



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: December 2, 2021

Subject: Fred Helms; PDC Case 94047; Reconsideration Hearing

Matter for Reconsideration:

During a Brief Enforcement Hearing held on July 15, 2021, Fred Helms was found to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 report) with the Public Disclosure Commission (PDC) no later than April 15, 2021. At the July 15, 2021 Brief Enforcement Hearing, an Order imposing a \$500 penalty, with \$250 suspended, was entered, which Fred Helms now requests the Commission reconsider.

Background:

- Fred Helms (the “Respondent”) served as School Director of East Valley School District 361 during calendar year 2020. His term ends on December 31, 2021.
- The Respondent has one prior violation of RCW 42.17A.700 (PDC Case 38926) The Respondent filed the F-1 report and paid the \$250 penalty associated with the prior case.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office in 2020 was required to file an F-1 report, disclosing financial information for calendar year 2020, no later than April 15, 2021.
- In March and April of 2021, PDC staff sent email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2020.
- On May 11, 2021, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report for calendar year 2020. The notice was sent to the Respondent’s email address-of-record.

- On June 29, 2021, PDC staff emailed the Respondent a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on July 15, 2021. The hearing notice was sent to the Respondent's email addresses-of-record, which is a personal email.
- At the Brief Enforcement Hearing held on July 15, 2021, the Respondent was found in violation of RCW 42.17A.700 for failure to file the F-1 report no later than April 15, 2021, and was assessed a \$500 penalty, consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Officer suspended \$250 of the \$500 penalty conditioned upon the Respondent filing the missing F-1 report and paying the non-suspended \$250 penalty within 30 days of the Initial Order being served.
- On August 17, 2021, PDC staff served the August 12, 2021 Initial Order memorializing the Commission's ruling, by email, to the Respondent's email addresses-of-record, which is a personal email.
- The Respondent filed the F-1 report covering calendar year 2020 activity on October 8, 2021.

Request for Reconsideration:

- On October 26, 2021, the Respondent submitted written material, appealing the August 12, 2021 Order. The appeal request is based upon the facts that the Respondent 1) timely submitted a paper F-1 report by mail that was later returned; and 2) has significant health issues preventing him from filing reports online without assistance that frustrated compliance.
- On November 18, 2021, PDC staff served the Respondent, by email, with a hearing notice for a December 2, 2021 Reconsideration Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely. This notice was sent to the Respondent's email address-of-record, which is a personal email.