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

In Re: The Matter of Enforcement Action  
Against:

JENNIFER MORTON,  
  
Respondent.

PDC CASE NO. 94068

FINAL ORDER ON REQUEST  
FOR RECONSIDERATION

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This matter was heard at the Regular Meeting of the Washington State Public Disclosure Commission (Commission) on December 2, 2021, by telephonic and online streaming access. Jennifer Morton (Respondent), requested review of the Presiding Officer's Order, issued following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) held July 15, 2021. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William Downing and Allen Hayward. Also present both telephonically and online were Assistant Attorney General John S. Meader representing the Commission, Assistant Attorney General Chad Standifer, representing PDC Staff, and Tabitha Townsend, PDC Compliance Coordinator. The Respondent appeared on her own behalf. The proceeding was open to the public as limited by Governor's Proclamation 20-28 *et seq.* and recorded.

The Commissioners had before them the following materials:

1. Case memorandum dated December 2, 2021, prepared by Tabitha Blacksmith, PDC Compliance Coordinator;
2. Brief Enforcement Hearing Notice served June 30, 2021;
3. Initial Order Imposing Fine, entered August 12, 2021;
4. Written intent to request an appeal email, received November 16, 2021;
5. Written request for appeal email, received November 18, 2021;
6. Reconsideration Hearing Notice, served November 18, 2021.

### **I. FINDINGS OF FACT**

This matter involves Jennifer Morton (Respondent), a City Council Member for the City of Airway Heights during calendar year 2020. She currently holds this office. During a Brief Enforcement Hearing held on July 15, 2021, Respondent was found to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 Report) no later than April 15, 2021. At the Brief Enforcement Hearing an Order imposing a \$250 civil fine, with \$150 suspended, was entered. The Respondent has no prior violations of RCW 42.17A.700 with the PDC.

1. 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.

2. 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.

3. 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

1 address of record.

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3 4. On June 30, 2021, PDC staff emailed the Respondent a hearing notice for a July  
4 15, 2021, Brief Adjudicative Proceeding (Brief Enforcement Hearing) to Respondent's email  
5 address of record.

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7 5. At the Brief Enforcement Hearing held on July 15, 2021, the Respondent was  
8 found in violation of RCW 42.17A.700 for failure to timely file the F-1 report no later than April  
9 15, 2021. Respondent was assessed a \$250 penalty consistent with WAC 390-37-143, the Brief  
10 Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Officer  
11 suspended \$150 of the \$250 penalty conditioned upon the Respondent filing the missing F-1  
12 report and paying the non-suspended \$100 penalty within 30 days of the Initial Order being  
13 served.

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15 6. On August 17, 2021, PDC staff served the Initial Order to the Respondent's email  
16 address of record.

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18 7. On November 15, 2021, PDC staff spoke to the Respondent by telephone, at  
19 which time she indicated she is a military servicemember who was deployed January through  
20 September 30, 2021. The Respondent stated she was unaware of the PDC emails regarding her  
21 F-1 report, the July 15<sup>th</sup> hearing, and the August 12, 2021, Initial Order. She only learned of  
22 this matter when her family forwarded her the mail they collected on her behalf during  
23 deployment.

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25 8. On November 18, 2021, Respondent filed the F-1 report covering the calendar  
26 year 2020 activity.

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2           9.       On November 17, 2021, PDC staff provided information to the Respondent  
3 regarding the Servicemembers' Civil Relief Act. The Respondent indicated by phone on  
4 November 18, 2021, that she did not wish to seek relief under the Act and, instead, opted to  
5 pursue a standard Reconsideration Hearing.

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7           10.      On November 18, 2021, the Respondent submitted a written appeal of the August  
8 12, 2021, Order due to her being on active deployment and being unaware of the late filing and  
9 subsequent hearing.

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11          11.      On November 18, 2021, PDC staff served the Respondent, by email, with a  
12 hearing notice for a December 2, 2021, Reconsideration Hearing before the Public Disclosure  
13 Commission along with instructions on how to participate in the hearing remotely. This notice  
14 was sent to the Respondent's city council and personal email addresses.

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16                                   **II.       CONCLUSIONS OF LAW**

17          1.       The Commission has jurisdiction over this proceeding pursuant to Chapter  
18 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the  
19 Administrative procedure Act; and Title 390 WAC.

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21          2.       The Respondent violated RCW 42.17A.700 by failing to timely file the F-1  
22 report for calendar year 2020 that was due no later than April 15, 2021.

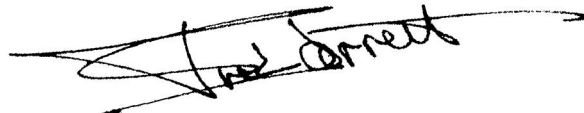
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24                                   **I.       ORDER**

25          The Commission agreed to RECONSIDER this matter. The civil penalty of \$250, with  
26 \$150 suspended, assessed at the July 15, 2021, brief adjudicatory hearing, is VACATED.

1  
2 SO ORDERED this \_16th\_ day of December, 2021.  
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4 WASHINGTON STATE PUBLIC  
5 DISCLOSURE COMMISSION

6 FOR THE COMMISSION:

7 

8 Fred Jarrett,  
9 Chair, Public Disclosure Commission

10 *This order sent by email to:*  
11 Jennifer Morton, Respondent  
12 [jmorton@cawh.org](mailto:jmorton@cawh.org)  
13 [votejennifermorton@gmail.com](mailto:votejennifermorton@gmail.com)

I, \_\_\_\_\_ Tabitha Townsend \_\_\_\_\_, certify that I emailed a  
copy of this order to the Respondent at her respective physical  
and email addresses.

Electronically Signed by Tabitha Townsend December 16, 2021  
Signed Date

14 Tabitha Townsend & Tabitha Blacksmith,  
15 PDC Compliance Coordinators,  
16 pdc@pdc.wa.gov  
17

18 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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