



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Jennifer Hansen, Compliance Officer

Date: September 15, 2021

Subject: James M. Felton; PDC Case 94021; Reconsideration Hearing

Matter for Review:

During a Brief Enforcement Hearing held on July 15, 2021, James M. Felton 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 was entered, which James Felton now requests the Commission review.

Background:

- James Felton (the “Respondent”) served as School Director for Pioneer School District 402 for the term January 1, 2019 through February 11, 2021, when he resigned due to medical reasons. The Respondent has no prior violations 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.
- Between February and May 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 11, 2021, PDC staff emailed warning letters to elected and appointed officials regarding their missing F-1 reports for calendar year 2020.

- On June 25, 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.
- 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 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.
- On August 16, 2021, PDC staff served the Initial Order memorializing the Commission's ruling, by email, to the contact email address-of-record.
- To date, the Respondent has not filed an F-1 report covering calendar year 2020 activity.

Request for Reconsideration:

- On August 18, 2021, the Respondent's spouse, contacted PDC staff by telephone to appeal her husband's August 16, 2021 Order based on the fact that James Felton has significant health issues that prevented him from completing the F-1 report and resulted in his resignation from the board. Mrs. Felton indicated her intention to assist her husband in filing the F-1 report.
- PDC staff emailed the Respondent and his spouse, on August 18, 2021 and informed her that a hearing would be scheduled pursuant to her request. In this email, staff also directed Mrs. Felton to contact a Customer Service representative directly to obtain assistance filing the missing F-1 report.
- On September 15, 2021, PDC staff served the Respondent and his spouse, by email, with a hearing notice for a September 23, 2021 Review Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely. On September 17, 2021, PDC staff served the Respondent and his spouse with a corrected hearing notice to reflect the appropriate agenda time.