



**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: James Choe; PDC Case 95363; Review Hearing

**Matter for Review:**

During a Brief Enforcement Hearing held on August 12, 2021, James Choe was found to have violated RCW 42.17A.205 for failure to timely file a Candidate Registration (C-1 report) and 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 June 4, 2021. At the August 12, 2021 Brief Enforcement Hearing, an Order imposing a \$500 penalty, with \$200 suspended, was entered, which James Choe now requests the Commission review.

**Background:**

- James Choe (the “Respondent”) is/was a candidate for Hospital Commissioner of Kittitas Hosp. Dist. 1 during election year 2021. He is a first-time candidate.
- The Respondent has no prior violations with the PDC.
- Pursuant to RCW 42.17A.205, a candidate for election year 2021 was required to file a C-1 report within two weeks of candidacy or no later than June 4, 2021.
- Pursuant to RCW 42.17A.700, a candidate for election year 2021 was required to file an F-1 report, disclosing financial information for the prior twelve months, within two weeks of candidacy or no later than June 4, 2021.
- In May and June of 2021, PDC staff sent email reminders to all candidates for election year 2021 regarding their missing C-1 report, F-1 report, or both.
- On June 17, 2021, PDC staff emailed the Respondent a warning notice regarding the missing C-1 and F-1 reports. The notice was sent to the Respondent’s email address-of-record.

- On July 20, 2021, PDC staff emailed the Respondent a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on August 12, 2021. The hearing notice was sent to the Respondent's email address-of-record.
- At the Brief Enforcement Hearing held on August 12, 2021, the Respondent was found in violation of RCW 42.17A.205 and .700 for failure to file the C-1 and F-1 reports no later than June 4, 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 \$200 of the \$500 penalty conditioned upon the Respondent filing the missing C-1 and F-1 reports and paying the non-suspended \$300 penalty within 30 days of the Initial Order being entered.
- On September 14, 2021, PDC staff served the September 13, 2021 Initial Order memorializing the Commission's ruling, by email, to the Respondent's email address-of-record.
- The Respondent filed the C-1 report on September 22, 2021.
- The Respondent filed the F-1 report covering the prior twelve months on September 22, 2021.

**Request for Review:**

- On September 16, 2021, the Respondent submitted written materials to PDC staff appealing the September 13, 2021 Order based upon 1) financial hardship; and 2) the fact that he intended to withdraw his candidacy. He stated that he missed the deadline to withdraw but had no intention of accepting the position, if elected. He is a first-time candidate and did not realize the reports would still be required. He added that his ability to check email was delayed during the summer due to family issues.
- On October 4, 2021, PDC staff served the Respondent, by email, with a hearing notice for an October 12, 2021 Review Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely.