



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.pdcc.wa.gov

Memorandum

To: Public Disclosure Commission
From: Shelley Warnock, Compliance Coordinator
Date: August 20, 2025
Subject: Adam Smith Enforcement Hearing Memorandum: PDC Case 173017

Allegations:

PDC staff alleges that Adam Smith (Respondent), a candidate for Spokane Valley City Council Position 3, violated RCW 42.17A.205 by failing to file a Candidate Registration (C-1) and RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1) covering the previous 12 months prior to becoming a candidate for election year 2025, due within 14 days of becoming a candidate or no later than May 23, 2025.

Background and Prior Violations:

- Respondent declared candidacy for Spokane Valley City Council Position 3, on May 9, 2025.
- Between May 12 and May 27, 2025, PDC staff sent email reminders to all registered candidates regarding their missing C-1 and F-1 reports for election year 2025.
- On July 2, 2025, PDC staff mailed and emailed Respondent a hearing notice regarding the missing reports for election year 2025. This hearing notice was sent to Respondent's email and address of record. **(Exhibit 1)**
- On August 13, 2025, PDC staff notified the Respondent that the Commission had continued the July 24, 2025, hearing to August 28, 2025.
- As of August 20, 2025, Respondent has not filed C-1 or F-1 reports covering election year 2025.

Prior Violations

First Violation (PDC Case 95320): (Exhibit 2)

- Respondent, a 2021 candidate for City of Spokane Valley City Council, failed to file a C-1 and F-1. Both were due no later than June 4, 2021.
- At an August 12, 2021, Adjudicative Proceeding (Brief Enforcement Hearing), Respondent was found in violation of RCWs 42.17A.700 and 42.17A.205 and assessed a \$500 penalty.
- To date, Respondent has not paid the outstanding \$500 civil penalty for case 95320.
- In addition, the missing C-1 and F-1 reports for election year 2021 have not been filed.

Second Violation (PDC Case 138708): (Exhibit 3)

- Respondent, a 2023 candidate for City of Spokane Valley City Council, failed to file a C-1 and the F-1. Both were due no later than June 4, 2023.
- At an August 24, 2023, Adjudicative Proceeding (Brief Enforcement Hearing), Respondent was found in violation of RCWs 42.17A.700 and 42.17A.205 and assessed a civil penalty of \$4,000 with \$2,000 suspended, provided the conditions of the order were met and there were no further violations for four years.
- To date, Respondent has not paid the outstanding \$4,000 civil penalty for case 138708.
- In addition, the missing C-1 and F-1 reports for election year 2023 have 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 filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.”
 - (d) The C-1 report was not filed as well.

Staff Recommendation:

Staff recommends the Commission find Respondent violated RCW 42.17A.205 by failing to file a C-1 and RCW 42.17A.700 by failing to timely file an F-1 for election year 2025, and:

1. Assess Respondent a civil penalty for two prior occasions 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 \$2000 to \$3000 for each report and
2. Require Respondent to file both a C-1 and F-1 for election year 2025 within 30 days of the date of the Order.

Attachments:

- Exhibit 1: 173017 Adam Smith Full Hearing Notice (EY25)
- Exhibit 2: 95320 Adam Smith Candidates Order (EY21)
- Exhibit 3: 138708 Adam Smith Candidates Order (EY23)

PDC Exhibit 1



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

July 2, 2025

Adam Smith
13405 E Sprague
Spokane Valley, WA 99206

Also delivered electronically to info@spokanevalleybjj.com

Subject: F-1 & C-1 Enforcement Hearing Notice; PDC Case Number 173017

Dear Adam Smith,

Public Disclosure Commission (PDC) records indicate that you are or were a candidate for public office in 2025, and we have not received a Candidate Registration (C-1 report) disclosing your campaign information for the 2025 election cycle or your Personal Financial Affairs Statement (F-1 report) disclosing personal financial information for the twelve months preceding your candidacy.

