



**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: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)

**Memorandum**

To: Public Disclosure Commission

From: Philip E. Stutzman, Compliance Officer

Date: June 14, 2023

Subject: Jonathon Rodeback Enforcement Hearing Memorandum: PDC Case 138099

**Allegations:**

PDC staff alleges that Jonathon Rodeback, a School Director for Toutle Lake School District 130, 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:**

- Jonathon Rodeback (the “Respondent”) has served as a School Director for Toutle Lake School District since January 1, 2020 and currently holds this office. He was elected in 2019 and is a candidate for re-election in 2023. He has never filed an F-1 Report.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office in 2022 was required to file an F-1 report disclosing personal financial information for calendar year 2022, no later than April 17, 2023.
- Toutle Lake School District officials updated its Annual Officials List confirming that as of December 12, 2022 Jonathon Rodeback was serving as a School Director, meaning he was required to file an annual F-1 report for 2022 by 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. Rodeback 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 Jonathon Rodeback, 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. Rodeback 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)**

- 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 address of record. **(Exhibit 2)**

First, Past Violation and Penalty (PDC Case 80261):

- The Respondent was a Toutle Lake School District School Director who was required to file an annual F-1 report covering calendar year 2019 activities, which was due no later than April 15, 2020.
- On December 17, 2020, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) was held, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 penalty for failing to file the annual F-1 report.
- The F-1 report has not been filed and the penalty remains unpaid.

Second, Past Violation and Penalty (PDC Case 102996):

- The Respondent failed to file the annual F-1 Report for calendar year 2020, due by April 15, 2021.
- At an Adjudicative Proceeding (Enforcement Hearing) held on March 24, 2022, the Commission found the Respondent in violation of RCW 42.17A.700 and assessed a \$2,000 penalty for failing to file the F-1 report that was due no later than April 15, 2021.
- The missing report has not been filed and the penalty remains unpaid.

Third Past Violation (PDC Case 108755):

- The Respondent failed to file the annual F-1 Report for calendar year 2021, due by April 15, 2022.
- At a June 23, 2022 hearing before the full Commission, the Respondent was found in violation of RCW 42.17A.700 and assessed a \$3,000 penalty with \$500 suspended if all missing F-1 reports were filed and the non-suspended portion of the penalty (\$2,500) paid within 30 days of the Order and there are no further violations for four years.
- The missing report has not been filed and the penalty remains unpaid.

**Staff Recommendation:**

Staff recommends the Commission find that Jonathon Rodeback 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 Jonathon Rodeback a civil penalty between \$3,000 and \$10,000 for a Respondent with three prior violations of RCW 42.17A.700 and \$5,250 in unpaid penalties.
2. Require Jonathon Rodeback 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



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May 5, 2023

JONATHON RODEBACK

184 Elk Heights Dr

Castle Rock WA 98611

Also delivered electronically to [jonathonrodeback@gmail.com](mailto:jonathonrodeback@gmail.com)

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

**WARNING LETTER – IMMEDIATE ACTION NEEDED**

Dear JONATHON RODEBACK:

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 June 1, 2023.**

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 [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.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 **June 1, 2023**, 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.pdca.wa.gov/>. Additional information may be found on our website at <https://www.pdca.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

Jonathon Rodeback  
184 Elk Heights Dr.  
Castle Rock, WA 98611

Also delivered electronically to [jonathonrodeback@gmail.com](mailto:jonathonrodeback@gmail.com)

Subject: F-1 Enforcement Hearing Notice; PDC Case Number 138099

Dear Jonathon Rodeback:

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 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:	<b>Thursday, June 22, 2023 at 1:00 p.m.</b>
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 PM on Thursday, June 22, 2023**. 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 [pdcc@pdc.wa.gov](mailto:pdcc@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 **received by the PDC** no later than **Wednesday, June 14, 2023**.

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 [pdcc@pdc.wa.gov](mailto:pdcc@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](http://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](http://www.youtube.com/watch?v=IBdcj0XxEFM)

For returning filers [www.youtube.com/watch?v=KG8dJgOJzIw](http://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](http://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@pdc.wa.gov](mailto:pdc@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](http://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](mailto: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@pdc.wa.gov](mailto:pdc@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 [42.17A](#) 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 [42.17A.001](#); and, promoting compliance with the law. The commission also considers and applies RCW [42.17A.755](#) 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:

<b>Violations:</b>			
<b>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).</b>			
	<b>1st Occasion</b>	<b>2nd Occasion</b>	<b>3rd Occasion</b>
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.	\$0 - \$1,000	\$1,000 - \$2,000	\$2,000 - \$3,000

[Excerpt above]

(3) In addition to the requirements of RCW [42.17A.755](#), 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;

(j) 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;

(l) 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.]