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

9 In Re: The Matter of Enforcement Action
10 Against:

11 LENETT JAMES,
12 Respondent.
13 _____

PDC CASE NO. 94110
FINAL ORDER ON
RECONSIDERATION

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15 This matter was heard remotely by the Washington State Public Disclosure Commission
16 (Commission) on January 27, 2022, by telephonic and online streaming access. Respondent
17 Lenett James requested reconsideration of the Presiding Officer's Order entered on August 12,
18 2021, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) on July 15, 2021,
19 in this matter. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and
20 Chapter 390-37 WAC.

21 Commissioners present both telephonically and online were Fred Jarrett, Commission
22 Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William
23 Downing and Allen Hayward. Also present both telephonically and online were Assistant
24 Attorney General John S. Meader representing the Commission, Assistant Attorney General
25 Chad Standifer representing PDC Staff, and Tabatha Blacksmith, PDC Compliance Coordinator.
26 Notice was provided to the Respondent and she appeared on her own behalf. The proceeding

1 was open to the public as limited by Governor's Proclamation 20-25 *et. seq.* and recorded.

2 The Commissioners had before them the following materials:

- 3 • Case memorandum dated January 27, 2022, prepared by Tabatha Blacksmith, PDC
4 Compliance Coordinator;
- 5 • Brief Enforcement Hearing Notice, served June 29, 2021;
- 6 • Initial Order Imposing Fine, entered August 12, 2021;
- 7 • Respondent's written request for review, received December 3, 2021;
- 8 • Respondent's F-1 report filed December 27, 2021;
- 9 • Reconsideration Hearing Notice, served January 13, 2022.

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11 **I. FINDINGS OF FACT**

12 The matter involved Respondent's request that the Commission reconsider an Initial
13 Order entered on August 12, 2021, resulting from an Initial Hearing on July 15, 2021, regarding
14 Lenett James, a School Director for Mary Walker School District 207 during calendar year 2020.
15 The Presiding Officer at the Brief Adjudicative Proceeding found the Respondent in violation of
16 RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 Report)
17 with the Public Disclosure Commission no later than April 15, 2021. At the July 15, 2021,
18 hearing, an Order was entered imposing a \$250 penalty, with \$150 suspended, which the
19 Respondent now requests the Commission reconsider. The Respondent has no prior violations
20 with the PDC.

- 21
- 22 1. In March and April of 2021, PDC staff sent email reminders to all elected and
23 appointed officials regarding their missing F-1 reports for calendar year 2020.
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2. On May 12, 2021, PDC staff emailed the Respondent a warning notice regarding the mission F-1 report. The notice was sent to the Respondent's official email address of record.
3. 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 address of record, including an official and personal email address.
4. At the Brief Enforcement Hearing held on July 15, 2021, the Respondent was found in violation of RCW 42.17A.700 for failure to timely file the missing 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 Office 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 entered.
5. On August 17, 2021, the Respondent was served with the August 12, 2021, Initial Order memorializing the Commission's ruling to the Respondent's email address of record.
6. Respondent filed the missing F-1 Report on December 27, 2021.

- 1 7. On December 3, 2021, the Respondent spoke to PDC staff by telephone and
2 indicated she was not required to file an F-1 Report. She further indicated her
3 official email address was no longer working, her home wi-fi coverage was
4 poor, and that a family member had been hospitalized.
5
- 6 8. On December 3, 2021 PDC staff received a written request for reconsideration
7 of the August 12, 2021, Initial Order based upon the Respondent's "devastating
8 medical circumstances."
9
- 10 9. On January 13, 2022, PDC staff served the Respondent by email with a hearing
11 notice for a January 27, 2022 Reconsideration Hearing before the Public
12 Disclosure Commission, along with instructions on how to participate in the
13 hearing remotely.
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15 **II. CONCLUSIONS OF LAW**

- 16 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
17 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
18 RCW, the Administrative Procedure Act; and Title 390 WAC.
19
- 20 2. Pursuant to RCW 42.17A.700, an elected or appointed official who held office
21 in 2020, or took office in 2021, was required to file an F-1 Report, disclosing
22 financial information for the calendar year 2020, no later than April 15, 2021.
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III. ORDER

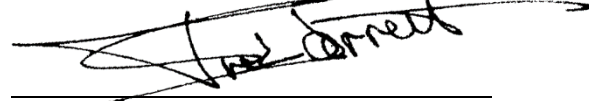
This Order on Reconsideration will be the Final Order. After consideration of the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Initial Hearing Order assessing a \$250 civil penalty, with \$150 suspended, is MODIFIED as follows:

1. Respondent Lenett James is assessed a total civil penalty of \$250, with \$250 suspended, on the following conditions:
 - a. The Respondent remains in full compliance with all PDC reporting requirements and is not found to have committed any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Final Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.
2. If the Respondent fails to remain in compliance, the suspended civil penalty of \$250 will immediately become due without further action by the Commission.

SO ORDERED this 15th day of February, 2022.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Fred Jarrett,
Chair, Public Disclosure Commission

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3 *This order sent by email to:*

4 Lenett James, Respondent
5 Aaronlenett@yahoo.com

6 Tabatha Blacksmith,
7 PDC Compliance Coordinator
8 pdc@pdc.wa.gov
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I, Tabatha Blacksmith, certify that I emailed a copy of this order to the Respondent at her respective email address.

E-signed Tabatha Blacksmith
Signed

February 15, 2022
Date

11 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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