



El Paso County Controversy #1

Lois Landgraf, Matt Moeller, et. al v. Vickie Tonkins, El Paso County Chairwoman

After reviewing information and testimony submitted by both parties, the State Executive Committee unanimously adopts the following report:

The State Executive Committee has no desire to prematurely decide issues or resolve controversies that are capable of resolution at a subsidiary level of the party's organization. Article XV Section C of the CRC Bylaws make it clear that any controversy must first be resolved at the district and/or county level before making its way to the State Executive Committee: "If any controversy arises at the county, representative, senatorial, judicial, or congressional district level **which cannot be resolved at that level**, or at a CRC meeting, such controversy shall be determined by the CRC or the Executive Committee" (emphasis added).

The majority of requests made by the petitioners here can and must be raised at the El Paso County Central Committee Reorganizational Meeting that is scheduled for February 5, 2022.

Therefore, the State Executive Committee orders that Chairwoman Tonkins must allow any issue of controversy which was filed with the State Executive Committee and heard on January 28, 2022, to be heard and voted on at the County Meeting on February 5. If Ms. Landgraf, et. al, wish to raise any of the issues they raised to the state Executive Committee at this February 5 meeting, they must notify Chairwoman Tonkins in writing by Wednesday, February 2.

Because the controversies raised center around allegations involving Chairwoman Tonkins, she must relinquish the Chair position during the time – and only during the time – that these controversies are being heard.

At that time, the Chairman Pro Tem of the meeting will be Vice Chairman Karl Schneider, as it is usual procedure for the Vice Chairman to serve for a specific purpose or period of time when the Chairman is unable to do so.

The State Executive Committee believes itself bound to state its view that Chairwoman Tonkins behaved improperly in regard to her duty of neutrality during a Republican primary in two specific ways.

Colorado Republican Committee

First, at the January 10, 2022, meeting of the El Paso County Executive Committee, Chairwoman Tonkins approved an agenda item and allowed the presentation of a scorecard that rates Republican legislators with letter grades based on very specific criteria considered by an outside organization, but not readily known by everyone viewing the scorecard. The presentation of this scorecard with its letter grades, combined with specific comments about how legislators should behave offered by Chairwoman Tonkins, gave the impression that she opposed some Republican legislators and supported others – an action that is improper during the primary.

The State Executive Committee desires to be exceedingly clear that it is not at all improper for county parties or county officers to provide reports on how legislators vote. This is important information for all Republicans to have. What was improper about the presentation in El Paso County on January 10, is that the report of votes was accompanied by a letter grade assigned by an outside organization that criticized and praised various Republicans.

Factual reports on how legislators have voted are appropriate, particularly if the legislators are also offered an opportunity to explain any vote they have taken. But a presentation of an outside organization's "verdict" on what letter grade legislators' votes are assigned, along with a failure to give the elected officials a chance to respond, is improper during a primary.

Second, the State Executive Committee finds that it was improper for Chairwoman Tonkins to use county funds to contribute to FEC United. It is the State Executive Committee's understanding based on the materials submitted by petitioners that FEC United is a 501(c)(4) organization that takes sides in Republican primaries, particularly in El Paso County. Since county officers are bound by primary neutrality – both in their own bylaws and according to Article III, Section C of the CRC Bylaws, a county party may not donate to an outside organization that is actively opposing or supporting specific Republican candidates during the primary. Doing so is a violation of primary neutrality requirements.

Finally, the State Executive Committee highly recommends that El Paso County GOP use a professional parliamentarian at all future meetings.

Submitted to both parties to this controversy by CRC Chairwoman Kristi Burton Brown on behalf of the CRC Executive Committee.

KBB

Kristi Burton Brown
January 30, 2022