

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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

Memorandum

To: Public Disclosure Commission

From: Philip E. Stutzman, Compliance Officer

Date: June 14, 2023

Subject: Joshua M. Quantrell, Central Klickitat County Parks & Recreation District

Commissioner, Enforcement Hearing Memorandum: PDC Case 138097

Allegations:

PDC staff alleges that Joshua M. Quantrell, a former Central Klickitat County Parks & Recreation District Commissioner, violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2022, due no later than April 17, 2023.

Background, Facts and Prior Violations:

- On February 2, 2023, Lori Anderson, Manager of Central Klickitat County Parks & Recreation District (CKCPRD), notified PDC staff by email that Commissioner Joshua Quantrell recently moved out of Washington state and is no longer serving as a CKCPRD Commissioner.
- Ms. Anderson updated the Annual Officials List for CKCPRD confirming that as of January 31, 2022, Mr. Quantrell was serving as a CKCPRD Commissioner, meaning Mr. Quantrell was required to file an F-1 Report for the portion of 2022 he served as a Commissioner, by no later than April 17, 2023.
- Reminder emails were sent by PDC staff to annual F-1 filers with missing reports. Nine reminder emails were sent on the following dates: March 9, March 15, March 23, March 30, April 6, April 13, April 21, April 26, and April 28, 2023. Mr. Quantrell has not filed the missing F-1 report that was due by April 17, 2023.
- On May 5, 2023, PDC staff sent warning letters to all annual F-1 filers, including Joshua Quantrell, who had not yet filed the F-1 report, stating that the missing report must be received by the PDC no later than June 1, 2023 to avoid possible enforcement action and a possible civil penalty. The letter also informed Mr. Quantrell that due to previous violations found by the Commission, if the missing F-1 report was not received by June 1, 2023, he could be taken to a hearing before the full Commission and face a civil penalty up to \$10,000. (Exhibit 1)

Joshua Quantrell, Central Klickitat County Parks & Recreation District Commissioner, Enforcement Hearing Memorandum, PDC Case 138097 Page 2

- On June 12, 2023, PDC staff emailed the respondent a Hearing Notice regarding the missing F-1 report for calendar year 2022, due by April 17, 2023. The hearing notice was sent to the respondent's email and street addresses of record. (Exhibit 2)
- Mr. Quantrell filed an F-1 on August 22, 2017 as a candidate for CKCPRD Commissioner. He was elected to a four-year term on November 7, 2017 and continued to serve following completion of his elected term of office which ended January 1, 2022. Mr. Quantrell has not filed an F-1 since his initial filing on August 22, 2017. (Exhibit 3)

First, Past Violation and Penalty (PDC Case 38893):

- The Respondent was a CKCPRD Commissioner who was required to file an annual F-1 covering 2017 activities by April 16, 2018.
- At a September 24, 2018 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 penalty.
- The Commission also ordered Mr. Quantrell to "Cease and desist" from failing to file the required PDC reports in accordance with RCW 42.17A.755(4) and to file the missing report. The F-1 report for 2017 has not been filed and the penalty remains unpaid.

Second, Past Violation and Penalty (PDC Case 80230):

- The Respondent failed to file the annual F-1 Report for calendar year 2018, due by April 15, 2019, and the F-1 for calendar year 2019, due by April 15, 2020.
- At a March 25, 2020 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 penalty for each missing F-1 Report, resulting in a total penalty of \$500.
- Mr. Quantrell was also ordered to file the missing reports. The missing reports have not been filed and the penalty remains unpaid.

Third Past Violation (PDC Case 102994):

- The Respondent failed to file the annual F-1 Report for calendar year 2020, due by April 15, 2021.
- At a March 23, 2022 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$2,500 penalty for the missing report.
- The missing report has not been filed and the penalty remains unpaid.

Fourth Past Violation (PDC Case 109723):

- The Respondent failed to file the annual F-1 Report for calendar year 2021, due by April 15, 2022.
- At a July 28, 2022 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$6,000 penalty

Joshua Quantrell, Central Klickitat County Parks & Recreation District Commissioner, Enforcement Hearing Memorandum, PDC Case 138097 Page 3

for the missing report.

The missing report has not been filed and the penalty remains unpaid.

Staff Recommendation:

Staff recommends the Commission find that Joshua Quantrell violated 42.17A.700 by failing to timely file an F-1 report for calendar year 2022, due by April 17, 2023, and:

- 1. Assess Joshua Quantrell a civil penalty between \$6,000 and \$10,000 for a Respondent with four prior violations of RCW 42.17A.700 and \$9,250 in unpaid penalties.
- 2. Require Joshua Quantrell to file all missing F-1 reports, including the F-1 report for calendar year 2022, within 30 days of the date of the Order.

