

*To My Fellow Members of the Maine Republican State Committee:*

*The unfortunate turn of events surrounding the Penobscot elections have brought me to a place where I have had to give a great deal of consideration to my involvement within the Republican Party. Though I have been a Republican for the better part of two decades, the last two years found me at a point in my life where I could actively dedicate my time and efforts to the support of candidates and issues that are of significant relevance to our state and nation. As one who holds a more liberty-minded view within the party, I quickly discovered that this party is not the big tent it claims to be, nor is it any longer a party of rule and law as its leaders would have me to believe. There have been numerous issues that have divided the members of our party on a town, county, state and national level; yet the controversy that has unfolded in recent months, as it pertains to the questionable Penobscot election and the denial of two appeals respectively submitted by Ken Anderson and Bryan Daugherty, has become a catalyst that will seemingly determine the direction the GOP will take moving forward.*

*The questionable election that took place in Penobscot County on January 17, 2013 raises some very significant concerns. A memo was sent out to the State Committee, dated March 1, 2013 in which Mr. Cebra states:*

*“It is critical that the Party operate within the Rules and By-laws set forth for it by our governing body and each and every action taken by the Party must be thoroughly reviewed to ensure our actions are appropriate.*

*In keeping with my promise to ensure to the best of my ability that the Party operates within the Rules and By-laws set forth for it by our governing body, the legitimacy of this appeal has seen thorough review and consideration.”*

*The quote above indicates that the appeal submitted has seen a thorough review and has been given full consideration; yet the members of the Executive Committee were not involved in the process to weigh the appeal. This was referred to Attorney Bill Logan to review and render a determination, bypassing the Executive Committee entirely. It is disheartening to discover that the Executive Committee would be disregarded at the onset and that the bylaws would be interpreted and used to deny the appeal of an election in which the bylaws of Penobscot County were breached and a significant number of illegal votes were cast. That legal determination was used as the basis for Mr. Cebra’s decision, outlined in a memo issued to the State Committee, dated March 20, 2013 in which he clearly states:*

*“This panel will conduct a thorough, complete investigation into this controversy and will issue a nonbinding report of its findings. These findings will be final, and the Maine Republican Party will take no further action regarding additional investigation, administrative actions or any other action other than those prescribed by the aforementioned directive to review and suggest reforms to the Penobscot County Republican Committee Rules and By-laws. “*

*He further states:*

*“Additionally, with this notice, the Maine Republican Party will not entertain or answer any further appeals regarding the January 17, 2013 Penobscot County Republican Committee election of officers. “*

*In the event that the anticipated panel charged with investigating the Penobscot election determines that there was indeed a breach of the bylaws, and it is evidenced that illegal votes cast impacted the results of*

*the election, no action will be taken to actually remedy the illegal election.*

*In his memo to Chairman Cebra, dated February 22, 2013, Attorney Logan recognizes that the term affected person is not defined within the Rules of the Party, and he cites the case of Schlesinger and Frothingham to conclude that Mr. Anderson did not suffer a particular injury and would not be considered an “affected person”; therefore, the provisions of Rule 23 do not pertain to Mr. Anderson. This is a very precarious situation in which a precedent is currently being set that will, from this point forward, be used to deny legal voting members of any county committee the right to appeal fraudulent acts they themselves may witness.*

*Much has been made of the term “affected party,” and what constitutes someone in the party who is legally affected. The assertion that the only legitimate “affected party” of illegal votes cast during a county election is the actual candidate lends itself to a large scale disenfranchisement of every legal voting member in the party. This is a great disservice to all of those who strive diligently to make positive changes in and through our party on behalf of those we represent throughout our counties and state.*

*I have given much consideration to these matters as they have unfolded, and have come to the conclusion that what began as a Penobscot issue has, needlessly, become an issue with tragic repercussions for every voting member of the Maine State GOP. The decision handed down to not pursue action in the event of election illegalities set precedence for every county throughout the state. Inasmuch as I am also an unaffected member, I find I am unable to do any good thing within this party on behalf of those who I represent. Ultimately, I can be an effective representative for those I serve only to the extent that I am affected. I am one who would be deemed unaffected and, in that, I have been made ineffective.*

*I thereby submit my resignation to the Maine Republican State Committee, York County Committee, and Saco Republican Committee with the intention of unenrolling from the Republican Party; this will effectively leave me unfettered to take whatever recourse is within my power to stand and fight for what is right, with regard to future candidates and political issues, regardless of party affiliation. Furthermore, as a parting appeal for honesty, transparency and goodwill toward all those who remain within the Party, I respectfully request that Chairman Richard Cebra reconsider his decision to not pursue action in the event that the anticipated investigation proves that the bylaws were breached and votes were cast illegally as it relates to the precarious situation that has arisen out of the ashes of the Penobscot County election January 17, 2013.*

*Respectfully submitted,*

*Rachel Gerlach*

*York County At-Large*

*April 1, 2013*