



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 • Website: www.pdca.wa.gov

Memorandum

To: Public Disclosure Commission

From: Jordan Campbell, Compliance Coordinator

Date: August 16, 2023

Subject: Charles Mister Jr. Enforcement Hearing Memorandum: PDC Case 139594

Allegations:

PDC staff alleges that Charles Mister Jr. (The Respondent), a Candidate for School Director for Everett School District violated RCW 42.17A.205 by failing to file a Campaign Finance Registration (C-1 report) for election year 2023, due not later than June 2, 2023.

Background and Prior Violations:

- The Respondent became a candidate for School Director for Everett School District, on May 16, 2023.
- Between May 18, 2023 through June 1, 2023, PDC staff sent email reminders to all candidates regarding their missing C-1 and/or F-1 reports for election year 2023.
- On August 3, 2023 and August 14, 2023 PDC staff mailed and emailed the respondent a Hearing notice regarding the missing report for election year 2023. This hearing notice was sent to the respondent's email and address of record. **(Exhibit 1)**
- As of August 16, 2023 the Respondent has not filed a C-1 covering election year 2023.

Prior Violations

First Violation (PDC Case 95331): (Exhibit 2)

- The Respondent, who was a candidate for School Director for Everett School District, failed to file a C-1 and F-1 report for election year 2021, which were due no later than June 4, 2021.

- At the August 12, 2023 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.205 and RCW 42.17A.700 and assessed a \$400 penalty with \$150 suspended provided the conditions of the order were met within 30 days and no further violations for 4 years.
- To date, the Respondent has paid \$250 of the assessed \$400 civil penalty, leaving an outstanding amount of \$150 for case 95331.
- In addition, as of August 16, 2023, the missing F-1 report for election year 2021 has been filed, however the missing C-1 report has not been filed.

Additional Information

- 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 Recommendation:

Staff recommends the Commission find that The Respondent violated RCW 42.17A.205 by failing to file a C-1 report for election year 2023, and:

1. Assess the Respondent a civil penalty for a second 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 \$1,000 \$2,000; and
2. Require The Respondent to file the missing C-1 report for election year 2023 within 30 days of the date of the Order.