



State of Washington
PUBLIC DISCLOSURE COMMISSION

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March 11, 2021

Mary Tompkins
2912 Cashmere Dr
Richland, WA 99354

And delivered electronically to mmtompkins@comcast.net

Subject: PDC Order, Case 80278

Dear Mary Tompkins,

Enclosed is a copy of the Public Disclosure Commission's Final Order on Request for Review that was entered in the above-referenced case. At the February 25, 2021 Review hearing, the Commission vacated the \$250 civil penalty assessed at the December 17, 2020 Brief Enforcement Hearing in accordance with WAC 390-37-143. As a result, no civil penalty is due.

We will be refunding your \$250 penalty payment shortly.

If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

Electronically Signed by Tabatha Blacksmith
PDC Staff

Enclosure: Final Order

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

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

9 MARY TOMPKINS,
10 Respondent.
11

PDC CASE NO. 80278
FINAL ORDER ON REQUEST
FOR REVIEW

12 This matter was heard remotely by the Washington State Public Disclosure Commission
13 (Commission) on February 25, 2021, by telephonic and online streaming access. Mary
14 Tompkins (Respondent) requested review of the Presiding Officer's Order issued on December
15 17, 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; Commissioner Bill Downing, and
20 Commissioner Russell Lehman. Also present both telephonically and online were Assistant
21 Attorney General John S. Meader representing the Commission, Assistant Attorney General
22 Chad Standifer, representing PDC Staff, and Tabatha Blacksmith, PDC Compliance
23 Coordinator. Respondent Mary Tompkins did not appear on her own behalf. The proceeding
24 was open to the public as limited by Governor's Proclamation 20-28 *et seq.* and recorded.

25 The Commissioners had before them the following materials:

- 26 1. Case memorandum dated February 25, 2021, prepared by Tabatha Blacksmith, PDC

1 Compliance Coordinator;

2 2. Brief Enforcement Hearing Notice, PDC Case 80278, served November 17, 2020;

3 3. Initial Order Imposing Fine, entered December 17, 2020, and served January 11, 2020;

4 4. Respondent's request for Review, dated January 5, 2021;

5 5. F-1 report covering calendar year 2019 filed January 8, 2021;

6 6. Review Enforcement Hearing Notice, served February 11, 2021, and staff email

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8 **I. FINDINGS OF FACT**

9 The matter involved Respondent's request that the Commission review an Initial Order
10 issued on January 11, 2021, resulting from an Initial Hearing on December 17, 2020, regarding
11 Mary Tompkins, a City Council Member for the City of Milton, for the term January 1, 2019,
12 through November 5, 2019. The Respondent has no prior violations with the PDC. The
13 Presiding Officer at the Brief Adjudicative Proceeding found the Respondent in violation of
14 RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 Report)
15 no later than April 15, 2020, as required. At the December 17, 2020, Brief Enforcement Hearing
16 an Order imposing a \$250 penalty was entered, which the Respondent requests the Commission
17 review.

18 The basis of Respondent's Request for Review was that she believed the report had been
19 filed and confirmed this with PDC staff, that filing was not required since she lost the election,
20 and that she had ongoing U.S. Post Office delivery issues.

21
22 1. Between February and May of 2020, PDC staff sent nine emails to elected and
23 appointed officials reminding them of their responsibility to file F-1 reports. These
24 reminders were sent to the contact emails provided by filers on their PDC reports.

25 From July 27, 2020, through October 7, 2020, PDC staff also began contacting elected
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1 and appointed officials and representatives in their jurisdiction by phone regarding their
2 missing reports.

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4 2. On July 17, 2020, PDC staff sent warning letters by electronic and U.S. mail to
5 elected and appointed officials regarding their missing F-1 reports for the calendar year
6 2019. The warning letters were mailed to the addresses provided by filers on their PDC
7 reports.

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9 3. A Hearing Notice was mailed to the Respondent to her address of record on
10 November 17, 2020, for a Brief Adjudicative Proceeding (Brief Enforcement Hearing)
11 to be held December 17, 2020.

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13 4. At the Brief Enforcement Hearing on December 17, 2020, Respondent was
14 found in violation of RCW 42.17A.700 and was assessed a \$250 penalty consistent
15 with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by
16 the Commission.

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18 5. On January 5, 2021, Respondent contacted the PDC by telephone and email and
19 requested review of her Initial Order. Respondent also supplied her new mailing
20 address.

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22 6. On January 8, 2021, Respondent filed the F-1 report covering 2019 financial
23 activity.

1 7. On January 11, 2021, PDC staff served the Initial Order memorializing the
2 Commission's ruling by electronic mail and U.S. mail to the contact email address and
3 U.S. mail address provided by the Respondent.

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5 8. PDC staff served Respondent with a hearing notice on February 11, 2021 for the
6 February 25, 2021 Review Hearing.

7 8 **II. CONCLUSIONS OF LAW**

9 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
10 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
11 Administrative procedure Act; and Title 390 WAC.

12 13 **III. ORDER**

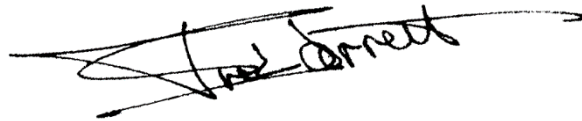
14 As a result of Respondent's filing of the required F-1 report prior to the Review Hearing,
15 and after consideration of the mitigating and aggravating factors of this matter, the Findings of
16 Fact, and the Conclusions of Law, the \$250 civil penalty assessed at the December 17, 2020,
17 Initial Hearing is VACATED. This Order on Review will be the Final Order.

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19 1. The \$250 sent by the Respondent and deposited by the PDC pursuant to PDC
20 office procedures shall be refunded by PDC staff to the Respondent.

1 SO ORDERED this 11th day of March, 2021.

2 WASHINGTON STATE PUBLIC
3 DISCLOSURE COMMISSION

4 FOR THE COMMISSION:

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7 Fred Jarrett,
8 Chair, Public Disclosure Commission

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12 *This order sent by email to:*

13 Mary Tompkins, Respondent
14 mmtompkins@comcast.net
15 2912 Cashmere Drive
Richland, WA 99354

16 Tabatha Blacksmith,
17 PDC Compliance Coordinator
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.

Electronically signed Tabatha Blacksmith 3/11/21
Signed Date

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19
20 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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