



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: September 22, 2022

Subject: John R. Martin Enforcement Hearing Memorandum: PDC Case 110526

Allegations:

Public Disclosure Commission (PDC) staff alleges that John R. Martin, former Hospital Commissioner for Grant County Hospital District 4, violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2021 that was due no later than April 15, 2022.

Background:

- John R. Martin (the “Respondent”) served as Hospital Commissioner for Grant County Hospital District 4 from January 1, 2019 through September 21, 2021.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office in 2021 was required to file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for calendar year 2021, no later than April 15, 2022.
- From March 10, 2022 through April 5, 2022, PDC staff emailed reminders to elected and appointed officials regarding their missing F-1 reports for calendar year 2021.
- On May 11, 2022, PDC staff sent the Respondent a warning notice, by email and mail, regarding the missing F-1 report for calendar year 2021. The email was sent to the Respondent’s personal & official email addresses.
- On September 12, 2022, PDC staff served the Respondent, by email and mail, with a hearing notice for a September 22, 2022 Adjudicative Proceeding (Enforcement Hearing) before the full Public Disclosure Commission concerning the Respondent’s failure to file the F-1 report. The email was sent to the Respondent’s email address-of-record.

- As of September 14, 2022, the Respondent has not filed the F-1 report for calendar year 2021 that was due April 15, 2022.

Prior Violation:

The Respondent has two prior violations of RCW 42.17A.700 within the last five years:

Violation (PDC Case 80235)

- The Respondent, who served as Hospital Commissioner for Grant County Hospital District 4 in 2019, failed to file an F-1 report for calendar year 2019, which was due no later than April 15, 2020.
- At a December 17, 2020 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$500 penalty for failing to file an F-1 report for calendar year 2019 that was due no later than April 15, 2020.
- To date, the Respondent has not filed the F-1 report covering calendar year 2019 but he has paid the \$500 civil penalty for case 80235.

Violation (PDC Case 94128)

- The Respondent, who served as Hospital Commissioner for Grant County Hospital District 4 in 2020, failed to file an F-1 report for calendar year 2020, which was due no later than April 15, 2021.
- At a July 15, 2021 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$500 penalty for failing to file an F-1 report for calendar year 2020 that was due no later than April 15, 2021, with \$250 suspended if the conditions of the Order were met.
- To date, the Respondent has not filed the F-1 report covering calendar year 2020 or paid the outstanding \$500 civil penalty for case 94128, which was sent to collections.

Additional Information:

- The Respondent's most recent F-1 report was filed on August 8, 2019 and disclosed financial activity for calendar year 2018.
- 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 file the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent."

Staff Recommendations:

- Staff recommends the Commission find that the Respondent violated RCW 42.17A.700 for failing to file an F-1 report for calendar year 2021;
- Assess the Respondent a civil penalty for a third 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 \$2,000 - \$3,000; and
- Require the Respondent to file the missing F-1 reports covering calendar years 2019, 2020 & 2021 within 30 days of the date of the Order.