



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission
From: Tabatha Blacksmith, Compliance Coordinator
Date: February 25, 2021
Subject: Jeff Jernigan Enforcement Hearing Memorandum: PDC Case 80222

Allegations:

Public Disclosure Commission (PDC) staff alleges that Jeff Jernigan, an incumbent Fire Commissioner for West Thurston Regional Fire Authority, violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for calendar years 2018 & 2019 that were due no later than April 15, 2019 and April 15, 2020 respectively.

Background:

- Jeff Jernigan (the “Respondent”) has served as Fire Commissioner for West Thurston Regional Fire Authority for the term January 1, 2013 through the present. He ran for office unopposed in 2019 and was reelected to this position.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office in 2019 was required to file an F-1 report, disclosing personal financial information for calendar year 2018, no later than April 15, 2019.
- In March and April of 2019, PDC staff sent the Respondent eight (8) email reminders regarding his missing F-1 report for calendar year 2018.
- To date, the Respondent has not filed the F-1 report for calendar year 2018 that was due April 15, 2019.
- Per RCW 42.17A.700, the Respondent was required to file an F-1 report, disclosing personal financial information for calendar year 2019, no later than April 15, 2020.

- Between February and May of 2020, PDC staff sent nine (9) email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2019.
- On July 17, 2020, PDC staff mailed warning letters to elected and appointed officials regarding their missing F-1 reports for calendar year 2019.
- From July 27 through October 7, 2020, PDC staff also made telephone calls to elected and appointed officials, and to representatives in the jurisdictions in which they serve, reminding them of their missed obligation to file the F-1 report covering calendar year 2019 that was due April 15, 2020.
- On February 12, 2021, PDC staff served the Respondent, by e-mail, with a hearing notice for a February 25, 2021 Adjudicative Proceeding (Enforcement Hearing) before the full Public Disclosure Commission, concerning the failure to file the F-1 report.
- To date, the Respondent has not filed the F-1 report for calendar year 2019.
- The last F-1 report received from the Respondent (covering 2013) was filed on April 15, 2014.

Prior Violations of RCW 42.17A.700:

The Respondent has three prior violations of RCW 42.17A.700 within five years:

First Violation (PDC Case 10055)

- The Respondent failed to file an F-1 report for calendar year 2015, which was due no later than April 15, 2016.
- On January 20, 2017, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) was held, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$500 penalty for failing to file an F-1 report, which was due no later than April 15, 2016.
- To date, the Respondent has not paid the outstanding \$500 civil penalty for PDC Case 10055.
- In addition, the missing F-1 report for calendar year 2015 has not been filed by the Respondent.

Second Violation (PDC Case 22257)

- The Respondent failed to file an F-1 report for calendar year 2016, which was due no later than April 17, 2017.
- On August 23, 2017, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) was held, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$1,000 penalty for failing to file an F-1 report that was due no later than April 17, 2017.

- To date, the Respondent has not paid the outstanding \$1,000 civil penalty for PDC Case 22257.
- In addition, the missing F-1 report for calendar year 2016 has not been filed by the Respondent.

Third Violation (PDC Case 38864):

- The Respondent failed to file an F-1 report for calendar year 2017, which was due no later than April 16, 2018.
- On October 25, 2018, an Adjudicative Proceeding (Enforcement Hearing) was held before the Full Commission, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$2,500 civil penalty for failing to file an F-1 report that was due no later than April 16, 2018.
- To date, the Respondent has not paid the outstanding \$2,500 civil penalty for PDC Case 38864.
- In addition, the missing F-1 report for calendar year 2017 has not been filed by the Respondent.

Staff Recommendations/Additional Information:

- Staff recommends the Commission find that the Respondent violated RCW 42.17A.700 for failing to file an F-1 report for calendar years 2018 & 2019; and
- Assess the Respondent a civil penalty, made payable within 30 days of the date of the Order.
- Order the Respondent to file F-1 reports covering calendar years 2018 & 2019 within 30 days of the date of the Order.
- Order the Respondent to file F-1 reports covering calendar years 2015, 2016 & 2017 within 30 days of the date of the Order.

Currently, the Respondent owes a total of \$4,000 in previously assessed civil penalties for PDC Cases 10055, 22257, and 38864.