RCW 42.17A.205 and RCW 42.17A.700 require candidates to file a C-1 report and an F-1 report within two weeks of declaring their candidacy, which were to have been filed no later than May 23, 2025.

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.205 and RCW 42.17A.700 by failing to file the required C-1 report and F-1 reports for the 2025 election cycle. 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: **July 24, 2025 at 9:40 a.m.**
Place: 711 Capitol Way Rm. 206
Olympia, WA 98504
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 9:30 a.m. on July 24, 2025**. 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:

<https://tinyurl.com/2ebnk2y9>

Dial in by phone. [+1 564-999-2000](tel:+15649992000), phone conference ID 359 717 221#

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 **July 18, 2025**, 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@pdcc.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 written response so it is received by no later **July 16, 2025, at 1 p.m.**

SUBMITTING THE REPORTS

You are strongly encouraged to complete and submit the required reports online prior to the Brief Enforcement Hearing so they are received by the PDC no later than **July 23, 2025**. The reports must be submitted electronically. Instructions for filing the C-1 can be found [here](#), and instructions for filing the F-1 can be found [here](#).

If you have any questions about the hearing process prior to the hearing date, please contact PDC Staff by email at pdcc@pdcc.wa.gov – and be sure to reference your case number in the subject line of the email. Information can also be found on the PDC site [here](#).

Sincerely,

PDC Staff
Compliance and Enforcement Division



Enclosures

- PDC Penalty Schedule

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:

Violations:			
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).			
	1st Occasion	2nd Occasion	3rd Occasion
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.]

PDC Exhibit 2



**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.pdcc.wa.gov

August 13, 2025

Adam Smith
17315 E Sprague #101
Spokane Valley, WA 99016

Also delivered electronically to info@spokanevalleybjj.com and professor@smashbjjspokane.com

Subject: F-1 and C-1 Enforcement Hearing Notice; PDC Case Number 173017

Dear Adam Smith,

Public Disclosure Commission (PDC) records indicate that you are or were a candidate for public office in 2025. Staff have not received a Candidate Registration (C-1) disclosing your campaign information for the 2025 election cycle or your Personal Financial Affairs Statement (F-1) disclosing personal financial information for the twelve months preceding your candidacy.

RCW 42.17A.205 and RCW 42.17A.700 require candidates to file a C-1 report and an F-1 report within two weeks of declaring candidacy, which were to have been filed no later than May 23, 2025.

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.205 and RCW 42.17A.700 by failing to file the required C-1 report and F-1 report for the 2025 election cycle. 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:	August 28, 2025 at 9:40 a.m.
Place:	711 Capitol Way Rm. 206 Olympia, WA 98504 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 9:30 a.m. on August 28, 2025**. 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.

PLEASE READ THE ENTIRE INSTRUCTION Prior to joining the meeting

How to participate remotely in the Washington State Public Disclosure Commission Meeting on 08/28/2025:

Note the meeting agenda for start time. [Home | Washington State Public Disclosure Commission \(PDC\)](#)

You may be prompted to download MS TEAMS App or use a supported browser: Microsoft Edge or Chrome for best performance.

Please remember to **Mute** yourself and turn your **camera off** when you are not talking.

Microsoft Teams meeting info for (08/28/2025)

Join on your computer, mobile app or room device

Join the meeting now

Meeting ID: 258 950 756 553

Passcode: NY6Pz3Km

or

copy and paste the following into your browser:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTFiN2E1NGYtM2E0YS00MTlkLTk4ZmltOTE1ODg2NmM1ZWVk%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22Oid%22%3a%22d6333694-631f-41cb-93db-a8c6f065da71%22%7d

Meeting ID: 258 950 756 553

Passcode: NY6Pz3Km

TO call in (audio only)

[+1 564-999-2000](tel:+15649992000), 154025466# United States, Olympia

Phone conference ID: 154 025 466#

If you are calling in via phone, use*6 to mute and unmute

The Public Comment period time will be noted on the agenda.

If you have contacted staff prior to the meeting to be on the Public Comment list, you will be called by name to give your comment.

