

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. 54979

FINAL ORDER

MATTHEW BISHOP,

Respondent.

This matter was heard by the Washington State Public Disclosure Commission (Commission) on October 24, 2019, at the Public Disclosure Commission office, 711 Capitol Way, Room 206, Olympia, Washington. At the September 26, 2019, Brief Enforcement Hearing (Brief Adjudicative Proceeding) this matter was directed by the Presiding Officer to the full Commission for consideration in accordance with WAC 390-37-143. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present were David Ammons, Commission Chair (presiding); Russell Lehman, Commission Vice-Chair; and Commissioners Anne Levinson, William Downing, and Fred Jarrett. Also present were Assistant Attorney General John S. Meader representing the Commission, Assistant Attorney General Chad Standifer representing PDC Staff, and Fox Blackhorn-Delph, PDC Compliance Coordinator. The Respondent was provided notice of the hearing but did not respond or appear. The proceeding was open to the public and recorded.

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

The Commissioners had before them the following materials:

1. Notice of Administrative Charges, dated October 14, 2019;
2. Report of Investigation, PDC Case 53579, presented by Fox Blackhorn-Delph and dated October 14, 2019;
3. Candidate Registration (C-1 Report) for Matthew Bishop, filed April 30, 2019;
4. PDC Case 22782, Hearing Notice for an August 23, 2017, Brief Enforcement Hearing; served August 3, 2017;
5. PDC Case 22782, Order Imposing Fine; entered September 5, 2017;
6. PDC Case 39041, Hearing Notice for a September 24, 2018, Brief Enforcement Hearing; served August 16, 2018;
7. PDC Case 39041, Order Imposing Fine; entered October 5, 2018;
8. PDC Case 54979, Complaint Filed by Michele Levenite;
9. PDC Case 39041, Hearing Notice for a September 26, 2019, Reconsideration Hearing; served September 16, 2019;
10. PDC Case 54979, Hearing Notice for a September 26, 2019, Brief Enforcement Hearing; served September 16, 2019;
11. PDC Case 39041; Order Denying PDC Staff's Request for Reconsideration; entered October 1, 2019;
12. PDC Case 54979, Notice of Case Status Review (Initial Hearing); served October 7, 2019;
13. PDC Case 54979, Notice of Results from October 7, 2019, Initial Hearing; Sent October 7, 2019; and
14. PDC Case 54979, Hearing Notice for an October 24, 2019, Enforcement Hearing; served October 11, 2019.

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

**I. FINDINGS OF FACT**

Matthew Bishop filed a Candidate Registration (C-1 report) on April 30, 2019, declaring candidacy for the office of School Director for Richland School District 400. As a candidate, Mr. Bishop was required by RCW 42.17A.700 to file a Personal Financial Affairs Statement (F-1 report), within two weeks of filing the C-1 report, disclosing required personal financial information for twelve calendar months prior to becoming a candidate. Mr. Bishop failed to timely file the F-1 report by May 14, 2019, and, as of the date of the Commission hearing in this matter, had still failed to do so.

Mr. Bishop has two prior PDC violations: (1) PDC Case 22782 for failure to file the C-1 and F-1 reports as a 2017 candidate for School Director in Richland School District 400; and (2) PDC Case 39041 for failure to file the C-1 and F-1 reports as a 2018 candidate for State Senator. In PDC Case 22782, a civil penalty of \$500 was imposed. It remains unpaid by Mr. Bishop and has been referred to collections. A civil penalty of \$500 was also imposed on Mr. Bishop in PDC Case 39041 and remains unpaid. This penalty has also been referred for collection. None of the penalties or collection fees for either case had been paid as of the date of this hearing.

On July 19, 2019, PDC Staff received a complaint from Michele Levenite alleging that Mr. Bishop violated RCW 42.17A.700 by failing to timely file the F-1 report within two weeks of becoming a candidate.

On July 19, 2019, PDC Staff provided notice of the complaint to Mr. Bishop at the email address provided on the C-1 report and the Declaration of candidacy filed with the Benton County Auditor: [matthewb.richland@gmail.com](mailto:matthewb.richland@gmail.com), with an opportunity to respond to the allegations and file the missing report no later than August 2, 2019. Mr. Bishop was also informed that his two prior violations of RCW 42.17A.205 and RCW 42.17A.700 would be an aggravating factor increasing the amount of any potential civil penalties assessed in this matter.

