



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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December 5, 2016

SENT VIA E-MAIL:

Complainant: John Wyble  
[john@winpowerstrategies.com](mailto:john@winpowerstrategies.com)

Candidate/Respondent: Steve Litzow  
[info@stevelitzow.com](mailto:info@stevelitzow.com)

Geneva West Burleigh, Campaign Manager  
[geneva@stevelitzow.com](mailto:geneva@stevelitzow.com)

Subject: PDC Case 8883

Dear Mr. Wyble, Senator Litzow, and Ms. Burleigh:

Thank you for providing information regarding the complaint alleging that Senator Steve Litzow implied endorsements by Representative Tana Senn and Representative Judy Clibborn through advertising that featured their pictures.

RCW 42.17A.335 provides in pertinent part: "(1) It is a violation of this chapter for a person to sponsor with actual malice a statement constituting libel or defamation per se under the following circumstances: ... (c) Political advertising or an electioneering communication that makes either directly or indirectly, a false claim stating or implying the support or endorsement of any person or organization when in fact the candidate does not have such support or endorsement." (Emphasis added.)

I have reviewed the two advertisements in question. One features a picture of Senator Litzow with Representative Clibborn and states: "Working with Rep. Clibborn to fix our transportation mess." The second has a photograph of Senator Litzow and Representative Senn, both holding plaques, and states: "Senator Steve Litzow working with Rep. Tana Senn to achieve equal pay for women."

Neither advertisement indicates that Representative Clibborn or Representative Senn are endorsing Senator Litzow; nor do I believe endorsement is implied. These advertisements

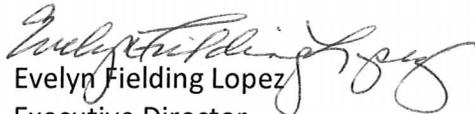
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simply indicate that these individuals have worked with each other on issues that may be of interest to voters. To the extent that there is an implication that a candidate is capable of working with members of the other political party, that is certainly not libelous or defamatory.

Based on my review, I have determined that Senator Steve Litzow and his campaign did not, directly or indirectly, make a false claim stating or implying the support or endorsement by either Representative Clibborn or Representative Senn in violation of RCW 42.17A.335. Therefore, no further action is warranted. For this reason, the PDC has closed the matter, and will not be conducting a more formal investigation into the complaint or pursuing enforcement action in this case.

If you have questions, you may contact me at 1-360-664-2735, or by e-mail at [evelyn.lopez@pdc.wa.gov](mailto:evelyn.lopez@pdc.wa.gov), or at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

  
Evelyn Fielding Lopez  
Executive Director