



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 144801

Sutton, Joshua

Respondent.

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

Pursuant to the notice of brief enforcement hearing (brief adjudicative proceeding) sent to Joshua Sutton on January 4, 2024, a brief adjudicative proceeding was held on January 30, 2024, remotely from Olympia, WA. The purpose of the hearing was to consider whether Joshua Sutton violated RCW 42.17A.235 and .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 Nancy Isserlis was the Presiding Officer and Commissioner Allen Hayward attended. The Commission staff was represented by Compliance Coordinators Tabitha Townsend, Jordan Campbell and Colin Peebles, and Compliance Officers Alice Fiman and Erick Agina. Joshua Sutton participated in the hearing and provided written comments prior to the hearing.

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

FINDINGS OF FACT

1. Joshua Sutton was a candidate for Cheney School District, Pos. 2 in the 2023 election in the 2023 General Election and was not elected to the position.
2. On Nov. 3, 2023, PDC staff received a complaint filed by Conner Edwards alleging that Joshua Sutton violated RCW 42.17A.235 and .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.
3. Joshua Sutton did not file C-3 or C-4 reports by the date of the enforcement hearing.

4. On Aug. 18, 2023, Joshua Sutton was assessed a \$500 penalty for failing to file C-1 and F-1 reports.
5. Sutton filed an F-1 report on Oct. 5, 2023.
6. Sutton filed a C-1 report on Jan. 29, 2024.
7. To date, Joshua Sutton has not submitted any payments.

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. Joshua Sutton 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 Joshua Sutton shall file a missing C-4 report and is assessed a total civil penalty of \$200, in accordance with the Brief Enforcement penalty schedule set forth in WAC 390-37-143.**
2. **It is further ordered that \$150 of the \$200 penalty is suspended on the following conditions:**
 - a. **Joshua Sutton 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. **Joshua Sutton pays the \$50 non-suspended civil penalty by February 6, 2024**
 - c. **Joshua Sutton files the missing C-4 report by February 6, 2024.**
 - d. **Joshua Sutton pays the 2023 penalty amount due of \$500 by February 6, 2024.**
3. **It is further ordered that, if Joshua Sutton fails to comply with any of the above conditions:**

- a. The full \$200 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.**

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

Entered this 30 of January, 2024.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee
Peter Frey Lavallee
Executive Director

I, Alice Fiman, certify that I emailed a copy of this order to the Respondent at their email address of record.

Electronically Signed Alice Fiman

January 30, 2024

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.