Exhibit List

- Exhibit 1: May 5, 2023 Warning Letter
- Exhibit 2: June 12, 2023 Enforcement Hearing Notice
- Exhibit 3: Initial F-1 Report Filed August 22, 2017



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May 5, 2023

QUANTRELL JOSHUA M 218 S CHATFIELD GOLDENDALE WA 98620

Also delivered electronically to JOSH QUANTRELL@HOTMAIL.COM

Subject: Missing Personal Financial Affairs Statement (F-1)

WARNING LETTER - IMMEDIATE ACTION NEEDED

Dear QUANTRELL JOSHUA M:

As an elected or appointed official in a jurisdiction with at least 2,000 registered voters, you were required to file a Personal Financial Affairs Statement (F-1) certifying financial activity for calendar year 2022. This report was due to the Public Disclosure Commission (PDC) no later than **April 17, 2023**.

PDC records indicate that you have not filed your F-1 report, which is now past due.

To avoid future enforcement action and a possible civil penalty, please file the missing F-1 report with our office so it is *received* no later than <u>June 1, 2023</u>.

This notice is based on information provided to the PDC by the jurisdiction for which you served. If you did not serve at any time in 2022, believe you received this notice in error or have any questions, please contact us by email at pdc.wa.gov for assistance. If you left office in 2022, you still owe a report covering the portion of the year in which you held office. Please include "F-1 WARNING" in the subject line of your email so that we can better assist you.

If the missing F-1 report is not received or the record corrected by <u>June 1, 2023</u>, due to previous violations found by the commission you may be taken to a hearing before the full commission and face a civil penalty up to \$10,000.

Instructions for filing your Personal Financial Affairs Statement (F-1) online can be found at the PDC website at https://apollo.pdc.wa.gov/. Additional information may be found on our website at https://www.pdc.wa.gov/registration-reporting/personal-financial-affairs-disclosure/how-use-f-1-filing-system-step-step

The PDC cannot accept paper, mailed, faxed, scanned or emailed F-1 reports.



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June 12, 2023

Joshua Quantrell 218 S Chatfield St. Goldendale, WA 98620 and 1903 Highway 142 Klickitat, WA 98628

Also delivered electronically to josh quantrell@hotmail.com

Subject: F-1 Enforcement Hearing Notice; PDC Case 138097

Dear Joshua Quantrell:

The Public Disclosure Commission (PDC) has not received your Personal Financial Affairs Statement (F-1 report) disclosing financial activities for calendar 2022. RCW 42.17A.700 requires every elected or appointed official to file an annual F-1 report, which was due to have been filed no later than April 17, 2023.

In accordance with RCW 42.17A.110 and RCW 42.17A.755, an Adjudicative Proceeding (Enforcement Hearing) has been scheduled to determine if you violated RCW 42.17A.700 by failing to file or timely file the required annual F-1 report for calendar year 2022. Under the Enforcement Hearing rules, the Commission has the authority to assess a civil penalty in accordance with WAC 390-37-182, the Enforcement Hearing penalty schedule adopted by the Commission (see enclosed copy).

HEARING INFORMATION

Date and time: Thursday, June 22, 2023 at 1:00 p.m.

Place: Public Disclosure Commission

Spokane Convention Center, 334 W. Spokane Falls Blvd.

Spokane, WA 99201 – Room 402 Live Audio and Online Transmission

Presiding Officer: Public Disclosure Commission Authority: RCW 42.17A and WAC 390

PARTICIPATING VIA MICROSOFT TEAMS

The Enforcement Hearing will be audio and video recorded. The Commissioners and PDC staff will join the meeting in-person or remotely via Microsoft Teams videoconferencing platform.

Anyone wishing to participate in the hearing remotely must follow the instructions below and join the meeting on a computer or mobile app **promptly at 12:45 p.m. on <u>Thursday, June 22, 2023</u>. Please remain in the meeting until the Presiding Officer calls your name and case number. After your case has been heard, you may leave or stay in the meeting.**

Please note that you must stay muted at all times except while your case is being heard.

Join on your computer or mobile app by following the instructions included in the email transmitting this hearing notice.

If you are unable to use Teams or experience technical difficulties, please call the PDC's main number 1-360-753-1111 to obtain information regarding alternate participation by telephone.

INTERPRETER

If a party or witness to this proceeding speaks limited English or is hearing-impaired, and needs an interpreter, a qualified interpreter will be appointed at no cost to you. Please inform us at least five business days before the hearing or no later than **Thursday**, **June 15**, **2023** if you require an interpreter for this proceeding and/or translation of its written materials in a language other than English. Please contact us by email at pdc.wa.gov or call us at (360) 753-1111 or 1-877-601-2828 to request an interpreter.

