

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

3 IN RE THE MATTER OF ENFORCEMENT
4 ACTION AGAINST

PDC CASE NO. 13-126

FINAL ORDER

5 Robert Jesse Hill

6 Respondent.
7

8 This matter came before the Washington State Public Disclosure Commission (PDC)
9 on September 26, 2013 at the PDC Office, 711 Capitol Way, Room 206, Olympia,
10 Washington. Those present included Amit Ranade, Commission Chair; Grant Degginger,
11 Commission Vice-Chair; and Kathy Turner, Member. Participating were Kurt Young, PDC
12 Compliance Officer on behalf of the PDC Staff; PDC Executive Director Andrea McNamara
13 Doyle; Nancy Krier, General Counsel for the Commission; and PDC staff member Nancy
14 Coverdale as recorder/reporter of the proceedings. The Respondent, Robert Jesse Hill, was
15 provided notice of the hearing but did not attend or participate. The proceedings were open to
16 the public and recorded.

17 **I. PROCEDURAL HISTORY**

18 The Respondent is a candidate for City Councilmember in the City of Tacoma in 2013.
19 This matter resulted from allegations that the Respondent violated RCW 42.17A.205 by failing
20 to file a Candidate Registration Form (C-1 report) and RCW 42.17A.700 by failing to file a
21 Personal Financial Affairs Statement (F-1 report), both due within two weeks of declaring his
22 2013 candidacy, or not later than May 31, 2013.

23 On September 16, 2013, PDC staff sent a hearing notice to Respondent to the address
24 he provided on his 2013 declaration of candidacy, scheduling the September 26, 2013 hearing
25 before the Commission.
26

1 At the hearing, Mr. Young testified on behalf of PDC staff. Mr. Young also presented
2 to the Commission and summarized his memo dated September 16, 2013, with exhibits. The
3 exhibits included information concerning two prior cases in which the Respondent was found
4 in violation of RCW 42.17 and assessed a penalty.

5 Having considered the testimony and record, the Commission enters the following
6 Findings of Fact, Conclusions of Law and Order.

7 II. FINDINGS OF FACT

- 8 1. Candidate filing week was May 13-17, 2013 for candidates seeking election in 2013.
- 9 2. The Respondent filed as a candidate for the Tacoma City Council during filing week in
10 May 2013.
- 11 3. The Commission had not received a C-1 (Candidate Registration Form) or F-1
12 (Personal Financial Affairs Statement Report) from the Respondent as of May 31,
13 2013, the date they were due.
- 14 4. The Commission had not received a C-1 or F-1 from the Respondent as of September
15 26, 2013, the date of the hearing.
- 16 5. The hearing notice was mailed to the Respondent at the address he provided on his
17 2013 Declaration of Candidacy.
- 18 6. No evidence was presented that as of May 2013 or thereafter, the Respondent has
19 provided the Commission a change of address designating an address different from
20 that on his Declaration of Candidacy.
- 21 7. At the time of the hearing, the Respondent was incarcerated in Pierce County jail with a
22 scheduled release date of February of 2014. He was incarcerated in June of 2013, after
23 the F-1 and C-1 filing deadline.
- 24 8. The Respondent is aware of the F-1 and C-1 filing requirements. The Commission has
25 previously found the Respondent violated RCW 42.17 in PDC Case No. 12-044 (failure
26 to timely file an F-1 following his 2011 declared candidacy for Tacoma City Council –

1 \$300 penalty assessed) and PDC Case No. 08-012 (failure to timely file an F-1 and a C-
2 1 following his 2007 declared candidacy for Tacoma City Council - \$300 penalty
3 assessed).

- 4 9. Both of Respondent's previous penalties were sent to collection; one penalty (Case No.
5 12-044) remains unpaid.

6 **III. CONCLUSIONS OF LAW**

7 Based upon the record herein, the Commission unanimously concludes:

- 8 1. The Commission has jurisdiction to hear this matter under RCW 42.17A and Title
9 390 WAC.
10 2. RCW 42.17A.205 and WAC 390-16-012 required Respondent to file a C-1 within
11 two weeks of becoming a candidate in 2013, or no later than May 31, 2013.
12 3. The Respondent violated RCW 42.17A.205 by failing to file a C-1 for his 2013
13 candidacy.
14 4. RCW 42.17A.700 and WAC 390-24-010 required Respondent to file an F-1 within
15 two weeks of becoming a candidate in 2013, or no later than May 31, 2013.
16 5. The Respondent violated RCW 42.17A.700 by failing to file an F-1 for his 2013
17 candidacy.
18 6. WAC 390-37-165 requires full Commission consideration of a candidate's failure
19 to file an F-1 or C-1 forms following two prior occasions where the Respondent has
20 not complied with those same filing requirements.
21 7. RCW 42.17A.755(5) requires the Commission to assess a penalty for Respondent's
22 current violations and to assess a higher penalty than it ordered in Respondent's
23 prior cases.

24 Based upon the findings and conclusions, the Commission orders that:
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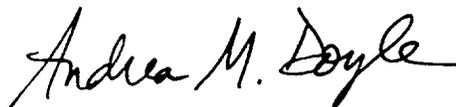
IV. ORDER

The Respondent is assessed a civil penalty of \$500.

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

So ORDERED this 5th day of November, 2013

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION
FOR THE COMMISSION:



ANDREA MCNAMARA DOYLE
Executive Director

ATTACHMENT: Appeals and Enforcement of Final Orders

Copy of this Final Order to:

Robert Jesse Hill
PO Box 5006
Tacoma, WA 98415

I, Paul Barkan, certify that I mailed a copy of this order to the Respondent at Respondent's respective address, postage prepaid, on the date stated herein.

Paul Barkan
Signature

11/5/13
Date