



State of Washington

PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Jordan Campbell, Compliance Coordinator

Date: October 16, 2024

Subject: Ben Callies Enforcement Hearing Memorandum: PDC Case 160023

Allegations:

PDC staff alleges that Ben Callies (The Respondent), an incumbent School Director for Mossy Rock School District violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2023, due not later than April 15, 2024.

Background and Prior Violations:

- Ben Callies was an appointed School Director for Mossy Rock School District, for some or all of calendar year 2023
- Between March 12 and April 23, 2024, PDC staff sent seven email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2023.
- On October 3, 2024, PDC staff emailed and mailed The Respondent a hearing notice regarding the missing report for calendar year 2023. This hearing notice was sent to The Respondent's email and mailing address of record.
- On October 11, 2024, PDC staff emailed and mailed The Respondent an updated hearing notice that provided the time of the hearing. This notice was sent to The Respondent's email and mailing address of record.
- As of October 16, 2024 The Respondent (has not) filed an F-1 covering calendar year 2023.

Prior Violations

First Violation (PDC Case 141937):

- The Respondent, who was an appointed School Director for Mossy Rock School District failed to file an F-1 report for calendar year 2022 which was due no later than April 17, 2023.

- At a Brief Adjudicative Proceeding (Brief Enforcement Hearing), The Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 penalty.
- To date, The Respondent has not paid the outstanding \$250 civil penalty for case 141937.
- In addition, the missing F-1 report for calendar year 2022 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 42.17A.700 by failing to timely file an F-1 report for calendar 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 Ben Callies to file the missing F-1 report for calendar year 2024 within 30 days of the date of the Order.