



**Jon Husted**  
Ohio Secretary of State

180 East Broad Street, 16th Floor  
Columbus, Ohio 43215  
Tel: (877) 767-6446 Fax: (614) 644-0649  
[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov)

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**Via Electronic Mail and Regular Mail**

June 24, 2014

Jon Stainbrook  
Chair, Lucas County Republican Party  
1758 Meadowlark Ave.  
Toledo, Ohio 43614

Dear Mr. Stainbrook:

I have received the Lucas County Republican Party Executive Committee's recommendations to appoint Kelly Bensman and Benjamin Roberts to fill the vacancies on the Lucas County Board of Elections.

Under Ohio Revised Code §3501.06, it is my duty as Secretary of State to appoint members of county boards of elections to serve as my representatives. I take this responsibility very seriously. Ohio law provides that, in the case of a vacancy on the board of elections, the county executive committee of the party entitled to the appointment may recommend a qualified elector to serve on the Board, and the Secretary of State "shall appoint such elector, unless [the Secretary] has reason to believe that the elector would not be a competent member of such board." (Ohio Revised Code §3501.07). The Board of Elections is too critical to the function of our democracy to appoint any individuals who are not fit to serve.

Accordingly, under my authority and for the reasons outlined below, I will not appoint either Kelly Bensman or Benjamin Roberts to serve on the Lucas County Board of Elections.

As you are keenly aware, for three years my office has found itself in the position of regularly having to intervene at the Lucas County Board of Elections in order to ensure the proper administration of elections and board operations. My most recent action resulted in the removal of board members. In taking this action, I laid a framework for all to work within as we move toward a new culture at the Lucas County Board of Elections, consistent with the requirements of state law. As I have in all previous interventions in Lucas County, I provided another path forward by stating that I would not appoint anyone connected with the problems of the past that have led to these vacancies. However, as has been the case time and time again, the guidance has fallen on deaf ears.

The removal of board members was not arbitrary, but rather followed a thorough examination of what can only be described as a deep-rooted culture of dysfunction. Further, the purpose of removal was to start anew, not to punish any individual for their behavior – though without a

doubt, none should be proud of their contribution to the devolution of professionalism nor their inability to change the culture.

Both my involvement over the course of the last three years and my review of the transparency committee process confirm that because of their unconstructive, and at times potentially destructive involvement with the Lucas County Board of Elections, neither Mr. Benjamin Roberts nor Ms. Kelly Bensman are competent to serve.

### **Kelly Bensman**

While Kelly Bensman is not currently and has not been an employee of the board for some time, it is clear to me that she is not only involved, but is a central figure in creating an environment of dysfunction and distrust at the Lucas County Board of Elections.

On more than one occasion Ms. Bensman has been a primary figure in an altercation or incident at the Lucas County Board of Elections. Over the course of four meetings of the transparency committee, Ms. Bensman was frequently cited by board members and staff as being a source of intimidation and provocation that would at times escalate to claims of both verbal and physical altercations both by and towards Ms. Bensman, with one of those altercations leading to her removal from the Government Center.

As recently as the May Primary Election, Ms. Bensman was alleged to have taunted, yelled, and intimidated board employees. *The Toledo Blade* went so far as to describe Ms. Bensman as “stalking... like prey” board staff on Election Night.

The facts in this matter are clear, Ms. Bensman was and remains part of the dysfunction at the Lucas County Board of Elections.

### **Benjamin Roberts**

Mr. Benjamin Roberts served as the Director of the Lucas County Board of Elections for approximately five months in 2011.

The culture that perpetuated under his leadership, his inability to manage or change what he himself upon his resignation deemed a “caustic environment” make him incompetent to serve on the Lucas County Board of Elections.

At the start of Mr. Roberts’ tenure, the board of elections was under oversight by my office. In October of 2011, I determined that despite active engagement there was nothing more my office could provide at that time and it was time for local leadership “to assume complete and total responsibility for the oversight of operations and the duties assigned to them.”

Just two months after being tasked with fulfilling his duties, Mr. Roberts relinquished his position and in his letter of resignation said he was unable to make a difference. By his own admission he was not the change agent the Board required then, and he cannot be now.

During Mr. Roberts’ incomplete term of office, accusations among staff of impropriety such as possible email hacking and misuse of time, an absence of policies and procedures and partisan division proliferated. Further, as Director, he presided over confusion surrounding a final vote tally and instructed the cancellation of poll worker training in advance of an election.

Due to the myriad of issues linked to both Ms. Bensman and Mr. Roberts, I find that neither have the requisite or adequate ability or qualities required to be competent members of the Lucas County Board of Elections. Accordingly, under Ohio Revised Code §3501.07, I must reject the Executive Committee's recommendation of these appointments.

Be advised, consistent with my letter of June 5, 2014, I will not let the Board of Elections slip backward into the dysfunction that has brought us here today. Should the Lucas County Republican Executive Committee choose to recommend two other electors to serve, I insist that they be unconnected to the well-documented problems of the past. Of the more than 29,000 registered Republicans in Lucas County, surely there are well-qualified individuals who can serve the voters of Lucas County with competence and integrity.

It is my hope that you and your committee will once and for all do the right thing for the voters of Lucas County and advance individuals who will provide the stewardship and fresh perspective the rebuilding of the Lucas County Board of Elections will require.

Sincerely,

A handwritten signature in black ink that reads "Jon Husted". The signature is written in a cursive, flowing style with a large initial "J".

Jon Husted

cc: Kelly Bensman  
Benjamin Roberts