Materials related to public comment portion must be submitted by **Tuesday, 08/26/2025 at 5:00 pm** to allow for distribution to the Commission and staff for review.

For assistance prior to the start of the meeting contact 1-360-753-1111.

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 **August 21, 2025**, 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 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 written response, so it is received by no later **August 20, 2025, at 1:00 p.m.**

SUBMITTING THE REPORTS

You are strongly encouraged to complete and submit the required reports online prior to the Brief Enforcement Hearing so they are received by the PDC no later than **August 27, 2025**. The reports must be submitted electronically. Instructions for filing the C-1 can be found [here](#), and instructions for filing the F-1 can be found [here](#).

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 – and be sure to reference your case number in the subject line of the email. Information can also be found on the PDC site [here](#).

Sincerely,

PDC Staff
Compliance and Enforcement Division



Enclosures

- PDC Penalty Schedule

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:

Violations:			
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).			
	1st Occasion	2nd Occasion	3rd Occasion
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.]

PDC Exhibit 3



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

September 13, 2021

Adam Smith
13405 E SPRAGUE
SPOKANE VALLEY WA 99206

And delivered electronically to Professor@spokanevalleybjj.com info@spokanevalleybjj.com

Subject: PDC Order, Case 95320

Dear Adam Smith,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

At the August 12, 2021, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$500, of which \$200 is suspended, in accordance with WAC 390-37-143. The \$300 non-suspended penalty is payable within 30 days of the date of this Order.

The \$300 non-suspended penalty is payable no later than October 13, 2021.

Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

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

It is also ordered that you file the missing C-1 and F-1 reports within 30 days of this order, or no later than October 13, 2021.

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 Tabitha Townsend
PDC Staff

Enclosure: Initial Order



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.pdcca.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

PDC Case 95320

Adam Smith,

Respondent.

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

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Adam Smith dated July 14, 2021, a brief adjudicative proceeding was held on August 12, 2021, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.205 by failing to timely file a Candidate Registration (C-1 report) and RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for the preceding twelve months, which were due to be filed within two weeks of candidacy or no later than June 4, 2021.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commissioners Fred Jarrett and Nancy Isserlis were the Presiding Officers. The Commission staff was represented by Compliance Coordinators Tabitha Townsend and Tabatha Blacksmith, and Jennifer Hansen, Political Finance Officer. The Respondent not participate in the hearing or submit any written materials.

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

FINDINGS OF FACT

1. The Respondent is/was a candidate for CITY COUNCIL MEMBER of CITY OF SPOKANE VALLEY.
2. As a candidate, the Respondent was required to file C-1 and F-1 reports by June 4, 2021.
3. The Respondent did not file the C-1 report by the date of the enforcement hearing.
4. The Respondent did not file the F-1 report by the date of the enforcement hearing.
5. The Respondent has no prior violations.

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. The Respondent violated RCW 42.17A.205 by failing to file the C-1 report by June 4, 2021.
3. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by June 4, 2021.

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 \$500 of which \$200 is suspended, in accordance with the candidate C-1 & F-1 penalty schedule set forth in WAC 390-37-143.
2. It is further ordered that the Respondent:
 - a. Pay the \$300 civil penalty within 30 days of the date of this Order. If the Respondent fails to pay the \$300 within 30 days, PDC staff is directed to refer the matter to collections in the full assessed penalty amount of \$500.
 - b. File the missing C-1 report within 30 days of the date of this Order.
 - c. File the missing F-1 report within 30 days of the date of this Order.
3. It is further ordered that \$200 of the \$500 penalty is suspended on the following conditions:
 - a. The Respondent is not found to have committed 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 non-suspended portion of the penalty (\$300) is paid by the Respondent within 30 days of the date of this Order. If the Respondent fails to pay the non-suspended penalty of \$300 within 30 days, the suspended portion of the penalty (\$200) shall immediately become due without further action by the Commission and PDC staff is directed to refer the matter to collections in the full assessed penalty amount of \$500.