On August 16, 2019, PDC Staff sent an email to Mr. Bishop informing him the PDC had not received his response to the allegations and requested a response no later than August 23, 2019.

1 On August 29, 2019, PDC Staff sent an email to Mr. Bishop reminding him of his  
2 missing report, reminding him of his previous violations, and informing him that continued  
3 failure to file his F-1 would result in an enforcement hearing before the full Public Disclosure  
4 Commission with a penalty of up to \$10,000 per violation. PDC Staff gave Mr. Bishop  
5 additional time until September 6, 2019, to file the missing report.

6 On September 9, 2019, PDC Staff sent to Mr. Bishop by U.S. Mail and email at the  
7 addresses provided on the C-1 report on the Declaration of Candidacy a hearing notice for a  
8 September 26, 2019, Adjudicative Proceeding before the Commission. The notice was mailed  
9 to 2105 N. Steptoe St., Trl #141, Kennewick, WA 99336, and also to  
10 [matthewb.richland@gmail.com](mailto:matthewb.richland@gmail.com).

11 On September 13, 2019, it was discovered that Mr. Bishop's name was not on the ballot  
12 for the 2018 election because of an unpaid filing fee. In response, PDC Staff sent a notice to  
13 Mr. Bishop by U.S. Mail and email on September 16, 2019, for a Reconsideration Hearing for  
14 the 2018 violation (RCW Case 39041). The Reconsideration Hearing was held before the full  
15 Commission on September 26, 2019, and reconsideration was denied. On September 16, 2019,  
16 an additional notice was provided to Mr. Bishop reminding him that PDC Case 54979  
17 concerning the 2019 violation was also being heard on September 26, 2019.

18 At the September 26, 2019, Brief Enforcement Hearing, PDC Case 54979 was directed  
19 to the full Commission for consideration as required by WAC 390-37-143(4-5), since this was  
20 the third established violation where the Respondent has outstanding penalties, the violations  
21 occurred during the previous reporting period, and the required forms remain unfiled.

22 On October 2, 2019, PDC Staff notified Mr. Bishop by email that a Case Status Review  
23 (Initial Hearing) for PDC Case 54979 would be held on October 7, 2019. Mr. Bishop did not  
24 respond to the notice, participate in the hearing, or submit any materials.

25 On October 7, 2019, PDC Staff initiated a formal investigation, held the Case Status  
26 Review, and provided a notice of results from the Case Status Review to Mr. Bishop and to the  
Complainant, by email.

On October 11, 2019, PDC Staff served Mr. Bishop with a hearing notice by U.S. Mail  
and email for an October 24, 2019 Enforcement Hearing before the Commission.

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

**II. CONCLUSIONS OF LAW**

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

2. The Respondent violated RCW 42.17A.700 for failing to file the required F-1 certifying financial activity for the twelve months prior to becoming a candidate, due no later than May 14, 2019.

**III. ORDER**

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

1. Respondent Matthew Bishop is assessed a total civil penalty of \$4,000, of which \$1,000 of the penalty is suspended on the following conditions:

- a. The Respondent is in full compliance with all PDC reporting requirements within 30 days of the date of this Final Order.
- b. The non-suspended portion of the penalty (\$3,000), and the civil penalties and collection fees from PDC Cases 22782 and 39041 are paid by the Respondent within 30 days of the date of this Final Order.
- c. The Respondent is not found to have committed any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Final Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.

1  
2  
3 2. If the Respondent fails to comply with any of the conditions of this Order, the  
4 suspended portion of the penalty shall immediately become due without further action by the  
5 Commission.  
6

7 SO ORDERED this 31st day of October, 2019.

8 WASHINGTON STATE PUBLIC  
9 DISCLOSURE COMMISSION

10 FOR THE COMMISSION:

11 

12 David Ammons  
13 Chair, Public Disclosure Commission

14  
15  
16 *This order sent by email to:*  
17 Matthew Bishop  
18 [Matthewb.richland@gmail.com](mailto:Matthewb.richland@gmail.com)

19 Fox Blackhorn-Delph,  
20 PDC Compliance Coordinator  
21 [Fox.Blackhorn@pdc.wa.gov](mailto:Fox.Blackhorn@pdc.wa.gov)

22 Chad Standifer, Assistant Attorney General  
23 ([ChadS@atg.wa.gov](mailto:ChadS@atg.wa.gov))  
24  
25  
26

I, \_\_\_\_\_, certify that I emailed a  
copy of this order to the Respondent at his respective  
email address.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date