



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

February 3, 2021

John McCoy
6124 Mission Ave
Tulalip, WA 98271

And delivered electronically to johnmccoy1@me.com

Subject: PDC Order, Case 83200

Dear John McCoy,

Enclosed is a copy of the Public Disclosure Commission's Order that was entered in the above-referenced case. At the January 28, 2021 Brief Enforcement hearing, the Presiding Officer assessed a civil penalty of \$250 in accordance with WAC 390-37-143, of which \$100 is suspended. The non-suspended \$150 penalty is payable within 30 days of the date of this Order.

The \$150 non-suspended penalty is payable no later than **March 5, 2021**. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

**Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908**

Thank you for your prompt attention to this matter.

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

Sincerely,

Electronically Signed by Tabatha Blacksmith

Tabatha Blacksmith
Compliance Coordinator

Enclosure: Initial Order



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

JOHN MCCOY,

Respondent.

PDC Case 83200

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to John McCoy (the “Respondent”) on January 11, 2021, a brief adjudicative proceeding was held on January 28, 2021, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.700 by failing to timely file the required annual F-1 report (Personal Financial Affairs Statement) as an elected official in 2019. The F-1 report, disclosing financial information for 2019, was due to be filed not later than April 15, 2020.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commission Chair Fred Jarrett was the Presiding Officer. The Commission staff was represented by Tabatha Blacksmith, Compliance Coordinator.

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

FINDINGS OF FACT

1. The Respondent was an elected official serving as State Senator for Leg. District 38 – Senate for the term January 1, 2019 through April 17, 2020.
2. As an elected official, the Respondent was required to file an F-1 report (Personal Financial Affairs Statement) with the Public Disclosure Commission (PDC) by April 15, 2020.
3. The Respondent filed the F-1 report on January 27, 2021, after the hearing notice and the enforcement hearing.
4. The Respondent has no prior violations of RCW 42.17A.700 with the Public Disclosure Commission.

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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.700 by failing to timely file an F-1 report by April 15, 2020.

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 \$250, with \$100 of the penalty suspended, in accordance with the F-1 penalty schedule set forth in WAC 390-37-143.

It is further ordered that the Respondent:

- 1. Pay the non-suspended \$150 civil penalty within 30 days of the date of this Order.**
- 2. File the missing F-1 report within 30 days of the date of this Order.**
- 3. Commit no further violations of Chapter 42.17A RCW or Title 390 WAC for a period of 4 years from the date of this order or the suspended \$100 will become due and payable without further Commission action.**

The \$150 non-suspended portion of the penalty is due to be paid within 30 days of the date of this Order. If the Respondent fails to pay the non-suspended penalty of \$150 within 30 days or fails to comply with any of the conditions of this Order, the suspended portion of the penalty shall immediately become due without further action by the Commission.

In the event the Respondent fails to pay the non-suspended \$150 civil penalty within 30 days of the date of the Order, PDC staff is directed to refer the matter to collections.

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

Entered this 3rd day of February, 2021.

Public Disclosure Commission

Electronically Signed

Peter Lavalley
Executive Director

I, Tabatha Blacksmith, certify that I mailed and emailed a copy of this order to the Respondent at their respective address postage pre-paid, and by email on the date stated herein.

Electronically Signed Tabatha Blacksmith 2/3/21

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request orally or in writing, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1). Staff may ask for written confirmation of oral requests for review.
- **REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE POSTMARK DATE OF THIS INITIAL ORDER.** Written requests for review should be delivered electronically to the Washington State Public Disclosure Commission by email at pdcc@pdcc.wa.gov

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the final order. *See* WAC 390-37-142(5).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.552.

