



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

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908  
(360) 753-1111 • FAX (360) 753-1112  
Toll Free 1-877-601-2828 • E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)

**Memorandum**

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: December 2, 2021

Subject: Jack Philbrick; PDC Case 95364; Reconsideration Hearing

**Matter for Reconsideration:**

During a Brief Enforcement Hearing held on August 12, 2021, Jack Philbrick 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 Jack Philbrick now requests the Commission reconsider.

**Background:**

- Jack Philbrick (the “Respondent”) is/was a candidate for School Director of Eatonville School District 404 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 addresses-of-record, which is a personal email.
- On August 5, 2021, the PDC received a handwritten letter from the Respondent by mail wherein he stated that he attempted to withdraw his candidacy with Elections officials but was unable to meet their deadline. PDC staff responded to the letter by email and the Respondent replied.
- 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 timely 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 15, 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, which is a personal email.
- As of November 17, 2021, the Respondent had not filed the missing C-1 and F-1 reports.

**Request for Reconsideration:**

- On October 12, 2021 and October 13, 2021, the PDC received written material from the Respondent's attorney, requesting an appeal of the September 13, 2021 Order. The appeal request is based upon the facts that 1) the Respondent attempted to withdraw/terminate his candidacy; and 2) the time, effort and research needed to disclose the Respondent's various business dealings on the C-1 and F-1 reports would create a hardship. The attorney requested that the Commission consider waiving the Respondent's financial disclosure requirements. A signed *Statement of Termination of Campaign* form was included with the appeal request.
- 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 personal email address and the attorney's work email address.