



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

January 30, 2014

Jennifer Rice
3105 Hathaway Street
Yakima, WA 98902

Subject: PDC Case No. 14-010

Dear Ms. Rice:

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

At the January 23, 2014, Brief Enforcement hearing, the Presiding Officer assessed a civil penalty of \$300 in accordance with the penalty schedule set forth in WAC 390-37-165, of which the \$275 is suspended based on the following conditions:

1. You are not found to have committed any further violations of RCW 42.17A for the remainder of your term of office as School Director which ends December of 2017; and
2. The \$25 non-suspended portion of the penalty is paid within 30 days of the date of this order.

If you fail to comply with any of these conditions, the suspended portion of the penalty will become immediately due and payable without further action by the Commission.

Thank you for your attention to this matter, and your participation at the Brief Enforcement hearings. FYI - as an incumbent School Director for the Yakima School District, you are required to file an F-1 report of F-1a report (Short Form) by April 15, 2014, covering all of calendar year 2013.

If you have questions, please contact me at (360) 664-8854; toll free at (877) 601-2828 or by email at kurt.young@pdc.wa.gov.

Sincerely,

Kurt Young
Compliance Officer

Enclosure



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

Jennifer Rice
3105 Hathaway Street
Yakima, WA 98902

In Re Compliance with RCW 42.17A

Jennifer Rice

Respondent.

PDC Case No. 14-010

Findings of Fact,
Conclusions of Law, and
Order

A brief enforcement hearing (brief adjudicative proceeding) was held January 23, 2014, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated: (1) RCW 42.17A.205 by failing to timely file a Candidate Registration (C-1 report); and (2) RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report) covering the 12 months before she became a candidate for School Director in Yakima School District 007. Both reports were due within two weeks of the Respondent filing a Declaration of Candidacy, or no later than May 31, 2013.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to Jennifer Rice on January 13, 2014. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent participated by telephone and provided sworn testimony to the Presiding Officer at the hearing.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. On May 13, 2013, the Respondent filed a Declaration of Candidacy with the Yakima County Auditor's Office, declaring her candidacy for School Director in Yakima School District 007.
2. As a first-time candidate, the Respondent was required to file a C-1 report and an F-1 report within two weeks of the date she filed a Declaration of Candidacy, or no later than May 31, 2013.

3. On July 3, 2013, the Respondent was sent a C-1/F-1 warning letter reminding her to file the missing C-1 and F-1 reports to avoid enforcement action.
4. On July 8, 2013, the Respondent submitted an email to PDC staff stating that she no longer lived in the school district as she had moved. She stated that she was no longer interested in running for the School Director position, and asked staff to remove her name from the list of candidates, if possible.
5. On July 10, 2013, PDC staff replied to the Respondent's email, and explained that if she intended to withdraw, and abided by specific conditions, staff would not pursue enforcement for failing to file the C-1 and F-1 reports. Staff's July 10th email asked the Respondent to confirm her agreement to abide by the following statement:

I desire to withdraw as a candidate for the office stated above. I confirm the following:

- *If elected I will not accept the office.*
- *I will not solicit or accept additional campaign contributions.*
- *I will not make any campaign expenditures, including personal funds.*

I understand that if I comply with the conditions stated above, the Public Disclosure Commission will not pursue enforcement action for failure to file the required C-1 and or F-1 reports.

6. On July 10, 2013, the Respondent replied to staff's email by stating, "Yes please withdraw. Jeni." The Respondent did not withdraw with the Yakima County Auditor's Office, and her name appeared on the 2013 general election ballot. On November 5, 2013, the Respondent was elected to the position of School Director in Yakima School District 007.
7. The Respondent filed the missing C-1 report on November 12, 2013, and the missing F-1 report on November 18, 2013.
8. The Respondent was sworn-in as a School Director on December 17, 2013.
9. The Respondent stated she was a first-time candidate for public office in 2013. She stated that when she exchanged emails with PDC staff stating that she was no longer interested in running for the School Director position, and asking staff to remove her name from the list of candidates, if possible, she believed she was no longer a candidate. She confirmed that she did not solicit or accept campaign contributions or make any campaign expenditures supporting her candidacy.
10. The Respondent has no prior violations.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.205 by failing to timely file the C-1 report.
3. The Respondent violated RCW 42.17A.700 by failing to timely file the F-1 report.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$300 in accordance with the penalty schedule set forth in WAC 390-37-165, of which \$275 is suspended based on the following conditions:

1. ~~Respondent is not found to have committed any further violations of RCW 42.17A for the remainder of her term of office which ends December of 2017; and~~
2. **The \$25 non-suspended portion of the penalty is paid within 30 days of the date of this order.**

If the Respondent fails to comply with any of these conditions, the suspended portion of the penalty will become immediately due and payable without further action by the Commission.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 30th day of January, 2014.

Public Disclosure Commission

Andrea M Doyle
Andrea McNamara Doyle
Executive Director

Enclosure: Information about Appeal Rights

I, Kurt Young, certify that I mailed a copy of this order to the Respondent(s) at his/her/its respective address, postage pre-paid, on the date stated herein.

Kurt Young
Signed

1/30/2014
Date