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

Entered this 13th of September 2021.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

I, Tabitha Townsend, certify that I mailed a copy of this order to the Respondent at their respective address postage pre-paid, on the date stated herein, and by email.

<u>Electronically Signed Tabitha Townsend</u>	<u>September 13, 2021</u>
Signed	Date

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 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.

PDC Exhibit 4



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

September 7, 2023

Adam Smith
13405 E Sprague
Spokane Valley WA 99206

And delivered electronically to Professor@smashbjjspokane.com

Subject: PDC Order, Case 138708

Dear Adam Smith,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

At the August 24, 2023 Full Enforcement hearing, the Commission assessed a total civil penalty of \$4,000, of which \$2,000 is suspended, in accordance with WAC 390-37-182. The \$2,000 non-suspended penalty is payable within 30 days of the date of this Order, which is **October 7, 2023**.

Please make the check or money order payable to "WA State Treasurer" and mail the payment to the following address:

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

It is also ordered that you file the missing C-1 & F-1 reports from 2023 election cycle within 30 days of this order, which is **October 7, 2023**

Please contact the collection agency PMT Solutions directly at (425) 882-4800 to pay the outstanding penalty from your prior violation (PDC Case 95320).

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 Tabitha Townsend
PDC Staff

Enclosure: Final Order

1
2
3
4
5
6
7
8 **BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

9 In Re: The Matter of Enforcement Action
10 Against:

PDC CASE NO. 138708

FINAL ORDER

11 ADAM SMITH,
12 Respondent.
13
14
15

16 This matter was heard by the Washington State Public Disclosure Commission
17 (Commission) on August 24, 2023, by in-person, telephonic, and online streaming access. The
18 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
19 WAC.

20 Commissioners present in-person were Nancy Isserlis, Commission Chair (presiding);
21 Allen Hayward, Commission Vice-Chair; and Commissioners Fred Jarrett and J. Robert Leach.
22 Also present both in-person and online were Assistant Attorney General John S. Meader
23 representing the Commission, Assistant Attorney General Susie Giles-Klein representing PDC
24 Staff, and Tabitha Townsend, PDC Compliance Coordinator. Notice was provided to the
25 Respondent and he did not appear on his own behalf. The proceeding was open to the public
26 and recorded.

1
2 The Commissioners had before them the following materials:

- 3
- 4 • Notice of Administrative Charges and Report of Investigation dated August 16, 2023,
5 prepared by Jordan Campbell, PDC Compliance Coordinator;
 - 6 • Amended Hearing Notice for PDC Case 138708 dated August 11, 2023;
 - 7 • Initial Order for PDC Case 95320 dated September 13, 2021.

8
9 **I. FINDINGS OF FACT**

10 This matter involves allegations the Respondent violated RCW 42.17A.205 and RCW
11 42.17A.700(2) by failing to file the required Candidate Registration (C-1 Report) and Personal
12 Financial Affairs Statement (F-1 Report) within two weeks of declaring his candidacy for public
13 office in the 2023 election year, as required by law. The Respondent has one prior violation with
14 the PDC.

- 15
- 16 1. On May 19, 2023, the Respondent became a candidate for City Council
17 Member for the City of Spokane Valley.
 - 18 2. From May 18, 2023, through June 1, 2023, PDC staff sent email reminders to
19 all candidates regarding their missing C-1 and F-1 reports that are due within
20 two weeks of becoming a candidate or no later than June 2, 2023.
 - 21 3. On August 3, 2023, and August 11, 2023, PDC staff mailed and emailed the
22 Respondent a Hearing Notice for an August 24, 2023, Commission hearing
23 regarding the missing C-1 and F-1 reports.
24
25
26

1 4. As of the August 24, 2023, Commission hearing the Respondent has not filed
2 either the C-1 or F-1 reports for election year 2023.
3

