



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

May 30, 2024

Sent electronically to Michael Cannon

Subject: PDC Order, Case 149617

Michael Cannon,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the May 2, 2024, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$150, of which \$25 was suspended on the condition that you commit no future violations for four years from the date of the Order, in accordance with WAC 390-37-143.

The \$125 non-suspended penalty is payable within 30 days of the date of this Order, which is **June 29, 2024.**

Note: For Online payment options and information, please see below. To mail a check or money order, make it payable to the "Washington State Treasurer" and be sure to include the PDC Case Number 149617 in the memorandum field.

For Regular Mail:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

For Overnight Mail or In-Person Delivery:

Public Disclosure Commission
711 Capitol Way S, STE 206
Olympia, WA 98501-1267

Online Payment Option:

To make an online payment email payments@pdc.wa.gov

A payment link will be sent to you, in which you will need to provide the following information: (1) Case Number; and (2) Respondent Name. Processing fees may apply.

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

Electronically Signed by Kurt Young

PDC Staff

Enclosure: Initial Order



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A	PDC Case 14617
Cannon, Michael	Findings of Fact, Conclusions of Law, and Order Imposing Fine
Respondent.	

Pursuant to the notice of brief enforcement hearing (brief adjudicative proceeding) sent to Michael Cannon on April 18, 2024, a brief adjudicative proceeding was held on May 2, 2024, remotely from Olympia, WA. The purpose of the hearing was to consider whether Michael Cannon violated RCW 42.17A.235 for failing to timely and accurately file the 7-Day Pre-General Election Summary Full Campaign Contribution and Expenditure report (C-4 report), disclosing contributions and expenditures undertaken by the Campaign as required for a candidate 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. Commissioner Hayward acted as Presiding Officer for this matter. The Commission staff was represented by Compliance Officer Kurt Young. The Respondent participated in the hearing by telephone.

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

FINDINGS OF FACT

1. On March 16, 2023, Michael Cannon filed a Candidate Registration (C-1 report) with the PDC, declaring his candidacy for the office of School Director, Position #4 in the Mead School District, selecting the Full Reporting Option for the 2023 election cycle, and listing himself as Treasurer.
2. Mr. Cannon was seeking to be re-elected as a Mead School District School Director, after being elected to that office in 2019. He had previously run for Spokane City Council District #3, Position No. 2 in 2013, and was defeated in the general election.
3. For the 2023 election cycle, a 7-Day Pre-General Election C-4 report was required to be filed on October 31, 2023, covering the period October 17 through October 30, 2023, for a candidate appearing on the November 7, 2023 general election ballot.

4. The 2023 People for Michael Cannon (Campaign) filed the initial 7-Day Pre-General Election C-4 report 10 days late on November 9, 2023, and two days after the November 7, 2023 general election had been held. The initial C-4 report disclosed \$300 in contributions received and \$0 Campaign expenditures made.
5. On November 21, 2023, the Campaign filed an amended 7-Day Pre-General Election C-4 report disclosing the same \$300 in contributions received, but the report included \$9,242 in previously unreported Campaign expenditures made. The amended C-4 report disclosed new expenditures that included political advertisements sponsored by the Campaign totaling \$6,084 for two mailers; \$2,948 for two text “Robocalls” (10,991 and 10,0630); and \$211 to print “Palm Cards.”
6. Mr. Cannon timely filed both the 21-Day Pre-General Election C-4 report and Post-General C-4 report. He has no prior violations of RCW 42.17A or WAC 390.
7. In correspondence with PDC staff, and during the hearing, Mr. Cannon provided testimony acknowledging his mistake in failing to timely file the required 7-Day Pre-General Election C-4 report. He stated that the 7-Day Pre-General Election C-4 report is required to be filed during the busiest time of the Campaign, and that he did not know the exact amounts or number of political advertisements that were printed, robocalls being made, and other political advertising to report exact numbers.
8. Mr. Cannon stated he served as his own Treasurer and reiterated that the last couple weeks before the election were extremely hectic this last election cycle. He stated his failure to timely file the 7-Day Pre-General Election C-4 Report was overlooked by him amidst the numerous tasks and challenges as a candidate running for public office serving as his own Treasurer, and he added that the due date for the required report was not ideal. He stated that when he became aware of the exact amounts spent for political advertising, he filed an amended C-4 report.

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. Michal Cannon violated RCW 42.17A.235 on one occasion by failing to timely and accurately file the 7-Day Pre-General Election C-4 report disclosing contributions and expenditures undertaken by the Campaign as required for a candidate 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 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 \$25 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 pays the \$125 non-suspended civil penalty 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, 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.**

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

Entered this 30th day of May, 2024.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

I, Kurt Young, certify that I emailed a copy of this order to the Respondent at their respective email address of record.

Electronically Signed Kurt Young

May 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@pdcc.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.