



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: Jennifer Morton; PDC Case 94068; Reconsideration Hearing

Matter for Reconsideration:

During a Brief Enforcement Hearing held on July 15, 2021, Jennifer Morton 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 \$250 penalty, with \$150 suspended, was entered, which Jennifer Morton now requests the Commission reconsider.

Background:

- Jennifer Morton (the “Respondent”) served as City Council Member for City of Airway Heights during calendar year 2020, and currently holds this office.
- The Respondent has no prior violations with the PDC.
- Pursuant to RCW 42.17A.700, an elected or appointed official who took office in 2021 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 12, 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 30, 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 included a city council and personal email address.
- 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 \$250 penalty, consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Officer suspended \$150 of the \$250 penalty conditioned upon the Respondent filing the missing F-1 report and paying the non-suspended \$100 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 to the Respondent's contact email addresses-of-record, which included a city council and personal email address.
- On November 15, 2021, PDC staff spoke to the Respondent by telephone, at which time she indicated she is a military servicemember who was deployed January through September 30, 2021. The Respondent stated that she was not aware of the PDC's emails regarding her F-1 report, July 15 hearing, and August 12, 2021 Initial Order, and only learned of this matter when her family forwarded her the mail they collected on her behalf during deployment.
- As of November 17, 2021, the Respondent had not filed the F-1 report covering calendar year 2020 activity.

Request for Reconsideration:

- On November 16, 2021, the Respondent indicated, by email, her intent to appeal the Initial Order.
- On November 17, PDC staff provided information to the Respondent regarding the [Servicemembers' Civil Relief Act](#). However, the Respondent indicated by phone on November 18, 2021 that she did not wish to seek relief under the Act and, instead, opts to pursue a standard Reconsideration Hearing. She indicated her intention to file the missing F-1 report as soon as possible.
- The Respondent submitted written material to PDC staff on November 18, 2021, appealing the August 12, 2021 Order based upon the facts that she was on military deployment from January through September of 2021, during which time her parents collected her mail. She was unaware of this matter until she reviewed the PDC's penalty invoice. She reiterated her intention not to pursue relief under the Servicemembers' Civil Relief Act
- 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 city council and personal email addresses.