



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.pdcc.wa.gov

October 10, 2017

Tonasket School District
Attn: Greg Stevens
421 West Riverside Ave
Paulsen Center Building
Spokane WA 99201-0409

Subject: Lloyd Caton, PDC Case No. 22224

Greg Stevens:

On September 28, 2017, the Washington State Public Disclosure Commission (PDC) held a hearing concerning the allegation that Lloyd Caton, a Tonasket School District director, failed to file the annual Personal Financial Affairs Statement (F-1 report) as required for an incumbent school director for calendar year 2016.

Enclosed is a copy of the Public Disclosure Commission's Order for Mr. Caton in PDC Case No. 22224. The Order assesses a civil penalty of \$1000 against Mr. Caton for the missing F-1 report due April 17, 2017 for calendar year 2016. The F-1 Personal Financial Affairs Statement is an annual filing requirement for elected and appointed officials, due each April 15, to certify for the previous calendar year.

At the request of the Public Disclosure Commission, PDC staff is alerting you to the enforcement action against Mr. Caton, and offering any help necessary to assist Mr. Caton and other district officials in complying with their disclosure requirements as elected school directors.

If you have questions, please contact me at (360) 753-1980; toll free at (877) 601-2828 or by email at fox.blackhorn@pdcc.wa.gov.

Sincerely,

Fox Blackhorn
Compliance Coordinator

Enclosure: Order in Case 22224



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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

October 10, 2017

Lloyd Caton
P.O. Box 742
Tonasket, WA 98855

Subject: PDC Order, Lloyd Caton; PDC Case 22224

Dear Mr. Caton:

Enclosed is a copy of the Public Disclosure Commission's Order for PDC Case No. 22224. The Order assesses a civil penalty of \$1000 against you for the missing Personal Financial Affairs Statement (F-1 report) for calendar year 2016. The 2016 F-1 report was required to have been filed by April 17, 2017, as an incumbent School Director for Tonasket School District 404.

Under the terms of the Order, you are required to pay the \$1000 penalty and file the missing F-1 report within 30 days of the date of the Order, or not later than **November 9, 2017**. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

WA State Treasurer - Public Disclosure Commission
Financial Office
PO Box 41465
Olympia, WA 98504-1465

If you have questions or require reporting materials, please contact me by e-mail at fox.blackhorn@pdc.wa.gov

Sincerely,

Fox Blackhorn
PDC Compliance Coordinator

Enclosures: Order in Case No. 22224
Information about Appeals and Enforcement of Orders

cc: Tonasket School District 404 Legal Counsel

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

In re the Matter of Enforcement Action
Against:

PDC CASE NO. 22224

FINAL ORDER

Lloyd Caton,

Respondent.

I. INTRODUCTION

This matter was heard by the Washington State Public Disclosure Commission (Commission) on September 28, 2017 at the Public Disclosure Commission Office, 711 Capitol Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to RCW 34.05, RCW 42.17A, and WAC 390-37. The proceeding was open to the public and recorded.

Commissioners Anne Levinson, Chair, Katrina Asay, and David Ammons were present. Fox Blackhorn-Delph, Compliance Coordinator, presented the matter on behalf of Public Disclosure Commission Staff (Staff). Chad Standifer, Assistant Attorney General, was also present on behalf of Staff. Also present was Scott Douglas, Assistant Attorney General, on behalf of the Commission. Respondent Lloyd Caton did not appear.

The PDC had before it the following materials:

- Enforcement Hearing Memorandum prepared by PDC Compliance Coordinator Fox Blackhorn-Delph dated September 18, 2017;
- Notice of F-1 Enforcement Hearing for Case No. 22183 dated September 15, 2017;
- PDC Statement of Understanding: 2013 Candidate F-1 Report signed by Lloyd Caton in

1 case No. 13-231;

- 2 • Letter from Kurt Young, PDC Compliance Officer, to Lloyd Caton dated August 13, 2013
- 3 regarding assessment of \$100 penalty in PDC Case No. 13-231;
- 4 • Findings of Fact, Conclusions of Law, and Order Imposing Fine in Case No. 13-231 dated
- 5 August 13, 2013, imposing a penalty of \$100 for failure to timely file an F-1 report;
- 6 • PDC Statement of Understanding: 2014 Annual F-1 Report signed by Lloyd Caton on July
- 7 1, 2014 in case No. 14-127;
- 8 • Letter from Kurt Young, PDC Compliance Officer, to Lloyd Caton dated August 12, 2015
- 9 regarding assessment of \$500 penalty with \$100 suspended in PDC Case No. 16-009;
- 10 • Findings of Fact, Conclusions of Law, and Order Imposing Fine in Case No. 16-009 dated
- 11 August 12, 2015, imposing a penalty of \$500 with \$100 suspended for failure to timely file
- 12 an F-1 report.

