



State of Washington

PUBLIC DISCLOSURE COMMISSION

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To: Anne Levinson, Commission Chair & Presiding Officer

From: Fox Blackhorn, Compliance Coordinator

Date: February 13, 2018

Re: Parks and Recreation Commissioner Erin Gray, PDC Case 25919

Agenda Item

PDC staff is alleging that Erin Gray, a Parks and Recreation Commissioner for the Central Klickitat Parks & Recreation District, violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) due no later than April 17, 2017, disclosing financial information for calendar year 2016.

Background

- Erin Gray was a former Parks and Recreation Commissioner for the Central Klickitat Parks & Recreation District, who was appointed Commissioner on January 27, 2016, until held that office until December 31, 2017.
- As an appointed Parks and Recreation Commissioner, Ms. Gray was required to file an F-1 in accordance with RCW 42.17A.700 not later than April 17, 2017, disclosing financial activities for calendar year 2016. As of the date of this memorandum, no F-1 report has been filed by Ms. Gray.
- On June 19, 2017, PDC staff sent a warning letter to Ms. Gray concerning the missing F-1 report to the address provided by the Central Klickitat Parks & Recreation District (CKPRD), which was "P.O. Box 640, Goldendale, WA 98620." This address is the mailing address for the Central Klickitat Parks & Recreation District, and the mail was returned by the US Postal Service.
- On October 10, 2017, PDC staff contacted the Goldendale pool manager, who verified that Ms. Gray was still a CKPRD Parks and Recreation Commissioner, and provided staff with a telephone number to contact Ms. Gray.
- PDC staff left a message for Ms. Gray concerning the missing F-1 report, requesting that she file the missing F-1 report before staff sends out Brief Enforcement hearing notices.

- On October 11, 2017, PDC staff sent out warning letters to two addresses associated with Ms. Gray as follows: “P.O. Box 971, Goldendale, WA 98620” and “46 Potts Ln., Goldendale, WA 98620.” The warning letter sent to Ms. Gray at the 46 Potts Ln. address was returned to the PDC.
- On December 6, 2017, PDC staff queried the Lexis Accurint database to determine if there were other possible mailing addresses or telephone number associated with Ms. Gray. PDC staff located a telephone number for the 76 Potts Lane address, and contacted the number, which turned out to be the telephone number for Ms. Gray’s parents. PDC staff left a message with Ms. Gray’s mother requesting that Ms. Gray file the missing F-1 report to avoid a hearing and possible penalties and to call the PDC if she had any questions. Ms. Gray’s mother indicated she would pass the message along.
- On February 2, 2018, PDC staff sent a hearing notice to Ms. Gray for a February 16, 2018, Brief Enforcement Hearing. The hearing notice was sent to CKPRD mailing address at “P.O. Box 640, Goldendale, WA 98620.” In addition, consistent with WAC 390-37-060(4), the hearing notice was also transmitted electronically by e-mail to Ms. Gray’s email address provided by the park district.
- On February 8, 2018, PDC staff contacted the Klickitat County Elections Office who confirmed that Ms. Gray: (1) was appointed Parks and Recreation Commissioner on January 27, 2016, and that her term of office ended on December 31, 2017; and (2) was registered to vote at “P.O. 971, Goldendale, WA 98620.”

Staff Recommendation/Comments

- Ms. Gray was required to have filed an F-1 report within two weeks of being appointed on January 26, 2016, or not later than February 9, 2017. Staff reviewed the 2016 Mandatory Filer Enforcement for Annual Officials, and found that Ms. Gray was sent an F-1 warning letter in July of 2016, but it was returned as undeliverable. It does not appear that an alternative address was found to resend the warning letter, and no hearing notice was sent.
- PDC staff recommends that the Presiding Officer find a violation of RCW 42.17A.700 and assess a \$250 civil penalty against Ms. Gray for failing to file an F-1 report for calendar year 2016. The \$250 penalty is in accordance with WAC 390-37-143, the penalty schedule adopted by the Commission, for a filer’s first occasion and the missing F-1 report is not filed by the date of the enforcement hearing.
- PDC staff would request that the Presiding Officer take into account the following mitigating factors in determining if any portion of the \$250 penalty should be suspended in this case, and if so, that the suspension be according to the usual conditions: (1) Ms. Gray is no longer a Parks and Recreation Commissioner; (2) Issues concerning service of the warning letters and hearing notices; (3) Central Klickitat Parks & Recreation District is a small park district that consists of running the Goldendale Pool for 6-7 months that the pool is open, and park and recreation facilities (Note according to a Washington State Audit Report, the district had an annual budget of approximately \$300,000 for 2011 through 2013)