territorial Chairman from the list of Delegate Candidates who failed to be elected as Delegate or Alternate in the order of the number of votes they received.

Appendices:

1. **Sample Ballot**
2. **Absentee/Offsite Ballot Forms and Instructions**
 - a. **Sample Absentee/Offsite Ballot**
 - b. **Absentee/Offsite Ballot Instructions**
 - c. **Absentee/Offsite Ballot Verification Form**
3. **Provisional Ballot Verification Form**

Sample Ballot

Virgin Islands Republican Caucus March 10, 2012

Select No More than Six (6) Candidates:

| <u>Delegate Candidates Pledged to XXXXXXXXXX:</u> | <u>Delegate Candidates Uncommitted:</u> |
|---|---|
| _____ John Doe No. 1 | _____ John Doe No. 4 |
| _____ Jane Doe No. 1 | _____ Jane Doe No. 4 |
| _____ Richard Roe No. 1 | _____ Richard Roe No. 4 |
| _____ Mary Roe No. 1 | _____ Mary Roe No. 4 |
| <u>Delegate Candidates Pledged to YYYYYYYYYY:</u> | |
| _____ John Doe No. 2 | |
| _____ Jane Doe No. 2 | |
| _____ Richard Roe No. 2 | |
| _____ Mary Roe No. 2 | |
| <u>Delegate Candidates Pledged to ZZZZZZZZZZ:</u> | |
| _____ John Doe No. 3 | |
| _____ Jane Doe No. 3 | |
| _____ Richard Roe No. 3 | |
| _____ Mary Roe No. 3 | |

Absentee/Offsite Ballot

Virgin Islands Republican Caucus March 10, 2012

Select No More than Six (6) Candidates:

| <u>Delegate Candidates Pledged to XXXXXXXXX:</u> | <u>Delegate Candidates Uncommitted:</u> |
|--|---|
| _____ John Doe No. 1 | _____ John Doe No. 4 |
| _____ Jane Doe No. 1 | _____ Jane Doe No. 4 |
| _____ Richard Roe No. 1 | _____ Richard Roe No. 4 |
| _____ Mary Roe No. 1 | _____ Mary Roe No. 4 |
| <u>Delegate Candidates Pledged to YYYYYYYYY:</u> | |
| _____ John Doe No. 2 | |
| _____ Jane Doe No. 2 | |
| _____ Richard Roe No. 2 | |
| _____ Mary Roe No. 2 | |
| <u>Delegate Candidates Pledged to ZZZZZZZZZ:</u> | |
| _____ John Doe No. 3 | |
| _____ Jane Doe No. 3 | |
| _____ Richard Roe No. 3 | |
| _____ Mary Roe No. 3 | |

**Virgin Islands Republican Caucus
March 10, 2012**

Instructions for Casting an Absentee/Offsite Ballot

Under the approved Caucus Rules eligible electors may cast an Absentee/Offsite Ballot for the election of Delegates and Alternates to the Republican National Convention to be held in Tampa, Florida during August 27-30, 2012. Eligible electors are limited to persons domiciled in and registered to vote in the United States Virgin Islands and being officially registered in the Republican Party as provided in Title 18 of the Virgin Islands Code. These instructions must be followed in the preparation and submission of such a ballot. Material failure to conform to these instructions will result in the ballot being disregarded.

1. Obtain an approved Absentee/Offsite Ballot and an Absentee/Offsite Ballot Verification Form by downloading and printing them from the website of the Republican Party of the United States Virgin Islands (<http://www.vigop.com/>).

2. Mark one ballot and place it in a plain sealed envelope. Do not place any extraneous marks, words, or lettering on the ballot. Do not place any other papers or items in the envelope other than the marked ballot.

3. Complete and sign an approved Absentee/Offsite Ballot Verification Form (Appendix 2(c) of the Caucus Rules). All information provided in the Verification form shall be declared to be true under penalty of perjury under Virgin Islands law. All requested information must be filled in. Failure to provide all requested information or failure to have your information properly declared and executed under penalty of perjury shall result in your ballot being disregarded.

5. Attach to the Verification form a photocopy of a valid government issued photo identification card bearing the name of the elector as shown on the Verification Form.

4. Place the previously sealed ballot, the Verification Form, and the photocopy of photo identification in a second sealed envelope.

5. Mail the Ballot, Verification Form, and photocopy of photo identification as thus prepared, to:

6. In the alternative to No. 5, above, you may arrange for the ballot and Verification Form to be hand delivered to the Caucus Site in your District prior to 6:00 p.m. on March 10, 2012.

**Virgin Islands Republican Caucus
March 10, 2012**

Absentee/Offsite Ballot Verification Form

The undersigned submits the following information for the purpose of verification of his/her Absentee/Offsite Ballot to be cast in the Virgin Islands Republican Caucus to be held on March 10, 2012:

1. Name (print): _____
2. Residence Address: _____

3. Last Four Digits of Social Security No.: _____
4. Check the appropriate box for each:
 - a) I am a United States citizen: ____ Yes ____ No;
 - b) I am registered to vote in the Virgin Islands: ____ Yes ____ No;
 - c) I am officially registered in the Republican Party as provided in Title 18 of the Virgin Islands Code: ____ Yes ____ No

Under penalty of perjury under the laws of the United States Virgin Islands the undersigned declares that the foregoing information is true and correct.

Signature

NOTE: THIS VERIFICATION FORM MUST BE ACCOMPANIED BY A PHOTOCOPY OF A VALID GOVERNMENT ISSUED PHOTO IDENTIFICATION CARD. Examples of acceptable photo identification include, without limitation: Virgin Islands Driver's License, Virgin Islands Voter's Registration Card, United States Passport, or Armed Forces Identification Card.

**Virgin Islands Republican Caucus
March 10, 2012**

Provisional Ballot Verification Form

The undersigned submits the following information for the purpose of verification of his/her Provisional Ballot to be cast in the Virgin Islands Republican Caucus to be held on March 10, 2012:

1. Name (print): _____
2. Residence Address: _____

3. Last Four Digits of Social Security No.: _____
4. Check the appropriate box for each:
 - a) I am a United States citizen: _____ Yes _____ No;
 - b) I am registered to vote in the Virgin Islands: _____ Yes _____ No;
 - c) I am officially registered in the Republican Party as prescribed in Title 18 of the Virgin Islands Code: _____ Yes _____ No

Under the penalty of perjury under the laws of the United States Virgin Islands the undersigned declares that the foregoing information is true and correct.

Signature