13 The hearing concerned allegations that Respondent violated RCW 42.17A.700 by failing
14 to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2016, due not later
15 than April 17, 2017.

16 After reviewing the record, including the testimony by PDC Staff, the Commission
17 HEREBY ORDERS that the following Findings of Fact, Conclusions of Law, and Final Order
18 of the Commission be entered:

19 **II. FINDINGS OF FACT**

20 1. Respondent Lloyd Caton was elected School Director for the Tonasket School District
21 in 2005. He continued to serve in that capacity for the duration of 2016, and remains the
22 incumbent in that position.

23 2. Respondent Lloyd Caton had previously been found to be in violation of RCW
24 42.17A.700 by failing to timely file an F-1 Report for reporting year 2012 (Case No. 13-231),
25 for 2013 (Case No. 14-127), and for 2014 (Case No. 16-0009). In Case No. 16-0009, the
26

1 Commission assessed a \$500 penalty with \$100 suspended.

2 3. Mr. Caton's F-1 Report for 2015 was due no later than April 15, 2016, but was filed on
3 October 21, 2016. The F-1 Report was filed before the matter had been set for hearing, so no
4 enforcement hearing was held. However, because Mr. Caton failed to comply with the conditions
5 of the Order in Case No. 16-0009, the \$100 suspended portion of the penalty was reinstated on
6 September 12, 2015. As of the date of the hearing in this matter, the outstanding \$100 remains
7 unpaid.

8 4. As an incumbent School Director, Mr. Caton was required to file an F-1 report no later
9 than April 17, 2017, disclosing personal financial information for calendar year 2016. As of the
10 date of the hearing, Mr. Caton had not filed the F-1 report for calendar year 2016.

11 III. CONCLUSIONS OF LAW

12 1. The Commission has jurisdiction over this proceeding pursuant to RCW 42.17A, the
13 State campaign finance and disclosure law; RCW 34.05, the Administrative Procedure Act; and
14 WAC 390.

15 2. RCW 42.17A.700 states in part: "After January 1st and before April 15th of each year,
16 every elected official and every executive state officer shall file with the commission a statement
17 of financial affairs for the preceding calendar year."

18 3. WAC 390-24-025 states in part: "Any person holding elected public office, except as
19 exempted by the terms of RCW 42.17A.700, ... is required to file the statement of financial
20 affairs if such person holds such public office between January 1 and April 15 of any year. Such
21 report shall be for the preceding calendar year."

22 4. Respondent Lloyd Caton violated RCW 42.17A.700 by failing to timely file a Personal
23 Financial Affairs Statement (F-1 report) for calendar year 2016.
24
25
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IV. ORDER

Based upon the Findings and Conclusions, the Commission orders that:

1. Respondent Lloyd Caton is assessed a total civil penalty of \$1,000.00, payable within 30 days of the date of this Order.
2. Respondent Lloyd Caton is to file the missing F-1 report for calendar year 2016 within 30 days of the date of this Order, and in accordance with RCW 42.17A.755(4) to cease and desist from failing to file his required PDC reports.
3. Respondent Lloyd Caton is to pay the outstanding \$100 assessed in Case No. 16-009, which has been previously sent to a collections agency, as well as any associated interest and collections fees owed to date.
4. PDC Staff are to contact the legal counsel for the Tonasket School District to remind Lloyd Caton and other school directors about the F-1 filing requirement.

The Executive Director is authorized to enter this Order on behalf of the Commission.

So ORDERED this 10th day of October, 2017.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Peter Lavalée
Executive Director

1 **NOTICE: RECONSIDERATION**

2 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
3 Reconsideration with the PDC within twenty-one (21) days from the date this Final Order is
4 served upon you. Any Request for reconsideration must state the specific grounds for the relief
5 requested. Petitions must be delivered or mailed to the Washington State Public Disclosure
6 Commission, 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

7 **NOTICE: PETITION FOR JUDICIAL REVIEW**

8 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
9 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
10 Order must be filed with the court and also served upon both the Commission and the Office of
11 the Attorney general within thirty (30) days after the date this Final Order is served upon you.

12 *Copy of this Order mailed and/or emailed to:*

- 13 Lloyd Caton, Respondent
- 14 Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov)

15 I, Phil Stutzman, certify that I mailed a
 16 copy of this order to the Respondent/ Applicant at his/her
 17 respective address postage pre-paid on the date stated
 18 herein. Phil Stutzman 10/19/17
 19 Signed Date