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

7 In Re: The Matter of Enforcement Action  
8 Against:

9 MICHELLE JASMER,  
10 Respondent.  
11

PDC CASE NO. 76881

FINAL ORDER ON REQUEST  
FOR RECONSIDERATION

12 This matter was heard remotely by the Washington State Public Disclosure Commission  
13 (Commission) on January 28, 2021, by telephonic and online streaming access. Michelle Jasmer  
14 (Respondent), requested reconsideration of the Presiding Officer's Order issued on October 21,  
15 2020, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) in this matter.  
16 The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37  
17 WAC.

18 Commissioners present both telephonically and online were Fred Jarrett, Commission  
19 Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioner Russell Lehman.  
20 Also present both telephonically and online were Assistant Attorney General John S. Meader  
21 representing the Commission, Assistant Attorney General Chad Standifer, representing PDC  
22 Staff, and Tabatha Blacksmith, PDC Compliance Coordinator 2, and Respondent Michelle  
23 Jasmer appearing on her own behalf. The proceeding was open to the public as limited by  
24 Governor's Proclamation 20-28 *et seq.* and recorded.

25 The Commissioners had before them the following materials:

- 26 1. Case memorandum dated January 28, 2021, prepared by Tabatha Blacksmith, PDC

1 Compliance Coordinator 2;

2 2. Brief Enforcement Hearing Notice, PDC Case 76881, served September 23, 2020,

3 (amended and original);

4 3. PDC email and Initial Order Imposing Fine, entered November 25, 2020;

5 4. C-1 and F-1 reports filed by Respondent on December 7, 2020;

6 5. Respondent's email request for Reconsideration, dated January 4, 2021;

7 6. Reconsideration Enforcement Hearing Notice, served January 11, 2021;

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9 **I. FINDINGS OF FACT**

10 The matter involved Respondent's request that the Commission reconsider a Final Order  
11 issued on November 25, 2020, resulting from an Initial Hearing on October 21, 2020, regarding  
12 Michelle Jasmer, a first-time candidate for Lieutenant Governor of Washington who participated  
13 in the 2020 Primary Election. The Respondent has no prior violations with the PDC. The  
14 Presiding Officer at the Brief Adjudicative Proceeding found the Respondent in violation of  
15 RCW 42.17A.205 and .700 for failure to timely file a Candidate Registration (C-1 Report) and  
16 Personal Financial Affairs Statement (F-1 Report) within two weeks of candidacy or no later  
17 than June 1, 2020, as required. At the October 21, 2020, Brief Enforcement Hearing an Order  
18 imposing a \$500 penalty was entered, which the Respondent requests the Commission  
19 reconsider.

20 The basis of Respondent's Request for Reconsideration was that she was misinformed  
21 by an assistant that the reports had been filed. She confirmed that the email address used by the  
22 PDC was correct but claimed she receives a large number of emails and was unaware of the  
23 missed reports. She stated the \$500 penalty would constitute a financial hardship.

24  
25 1. PDC staff attempted to contact the Respondent by sending three emails on May  
26 28, June 4, and June 9, 2020, reminding her of her responsibility to file C-1 and F-1

1 reports. These reports were sent to the contact emails provided by filers on their PDC  
2 reports. Starting June 15, 2020, PDC staff also began contacting candidates by phone  
3 regarding their missing reports.  
4

5 2. On July 17, 2020, PDC staff sent warning letters by electronic and U.S. mail to  
6 candidates informing them of how to avoid potential enforcement and fines. The  
7 warning letters were mailed to the addresses provided by filers on their PDC reports.  
8

9 3. A Hearing Notice was mailed to the Respondent to her address of record (5901  
10 117<sup>th</sup> Ave Ct E, #54, Puyallup, WA 98372) on September 22, 2020, for a Brief  
11 Adjudicative Proceeding (Brief Enforcement Hearing) to be held October 21, 2020.  
12

13 4. A Hearing Notice was sent to the Respondent's email address  
14 ([mjasmer@comcast.net](mailto:mjasmer@comcast.net)) on September 23, 2020, and offered an opportunity to avoid an  
15 enforcement hearing by signing a Statement of Understanding, filing the missing  
16 reports, and paying a \$100 civil penalty (per report) no later than October 15, 2020.  
17

18 5. At the Brief Enforcement Hearing on October 21, 2020, Respondent was found  
19 in violation of RCW 42.17A.205 and .700 and was assessed a \$500 penalty consistent  
20 with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by  
21 the Commission.  
22

23 6. On November 25, 2020, PDC staff served the Initial Order memorializing the  
24 Commission's ruling by electronic mail and U.S. mail to the contact email address and  
25 U.S. mail address provided by the Respondent.  
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1           7.       After the Enforcement Hearing, Respondent filed a C-1 and F-1 report covering  
2           the 2019 activity on December 7, 2020.

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4           8.       On January 4, 2021, the Respondent contacted PDC staff by phone and by email  
5           to appeal her November 25, 2020, Order.

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7           9.       PDC staff served Respondent with a hearing notice on January 11, 2021, for the  
8           January 28, 2021, Reconsideration Hearing.

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10                               **II.       CONCLUSIONS OF LAW**

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

14  
15                               **III.       ORDER**

16          As a result of Respondent's efforts to contact PDC staff after the hearing and the denial  
17          of review in accordance with WAC 390-37-144(4), the Request for Reconsideration is  
18          GRANTED. This Order on Reconsideration will be the Final Order. The Findings of Fact,  
19          Conclusions of Law, and the \$500 civil penalty assessed at the October 21, 2020, Initial Hearing  
20          are AFFIRMED.

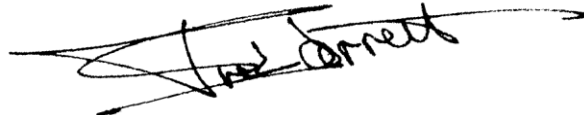
21          1.       The \$500 civil penalty is payable within 30 days of the date of the Order.

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23          2.       In the event the Respondent fails to pay the \$500 civil penalty within 30 days of  
24          the date of the Order, PDC staff is directed to refer the matter to collections  
25          without further action of the Commission.  
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2 SO ORDERED this \_\_5th\_\_ day of February, 2021.  
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5 DISCLOSURE COMMISSION

WASHINGTON STATE PUBLIC

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8 FOR THE COMMISSION:

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10 \_\_\_\_\_  
11 Fred Jarrett,  
12 Chair, Public Disclosure Commission

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15  
16 *This order sent by email to:*

17 Michelle Jasmer, Respondent  
18 mjasmer@comcast.net

19 Tabatha Blacksmith,  
20 PDC Compliance Coordinator 2,  
21 Tabatha.Blacksmith@pdc.wa.gov

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

e-signed Tabatha Blacksmith 2/9/2021  
Signed Date

22  
23 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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

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