



Cindy Larsen is running for Superior Court judge in Snohomish County.

OLYMPIA — The state's campaign watchdog wants the Attorney General's Office to investigate allegations of election violations against a judicial candidate in Snohomish County.

The Public Disclosure Commission voted unanimously Thursday to have Attorney General Bob Ferguson determine what action, if any, be taken against Cindy Larsen, who is running for Superior Court judge on the November ballot.

Larsen, a deputy county prosecutor, is accused of failing to disclose an in-kind contribution prior to the Aug. 2 primary, in which she finished first. Rico Tessandore finished second and the two are competing in the Nov. 8 election to succeed Judge Thomas Wynne.

Photos of Larsen and her children appeared in a mailer supporting passage of Proposition 1, the countywide sales tax hike measure defeated in the primary. A Safer Snohomish County, the political committee that conducted the campaign in support of the measure, spent nearly \$55,000 on the mailing to tens of thousands of voters.

The [complaints \(https://www.pdc.wa.gov/sites/default/files/meeting-resources/Cindy%20Larsen%20-%20Report%20to%20Commission%20-%20Case%206928.pdf\)](https://www.pdc.wa.gov/sites/default/files/meeting-resources/Cindy%20Larsen%20-%20Report%20to%20Commission%20-%20Case%206928.pdf) allege the mailing assisted Larsen in her campaign for judge and should have been reported as an in-kind contribution. Commission staff investigated and concluded Larsen's failure to make the disclosure appeared to violate campaign finance laws.

In addition, investigators contend the value of that in-kind contribution exceeded the \$2,000 limit for judicial races in the primary, another apparent violation.

The probe resulted from complaints July 25 by Beth Lucas and Aug. 4 by Melissa Day.

And in late August, Robert Schiffner, a Moses Lake attorney, filed a formal citizen action notice with the Attorney General's Office. It gave the state 45 days to act in some fashion on those complaints, otherwise Schiffner could pursue legal action against Larsen.

It is because of that notice, commissioners found themselves in the position Thursday of deciding whether to recommend Ferguson delve into the allegations rather than handling it themselves.

"It constrains our options," said commission chairwoman Anne Levinson.

Greg Wong, Larsen's attorney, attended the commission hearing.

"Clearly they said they were not making a finding of determination of wrongdoing," he said.

Wong asked commissioners to not refer the case and to find no violation occurred.

The purpose of a contribution is to benefit a candidate, he said. There's no evidence Larsen derived benefit from the mailer in which she was not identified as a candidate, he said.

Wong also argued Larsen appeared because she personally supported Proposition 1. Penalizing her would be a violation of her constitutional rights to free speech, he said.

Though commissioners did not pass judgment on the complaints, their comments indicated they had questions about the circumstances surrounding Larsen's involvement and doubts that she did not benefit.

As the investigation revealed, Brooke Davis, Larsen's campaign manager at the time, also served as campaign manager for A Safer Snohomish County. Sheriff Ty Trenary, a leader of that political committee, co-chaired Larsen's fundraising effort. And Snohomish County Prosecutor Mark Roe, Larsen's boss, also served on the steering committee for the Proposition 1 campaign.

“That Miss Larsen and her two beautiful children wound up in this (mailing) by magic, I don’t think so,” said Commissioner John Bridges, a retired Chelan County Superior Court judge.

Larsen, a first-time candidate, won the August primary (<http://results.vote.wa.gov/results/20160802/Snohomish-Superior-Court-Judge-Position-3.html>) with 44.8 percent of the vote followed by Tessandore with 34.1 percent.

In a Sept. 8 deposition, she told PDC investigator Tony Perkins that her involvement in the mailer happened quickly.

She said she got a call from Trenary asking her to take part in a photo shoot the next day. Trenary, in his deposition, told investigators he didn’t call her.

In his interview, Roe said he “thought he called her” after a family he originally lined up to participate canceled at the last minute.

Roe said he felt he was “on the hook” and reached out to Larsen. He knew she lived in Everett, where the photos were to be taken. Larsen is an “attractive young woman” with “cute kids” and is married to a deputy sheriff, he said.

“We were just scrambling. Nobody thought it was a problem,” Roe said. “I still don’t.”

Trenary, Roe, Davis and Larsen all told Perkins that there was no discussion of using the mailer to help Larsen.

“I was not part of any discussions to bend the rules or to pull something over by Cindy being part of the Prop 1 (mailing),” Trenary said in his deposition. “I doubt you’ll find anybody who’ll say anything other than we thought we were doing the right thing.”

To ascertain if there might have been a benefit, Perkins asked Larsen about the tactics in her primary campaign.

She said she did no doorbelling and had no volunteers phoning voters. She also sent no mailings, nor did she run any ads on radio, television or online.

Her campaign, she said, consisted mostly of participating in parades, speaking with Republican and Democratic party organizations and corralling endorsements from law enforcement groups.

When asked why she thought she did so well, she offered several possible factors: Her name appeared first on the ballot, she was the only woman and she shares the same last name as U.S. Rep. Rick Larsen, though they are unrelated.

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She said she didn't think she derived any benefit from appearing in the mailer because it doesn't identify her as a candidate. The only way a voter might know, she said, is if they saw her name and face in the voter pamphlet with a mailer nearby.

"I don't think the general population would ever make the connection," she said.

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