



State of Washington
PUBLIC DISCLOSURE COMMISSION
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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

PDC Case 111938

ENGLE, KURTIS

Respondent.

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

Pursuant to the notice of brief enforcement hearing (brief adjudicative proceeding) sent to Kurtis Engle on September 29, 2022, a brief adjudicative proceeding was held on October 20, 2022, remotely from Olympia, WA by live audio and online transmission. The purpose of the hearing was to consider whether the Respondent violated RCW 42.17A.235 & .240 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken by the Campaign as required by campaigns registered under the “Full Reporting” option.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commissioner Fred Jarrett was the Presiding Officer and Commissioner Nancy Isserlis attended. The Commission staff was represented by Compliance Coordinators Tabitha Townsend and Jordan Campbell, and Compliance Officers Jennifer Hansen and Erick Agina. The Respondent participated in the hearing by submitting written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent was a candidate for Secretary of State in the August 2, 2022 Primary Election and received 0.37% of the vote. Mr. Engle’s name will not appear on the November 8, 2022 General Election.
2. On June 16, 2022, Kurtis Engle filed the Candidate Registration (C-1 report), selecting the “Full Reporting” option, listing himself as Treasurer and the only officer.
3. On August 28, 2022, PDC staff received a complaint filed by Conner Edwards alleging that Kurtis Engle had violated of RCW 42.17A.235 & .240 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution

and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken by the Campaign as required by campaigns registered under the “Full Reporting” option.

4. The Respondent did not file the C-3 or C-4 reports by the date of the enforcement hearing.
5. The Respondent has no prior violations.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.235 and RCW 42.17A.240 by failing to file C-3 and C-4 reports disclosing contributions and expenditures undertaken by the Campaign as required under the “Full Reporting” option.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

1. **IT IS HEREBY ORDERED that the Respondent shall file the missing C-3 and C-4 reports and is assessed a total civil penalty of \$150, in accordance with the Brief Enforcement penalty schedule set forth in WAC 390-37-143.**
2. **It is further ordered that the entire amount of the \$150 penalty is suspended on the following conditions:**
 - a. **The Respondent does not commit any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.**
 - b. **The Respondent files the missing C-3 and C-4 reports within 30 days of the date of this Order.**
3. **It is further ordered that, if the Respondent fails to comply with any of the above conditions:**
 - a. **The full \$150 penalty shall immediately become due without further action by the Commission and PDC Staff is directed to refer the matter to collections and/or commence other legal proceedings as authorized by RCW 42.17A and 390 WAC.**

b. The missing C-3 and C-4 reports shall be due immediately.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 10th of November, 2022.

Public Disclosure Commission

Electronically signed by Peter Lavallee
Peter Lavallee
Executive Director

I, Jennifer Hansen, certify that I mailed a copy of this order to the Respondent at their respective address postage pre-paid, on the date stated herein. I certify that I also emailed a copy of this order to the Respondent at their email address of record.

Electronically Signed Jennifer Hansen

11/10/2022

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdcc@pdc.wa.gov **REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.**

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the FINAL ORDER. *See* WAC 390-37-142(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.542.