SUBMITTING WRITTEN MATERIALS

In advance of the Enforcement Hearing, you may provide a written response describing the facts of your case for consideration by the Commission, including any circumstances or mitigating factors you would like considered. Please submit your written response so it is received by no later than **Wednesday**, **June 14**, **2023**.

SUBMITTING F-1 REPORT

You are strongly encouraged to complete and submit your F-1 report prior to the Enforcement Hearing so it is <u>received</u> by the <u>PDC</u> no later than <u>Wednesday</u>, <u>June 14</u>, <u>2023</u>.

The F-1 report covering 2022 activity that was due by April 17, 2023 must be filed electronically. Online F-1 Instructions are enclosed.

If you have any questions about the hearing process prior to the hearing date, please contact PDC Staff by email at pdc.wa.gov and be sure to reference your case number in the subject line of the email.

Sincerely,

PDC Staff Compliance and Enforcement Division



Enclosures

- F-1 Report Instructions
- PDC Penalty Schedule

How to file your Personal Financial Affairs Statement with the PDC

https://www.pdc.wa.gov/registration-reporting/personal-financial-affairs-disclosure/how-use-f-1-filing-system-step-step

Electronic filing of financial affairs disclosure (F-1) statements is designed to simplify filing and to help filers know what to report.

See our video at www.youtube.com/watch?v=avzfNldYuv8 for a brief overview of the system and its features. You can also watch our training videos for step-by-step instruction:

For new filers www.youtube.com/watch?v=IBdcj0XxEFM
For returning filers www.youtube.com/watch?v=KG8dJgOJzIw

Appointed and elected officials required to submit Personal Financial Affairs (F-1) disclosures will use the online system to submit their statements.

Here is how to get access to the system:

1. Set up a SAW account

To get started, you'll need a Secure Access Washington (SAW) account, if you don't already have one. https://secureaccess.wa.gov/myAccess/saw/select.do This PDC video offers a guide to establishing a SAW account:

Establishing a SAW account www.youtube.com/watch?v=LdaoxXeEfNQ

In setting up a new SAW account, you might want to use an email that you have established already with the PDC. That will be the easiest way to get linked to your F-1 information.

2. Go to the new system

Once you have a SAW account, log into it, and go to the F-1 filing system by either using the "Add a Service" tool in the SAW system or by going using this link:

Financial Affairs online reporting system https://apollo.pdc.wa.gov/
Please note that the system is not compatible with Internet Explorer.

If you don't see your name in the upper right-hand corner of the application, you can request access by clicking on "New filer." Enter the email you last used to file a F-1 with the PDC. You should receive an email with a one-time security code that you will need to use to access your reports.

If the email address you've used previously for PDC filings is one you no longer can access, contact the PDC customer service staff at pdc.wa.gov to report the new email address that you'll use for PDC reporting. Then, return to the application and request access.

3. Start filing

Once you've established access, you will see the landing page of the new filing application. You can click the button labeled "Prior" to see your past F-1 statements. Or, if you're ready to begin filing, click the "Start" button. If you have previously filed a F-1 report in this system, you should be able to import your information.

4. Find help

Questions about what to report? The application itself includes pop-up windows (marked with a ? icon) and a FAQ (see the Help? link in the upper right-hand corner) that leads you to instructions on our website. Our full F-1 reporting manual also is available at www.pdc.wa.gov/registration-reporting/personal-financial-affairs-disclosure/completing-f-1

If you don't see the answer to your question, contact us at pdc@pdc.wa.gov

^{*}State law requires use of electronic filing when a system is available. Filers can request a hardship exemption to electronic filing based on lack of technological ability. Hardship exemption requests can be emailed to pdc.wa.gov

Penalty Schedule [WAC 390-37-182]:

Penalty factors (full adjudicatory proceedings).

- (1) In assessing a penalty after a full adjudicatory proceeding, the commission considers the purposes of chapter <u>42.17A</u> RCW, including the public's right to know of the financing of political campaigns, lobbying and the financial affairs of elected officials and candidates as declared in the policy of RCW <u>42.17A.001</u>; and, promoting compliance with the law. The commission also considers and applies RCW <u>42.17A.755</u> and may consider any of the additional factors described in subsection (3) of this section.
 - (2) Under RCW 42.17A.755, the commission:
 - (a) May waive a penalty for a first-time violation;
- (b) Must assess a penalty for a second violation by the same person or individual, regardless if the person or individual committed the violation for a different political committee;
- (c) Must assess successively increased penalties for succeeding violations pursuant to the following schedule:

Violations:

Respondent failed to file or timely file an accurate or complete: (1) Statement of Financial Affairs (F-1 Report) / (2) Candidate Registration / (C-1 Report) / (3) Lobbyist Monthly Expense Report (L-2 Report) / (4) Lobbyist Employer Annual Report (L-3 Report) and (5) Local Treasurer's Annual Report (T-1 Report).