4 5. Respondent has one prior enforcement matter:
5

6 a. PDC Case 95320. Respondent was a candidate for City Council
7 Member for the City of Spokane Valley and failed to file a C-1 report
8 for election year 2021 and an F-1 report covering the 12 months prior to
9 becoming a candidate. The reports were due within two weeks of
10 becoming a candidate or no later than June 4, 2021. At an August 12,
11 2021, Brief Adjudicative Proceeding (Brief Enforcement Hearing), the
12 Respondent was found in violation of RCW 42.17A.205 and .700 and
13 assessed a \$500 penalty with \$200 suspended under the condition that
14 the reports were filed and the non-suspended portion of the penalty was
15 paid within 30 days of the date of the Initial Order. The outstanding
16 civil penalty has not been paid and both the C-1 and F-1 reports have not
17 been filed.
18

19 II. CONCLUSIONS OF LAW

20 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
21 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
22 RCW, the Administrative Procedure Act; and Title 390 WAC.
23

24 2. Pursuant to RCW 42.17A.205, a candidate for an election year must file a
25 Candidate Registration (C-1 Report) within two weeks of organization or within
26

1 two weeks after the date the committee has the first expectation of receiving
2 contributions, whichever is earlier.
3

- 4 3. Pursuant to RCW 42.17A.700(2) a candidate for an election year must file a
5 Financial Affairs Statement (F-1 Report) within two weeks of declaring his
6 candidacy for public office.
7

8
9 **III. ORDER**

10 This Order will be the Final Order. After consideration of the mitigating and
11 aggravating factors, the Findings of Fact, and the Conclusions of Law, the Respondent is
12 assessed a civil penalty of \$4,000 with \$2,000 suspended on the following conditions:
13

- 14 1. a. The non-suspended portion (\$2,000) of the \$4,000 civil penalty
15 for failure to file the F-1 and C-1 reports within two weeks of becoming
16 a candidate for the 2023 election year in violation of RCW 42.17A.205
17 and RCW 42.17A.700 is paid by the Respondent within 30 days of the
18 date of this Final Order.
19
20 b. The missing C-1 and F-1 Reports due within two weeks of
21 becoming a candidate or no later than June 2, 2023, are filed within 30
22 days of the date of this Final Order.
23
24 c. The missing C-1 and F-1 reports for election year 2021, are filed
25 within 30 days of the date of this Final Order and the unpaid \$500 civil
26

1 penalty, plus any collection costs, is paid within 30 days of the date of
2 this Final Order.

3
4 d. The Respondent remains in full compliance with all PDC
5 reporting requirements and is not found to have committed any further
6 violations of Chapter 42.17A RCW or Title 390 WAC within four years
7 of the date of this Final Order. The suspended penalty shall not be
8 assessed based solely upon any remediable violation, minor violation, or
9 error classified by the Commission as appropriate to address by a
10 technical correction.

- 11
12 2. If the Respondent fails to meet the conditions in Section III(1) of this order within
13 30 days of the date of this order, the suspended portion of the penalty for calendar
14 year 2023 shall immediately become due and the matter may be sent to collection
15 or brought to Superior Court as allowed by law without further action by the
16 Commission.

SO ORDERED this 7th day of September 2023.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:


Nancy Isserlis (Sep 5, 2023 14:51 PDT)

Nancy Isserlis,
Chair, Public Disclosure Commission

This order sent by email to:

Adam Smith, Respondent
professor@smashbjjspokane.com

Hard copies to:
13405 E. Sprague
Spokane Valley, WA 99206

Tabitha Townsend,
PDC Compliance Coordinator,
pdc@pdc.wa.gov

///

I, Tabitha Townsend, certify that I emailed a copy of
this order to the Respondent at his respective email
address.

Tabitha Townsend

Signed

September 7, 2023

Date

11 | **NOTICE: RECONSIDERATION**

2 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
3 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
4 you. Any Request for reconsideration must state the specific grounds for the relief requested.
5 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
6 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

7
8 **NOTICE: PETITION FOR JUDICIAL REVIEW**

9 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
10 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
11 Order must be filed with the court and also served upon both the Commission and the Office of
12 the Attorney general within thirty (30) days after the date this Final Order is served upon you.