

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

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August 13, 2025

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

Also delivered electronically to <u>info@spokanevalleybjj.com</u> and <u>professor@smashbjjspokane.com</u>

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

copy and paste the following into your browser:

https://teams.microsoft.com/l/meetup-

join/19%3ameeting ZTFiN2E1NGYtM2E0YS00MTlkLTk4ZmltOTE1ODg2NmM1ZWNk%40thread. v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-

57dcc127d72d%22%2c%22Oid%22%3a%22d6333694-631f<u>-41cb-93db-a8c6f065da71%22%7d</u>

Meeting ID: 258 950 756 553

Passcode: NY6Pz3Km

TO call in (audio only)

+1 564-999-2000,,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 <u>August 21, 2025, if</u> 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 <u>pdc@pdc.wa.gov</u> 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 <u>August 20, 2025</u>, 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 <u>August 27, 2025</u>. The reports must be submitted electronically. Instructions for filing the C-1 can be found <u>here</u>, and instructions for filing the F-1 can be found <u>here</u>.

If you have any questions about the hearing process prior to the hearing date, please contact PDC Staff by email at 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 <u>42.17A</u> 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 <u>42.17A.001</u>; and, promoting compliance with the law. The commission also considers and applies RCW <u>42.17A.755</u> 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 \$0 - \$500 \$500 - \$1,500 | \$1,500 provided written explanation with mitigating circumstances. \$2,500 \$0 - \$1,000 Report is filed late and is incomplete or inaccurate. \$1,000 -\$2,000 -\$2,000 \$3,000

[Excerpt above]

- (3) In addition to the requirements of RCW <u>42.17A.755</u>, 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 <u>42.17A.110</u>(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 <u>42.17A.110</u>(1) and 2018 c 304. WSR 18-24-074, § 390-37-182, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW <u>42.17A.110</u>(1). WSR 16-01-015, § 390-37-182, filed 12/4/15, effective 1/4/16. Statutory Authority: RCW <u>42.17A.110</u>, 42.17A.755. WSR 13-05-014, § 390-37-182, filed 2/7/13, effective 3/10/13.]