



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

January 25, 2021

Delivered electronically to Elisabeth Tutsch at "judgeelisabethtutsch@gmail.com"

Subject: Complaint filed by Glen Morgan, PDC Case 79301

Dear Elisabeth Tutsch:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Mr. Morgan, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

PDC staff is reminding you about the importance of the timely and accurate reporting of campaign expenditures. PDC staff expects in the future that you will submit C-4 reports with the detailed descriptions in accordance with PDC laws and rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director



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January 25, 2021

Delivered electronically to Glen Morgan at “glen@wethegoverned.com”

Subject: Complaint regarding Elisabeth Tutsch, PDC Case 79301

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 29, 2020. The complaint alleged that Elisabeth Tutsch, a 2020 judicial candidate, for Yakima County Superior Court, may have violated RCW 42.17A.235 & RCW 42.17A.240 for failure to timely and accurately file Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing expenditures undertaken by the Campaign.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by Elisabeth Tutsch (the “Respondent”); the applicable PDC reports filed by the Respondent; and queried the Respondent’s data in the PDC contribution and expenditure database, to determine whether the record supports a finding of one or more violations.

Based on staff’s review, we found the following:

- Elisabeth Tutsch filed a Candidate Registration (C-1 report) on July 9, 2020, declaring her candidacy for Yakima County Superior Court Judge in the 2020 election, and choosing the “Full Reporting” option after receiving permission from the PDC to switch from the “Mini Reporting” option.
- RCW 42.17A.235 & .240 describe the required filing deadlines and content of campaign reports for candidates registered under the “Full Reporting” option. WAC 390-16-037 includes information regarding specific expenditures requiring additional detail and WAC 390-16-205 describes reporting when expenditures are made using subvendors.
- The complaint alleged that the Respondent had purposely failed to disclose detailed descriptions for printing and advertising expenditures in an effort to conceal this information from the public.
- In her response, Elisabeth Tutsch stated that, upon review of the complaint and legal obligations, the campaign agreed that all of the information was not included on the original C-4 reports as required. The campaign made initial corrections to the expenditures on October 30, 2020, the day after the complaint was received, and submitted further amendments on November 13, 2020. Ms. Tutsch apologized for the errors, stating that as a first-time candidate, she made good faith efforts to comply with PDC requirements, and did not realize the reporting insufficiency.
- The complaint included examples of specific expenditures that were lacking the required detail, including an expenditure for “Campaign Signs and Printing” made to “SPD&G Advertising & Public”, an expenditure for “Campaign Advertising” and another described as “Signs and Printing” on the C-4 report. The 2020 Tutsch Campaign

submitted amendments for each of the specifically noted expenditures, adding the type of printing paid for and the number of items printed; the vendor and subvendor name, address and services provided; the advertising services provided, station names and run dates, as applicable; and other detailed information as required by law and rule.

It appears that the late and inaccurate C-4 reports submitted by the Respondent were due to inexperience and general lack of knowledge regarding PDC reporting requirements and not done in an effort to conceal campaign activities from the public. Although the C-4 reports did require edits to descriptions, staff noted that the Respondent responded quickly and worked with PDC Filer Assistance staff to amend the reports, resulting in detailed disclosure of all campaign expenditures.

Based on our findings staff has determined that, in this instance, failure to timely and accurately file complete expenditure descriptions on C-4 reports for the 2020 election does not amount to a finding of a violation that warrants further investigation.

PDC staff is reminding Elisabeth Tutsch about the importance of the timely and accurate disclosure of all expenditure activities, specifically the detailed description required on all future PDC reports in accordance with the statutes and rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Elisabeth Tutsch