



State of Washington
PUBLIC DISCLOSURE COMMISSION

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May 6, 2021

Justyn Turner
4558 Hwy 231
Springdale WA 99173

And delivered electronically to "jatranch@mac.com"

Subject: PDC Order, Case 80283

Dear Justyn Turner,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the March 25, 2021 and April 22, 2021, Adjudicative Proceedings (Enforcement Hearings), the Presiding Officer heard and assessed a total civil penalty of \$250 in accordance with WAC 390-37-182, with \$250 suspended.

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdcc@pdcc.wa.gov.

Sincerely,

Electronically Signed by Tabitha Townsend

Tabitha Townsend
Compliance Coordinator

Enclosure: Initial 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:

PDC CASE NO. 80283

FINAL ORDER

9 JUSTYN TURNER,
10 Respondent.
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13 This matter was heard remotely by the Washington State Public Disclosure Commission
14 (Commission) on March 25, 2021, and on April 22, 2021, by telephonic and online streaming
15 access. Commission Staff requested a full Commission hearing of this matter due to the
16 Respondent's repeated violations. The hearings were held in accordance with Chapters 34.05
17 and 42.17A RCW, and Chapter 390-37 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 Tabitha Townsend, PDC Compliance Coordinator.
23 Respondent Justyn Turner did not appear on his own behalf. The proceedings were open to the
24 public as limited by Governor's Proclamation 20-28 *et seq.* and recorded.

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26 The Commissioners had before them the following materials:

1. Case memorandum dated March 17, 2021, prepared by Tabitha Townsend, PDC Compliance Coordinator;
2. Warning letter for PDC Case 80283, dated September 22, 2020;
3. Hearing Notice sent to Respondent on March 11, 2021, for Adjudicative Proceedings on March 25, 2021;
4. PDC Case 12-239, Final Notice of Penalty Owing, dated March 21, 2014;
5. PDC Cases 12-239 and 22188, payment history information;
6. PDC Case 22188, Order Imposing Fee, dated September 5, 2017;
7. Email statement from Respondent's representative Arwen Turner dated April 14, 2021.

I. FINDINGS OF FACT

The matter involves an alleged repeat violation of RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 Report) no later than April 15, 2020, for calendar year 2019. The case is being heard pursuant to RCW 34.05.482(1)(c), and WAC 390-37-143(4-5) which require review by the full Commission.

1. Justyn Turner was an incumbent School Director for Mary Walker School District 207. His term expired December 16, 2019.
2. Between February and April, 2020, PDC staff emailed seven reminders to the Respondent regarding his missing F-1 report for calendar year 2019, that was due no later than April 15, 2019. As of the date of the hearing on March 25, 2021, the Respondent has not filed the F-1 report for calendar year 2019.

1 3. PDC staff emailed reminders to the Respondent that the April 15, 2020,
2 deadline had been missed on April 22, 2020, April 29, 2020, and May 5, 2020.

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4 4. From July 27, 2020, through October 7, 2020, PDC staff made telephone calls
5 to elected and appointed officials and to representatives in the jurisdictions in which
6 they serve, reminding them of their missed obligation to file the F-1 report covering the
7 calendar year 2019.

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9 5. On September 22, 2020, PDC staff sent a warning letter to the Respondent
10 concerning the missing F-1 report to the address provided to the PDC on the last F-1
11 report filed.

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13 6. On March 11, 2021, PDC staff served the Respondent, by email and by mail to
14 the address of record, with a hearing notice for an adjudicative proceeding before the
15 full Commission on March 25, 2021, concerning his failure to file the F-1 reports.

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17 7. The Respondent has one prior violation of RCW 42.17A.700 within the past
18 five years (PDC Case 22188). In that matter, the Respondent, failed to file an F-1
19 report for calendar year 2016, that was due no later than April 17, 2017.

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21 8. At a September 5, 2017, Brief Adjudicative Proceeding the Respondent was
22 found in violation of RCW 42.17A.700 and assessed a \$250 penalty for failing to file
23 an F-1 report that was due not later than April 17, 2017 (PDC Case 22188). The civil
24 penalty was paid in four installments during 2018 and 2019.

1 9. PDC staff inadvertently failed to inform the Commission at the March 25, 2021,
2 hearing that the Respondent's representative had filed the F-1 form for calendar year
3 2019 prior to the hearing date. In order to fully inform the Commission of the facts in
4 this matter, a Final Order was not issued in March and the hearing reopened and placed
5 on the April 22, 2021, meeting agenda to consider the omitted information.

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7 10. On April 14, 2021, the Respondent's representative, Arwen Turner, emailed the
8 Commission to inform them that Mr. Turner had been seriously injured on January 10,
9 2020, and that the significant, long-term effects of his accident had prevented him from
10 timely filing the required forms.

11 12 **II. CONCLUSIONS OF LAW**

13 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
14 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
15 Administrative Procedure Act; and Title 390 WAC.

16 17 **III. ORDER**

18 As a result of Respondent's failure to file the required F-1 report, and after consideration
19 of the mitigating and aggravating factors, and the Findings of Fact, and the Conclusions of Law,
20 the Commission finds the Respondent violated RCW 42.17A.700 for failing to timely file his F-
21 1 report for calendar year 2019, and is assessed a civil penalty of \$250 with \$250 suspended on
22 the following conditions:

23 1. The Respondent is not found to have committed any further violations of
24 Chapter 42.17A RCW or Title 390 WAC, within four years of the date of the
25 Final Order in this matter. The suspended penalty shall not be assessed based
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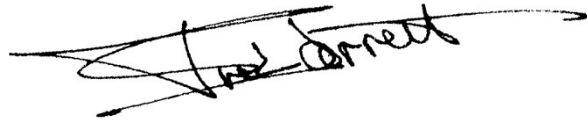
solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by technical correction.

2. If Respondent is found to have violated Chapter 42.17A RCW or Title 390 WAC, the suspended portion of the penalty shall immediately become due and referred to collections without further action by the Commission.

SO ORDERED this 6th day of May, 2021.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Fred Jarrett,
Chair, Public Disclosure Commission

This order sent by email to:

Justyn Turner, Respondent
jatranch@mac.com;
4558 Hwy 231
Springdale, WA 99173

Tabitha Townsend,
PDC Compliance Coordinator,
pdc@pdc.wa.gov

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

Electronically Signed by Tabitha Townsend 5/6/21
Signed Date

NOTICE: RECONSIDERATION

Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon you. Any Request for reconsideration must state the specific grounds for the relief requested.

1 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
2 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

3 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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