	1st Occasion	2nd Occasion	3rd Occasion
Filed missing report after being notified about the complaint and provided written explanation with mitigating circumstances.	\$0 - \$500	\$500 - \$1,500	\$1,500 - \$2,500
Report is filed late and is incomplete or inaccurate.			\$2,000 - \$3,000

[Excerpt above]

- (3) In addition to the requirements of RCW <u>42.17A.755</u>, the commission may consider the nature of the violation and any relevant circumstances, including the following factors:
- (a) The respondent's compliance history, including whether the noncompliance was isolated or limited in nature, indicative of systematic or ongoing problems, or part of a pattern of violations by the respondent, or in the case of a political committee or other entity, part of a pattern of violations by the respondent's officers, staff, principal decision makers, consultants, or sponsoring organization;
- (b) The impact on the public, including whether the noncompliance deprived the public of timely or accurate information during a time-sensitive period, or otherwise had a significant or material impact on the public;
- (c) Sophistication of respondent or the financing, staffing, or size of the respondent's campaign or organization;
 - (d) Amount of financial activity by the respondent during the statement period or election cycle;
- (e) Whether the noncompliance resulted from a knowing or intentional effort to conceal, deceive or mislead, or violate the law or rule, or from collusive behavior;
- (f) Whether the late or unreported activity was significant in amount or duration under the circumstances, including in proportion to the total amount of expenditures by the respondent in the campaign or statement period;
- (g) Whether the respondent or any person, including an entity or organization, benefited politically or economically from the noncompliance;
 - (h) Personal emergency or illness of the respondent or member of his or her immediate family;
 - (i) Other emergencies such as fire, flood, or utility failure preventing filing;

- (i) PDC staff or equipment error, including technical problems at the PDC preventing or delaying electronic filing;
- (k) The respondent's demonstrated good-faith uncertainty concerning staff guidance or instructions:
- (1) Corrective action or other remedial measures initiated by respondent prior to enforcement action, or promptly taken when noncompliance brought to respondent's attention (e.g., filing missing reports, amending incomplete or inaccurate reports, returning prohibited or overlimit contributions);
 - (m) Whether the respondent is a first-time filer;
- (n) Good faith efforts to comply, including consultation with PDC staff prior to initiation of enforcement action and cooperation with PDC staff during enforcement action, and a demonstrated wish to acknowledge and take responsibility for the violation;
 - (o) Penalties imposed in factually similar cases; and
 - (p) Other factors relevant to a particular case.
- (4) The commission may consider the factors in subsections (1) through (3) of this section in determining whether to suspend a portion or all of a penalty upon identified conditions, and whether to accept, reject, or modify a stipulated penalty amount recommended by the parties.
- (5) Notwithstanding the above schedule, the commission may assess a penalty of up to ten thousand dollars per violation, or a greater amount if agreed to by the parties, pursuant to RCW 42.17A.755, based on the aggravating factors set forth in subsections (1) through (3) of this section.
 - (6) The penalty schedule for brief enforcement proceedings is provided under WAC 390-37-143.

[Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-37-182, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-37-182, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 16-01-015, § 390-37-182, filed 12/4/15, effective 1/4/16. Statutory Authority:

RCW 42.17A.110, 42.17A.755. WSR 13-05-014, § 390-37-182, filed 2/7/13, effective 3/10/13.]

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PUBLIC	DISCLOSURE COMMISSION 711 CAPITOL WA PO BOX 40908 OLYMPIA WA 985 (360) 753-1111 TOLL FREE 1-877	Y RM 206	PDC FORM F-1 (1/15)	•		INANCIAL TEMENT	O A S R T K	C OFFICE USE
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3 ASSETS / INVESTMENTS - INTEREST / DIVIDENDS List bank and savings accounts, insurance policies, stock, bonds and other intangible property (including but not limited to stock options) held during the reporting period.							
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C.	Name and address of each company, association, govern agency, etc. in which you, a family member, including regis domestic partner, owned or had a financial interest worth \$2,400. Include stocks, bonds, ownership, retirement plan, notes, stock options, and other intangible property. If you, spouse, registered domestic partner and/or dependents had demaking authority regarding individual assets/investments list asset or investment, the value and any income amount. EXAM If you self-directed an investment account identify each sto other asset in that account.	over IRA, your cision each	The party of the same of the s			3 3.	
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