



State of Washington

PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Jordan Campbell, Compliance Coordinator

Date: October 19, 2022

Subject: Kate McDougall Enforcement Hearing Memorandum: PDC Case 110509

Allegations:

PDC staff alleges that Kate McDougall (The Respondent), an elected City Council Member for the City of Chehalis violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2021, due not later than April 15, 2022.

Background and Prior Violations:

- The Respondent was most recently appointed a City Council Member for City of Chehalis, on January 1, 2022.
- Between March 10th and April 5th 2022, PDC staff sent email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2021.
- On July 22, 2022 PDC staff mailed and emailed the respondent a Hearing notice regarding the missing report for calendar year 2021. This hearing notice was sent to the respondent's email and address of record.
- At the September 1, 2022 Brief Enforcement Proceeding, the Presiding Officer referred the case to a full hearing per WAC 390-37-143(4) and (5).
- On October, 13 2022 PDC staff mailed and emailed the respondent a Hearing Notice for the October 27, 2022 hearing regarding the missing report for calendar year 2021. This hearing notice was sent to the respondent's email and address of record.
- As of October 19, 2022 the Respondent has not filed an F-1 covering calendar year 2021.

Prior Violations

First Violation (PDC Case 95485)

- The Respondent, who was a candidate for City Council for the City of Chehalis failed to file an F-1 report for the previous 12 months prior to becoming a candidate which was due within two weeks of becoming a candidate or no later than June 4, 2021.
- At a August 12, 2021 Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 penalty.
- As of October 19, 2022, the Respondent has not paid the outstanding \$250 civil penalty for case 95485.
- In addition, as of October 19, 2022, the missing F-1 report for the previous 12 months prior to becoming a candidate has not been filed.

Additional Information

- Per WAC 390-37-143(5), cases “will automatically be scheduled before the full commission for an enforcement action when the respondent:
(a) Was found in violation during a previous reporting period;
(b) The violation remains in effect following any appeals; and
(c) The person has not filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.”

Staff Recommendation:

Staff recommends the Commission find that The Respondent violated 42.17A.700 by failing to timely file an F-1 report for calendar year 2021, and:

1. Assess the Respondent a civil penalty for a second occasion of a violation where the report was not filed before the date of the hearing per WAC 390-37-182 to be made payable within 30 days of the date of the Order. The base penalty range for this fact pattern is \$1,000 \$2,000: and
2. Require the respondent to file the missing F-1 report for calendar year 2021 within 30 days of the date of the Order.