



**State of Washington**  
**PUBLIC DISCLOSURE COMMISSION**

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**Memorandum**

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: October 12, 2021

Subject: Sherry Appleton; PDC Case 94203; Reconsideration Hearing

**Matter for Reconsideration:**

During a Brief Enforcement Hearing held on July 15, 2021, Sherry Appleton 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 Sherry Appleton now requests the Commission reconsider.

**Background:**

- Sherry Appleton (the “Respondent”) served as State Representative for Leg. District 23 – House and State Board/Commission Member for the Commission on Judicial Conduct during calendar year 2020. Her term as a State Representative expired on January 11, 2021 and her term as a State Board/Commission Member expired on June 16, 2021.
- The Respondent has no prior violations of RCW 42.17A.700 with the PDC.
- 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 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 what PDC staff believed to be 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 what the PDC staff believed to be the Respondent's email address-of-record.
- 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, by email, to what PDC staff believed to be the Respondent's email address-of-record.
- The Respondent filed the F-1 report covering calendar year 2020 activity on September 16, 2021.

**Request for Reconsideration:**

- On September 15, 2021, the Respondent submitted written materials to PDC staff appealing the August 12, 2021 Order based upon the fact that she did not receive the emails from PDC staff, notifying her of the July 15, 2021 Hearing. The Respondent stated she has always timely filed in the past, a claim that is supported by the Respondent's filing history.
- On October 4, 2021, PDC staff served the Respondent, by email, with a hearing notice for an October 12, 2021 Reconsideration Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely.