



Via Electronic Mail

March 3, 2021

Bryan C. Williams, Chairman
Summit County Republican Executive Committee
1755 Merriman Road, Suite 250
Akron, OH 44313

Re: Summit County Board of Elections Appointment

Dear Chairman Williams:

I received the Summit County Republican Executive Committee's January 14, 2021 recommendation to re-appoint you to the Summit County Board of Elections for a full term, beginning March 1, 2021.

When a member's term of office on a board of elections expires, the Revised Code provides that the county executive committee of the party entitled to the appointment may recommend a qualified elector to fill such vacancy, and the Secretary of State "shall appoint such elector, unless the Secretary of State has reason to believe the elector would not be a competent member of such board."¹ According to the Ohio Supreme Court, "[t]he Secretary has discretion to determine the competence of a recommended candidate . . ."² "Competence" to serve involves qualities beyond intelligence, integrity, and dedication to professionally performing one's duty. It also includes the basic ability to get along with co-workers and inspire confidence in the election system.³

As the state's chief election officer, it is my duty to administer free and fair elections in our state, and this duty includes the appointment of board of elections members to serve as my representatives in overseeing elections in each county. This is a responsibility that I take very seriously. After carefully considering this recommendation for reappointment, I determined that you do not demonstrate commitment to your duties or competence in service to the voters of your county and should not be re-appointed. Additionally, today, I placed the Summit County Board of Elections under Administrative Oversight.

¹ R.C. 3501.07.

² *State ex rel. Lawrence Cty. Republican Party*, 119 Ohio St.3d 92, 2008-Ohio-3753, 892 N.E.2d 428, ¶ 13.

³ *State ex rel. Lucas Cty. Republican Party Exec. Comm. v. Husted*, 2015-Ohio-3948, 144 Ohio St. 3d 352, 43 N.E.3d 411, ¶ 27.

In support of this determination, I offer the following reasons:

1. In recent months, my Office received complaints regarding hostility in the workplace, unprofessionalism, and a politically charged environment. The complaints describe a pattern of political quid pro quo spanning many years.
2. According to the Board's February 4, 2021 letter, the Board adopted an anti-discrimination/anti-harassment policy in 2004 but failed to train the staff on, or even distribute the policy to, staff. If a policy is not communicated to staff, it has no effect. Moreover, the Board failed to reevaluate or update that policy in 17 years. All employees deserve to work in a professional environment, and failure to update and regularly disseminate appropriate policies is a fundamental breakdown in basic human resource management.
3. In addition, ongoing audits of the Board's list maintenance process revealed numerous errors in processing of the State and Territorial Exchange of Vital Events (STEVE) a report of deaths given monthly to each county board of elections. The failure to cancel voter registrations for deceased voters enabled at least one instance of documented voter fraud. This failure of oversight which led to the error likely occurred for years. Removing the deceased from the roles is a basic responsibility and failure to do so risks fraud and loss of voter confidence.
4. The Board may have improperly cancelled the voter registration of persons convicted of felonies, but not incarcerated. This likely led to the disenfranchisement of legally qualified voters in Summit County. Not only is this clearly unacceptable but obviously exposes the Board to the risk of litigation.
5. The Board failed to ensure bipartisan control of election administration. It came to light that the Board assigned one person to each aspect of list maintenance, and there was inadequate oversight of the process.
6. The Board failed to cross-train employees on election administration tasks and ensure that there is correct continuity of operations when there is turnover in staffing.
7. The Board failed to adequately prepare for and execute efficient early in-person voting and control traffic issues during early voting for the November 3, 2020 General Election. The Board should have heeded our warnings over the summer to expect at least a doubling in absentee and early voting and make adequate preparations to accommodate increased traffic. Even after I personally contacted the Board Chair regarding the unacceptable mismanagement of ballot drop off traffic, the Board failed to address the situation. Many other boards set up multiple drive through drop-off lanes and provided adequate staff and law enforcement presence to effectively manage the increase in traffic which was predictable and expected.

The Board does not readily admit these failures or volunteer necessary information to my Office. Though the Board's Director and Deputy Director have recently shown a sincere effort to improve the Board's operations, I am not convinced of your commitment to change. Though you have many years of experience overseeing the Summit County Board of Elections, this long tenure has been marred by a history of conflict within the Board and missteps in administering elections.

Therefore, based on the totality of these facts and circumstances, I reject the Executive Committee's recommendation to appoint you for the term beginning March 1, 2021 on the Summit County Board of Elections. The Executive Committee may recommend another candidate for appointment no later than March 12, 2021. If the Executive Committee fails to do so, I will select the new Board member. In light of the systemic issues outlined herein, the Executive Committee should not submit for nomination any individual who has been involved in the management of the Summit County Board of Elections in recent years.

Finally, I want you to know that the recommendation that you made as Chairman of the Summit County Republican Party, along with your committee, is not being singled out by this action. Today, I am also rejecting recommendations from four other county political parties, both Republican and Democratic, where I determined that the recommendation was insufficient. As you know, the Summit County Democratic Party did not submit the current member for reappointment. If they had, that recommendation too would have been rejected. Further, I will not hesitate to initiate the removal of the two Board members whose terms end in 2023, prior to that date, if I determine that it is in the best interest of the voters of Summit County.

Yours in service,



Frank LaRose
Ohio Secretary of State

cc: Lance E. Reed, Director of the Summit County Board of Elections
David A. Petty, Deputy Director of the Summit County Board of Elections