



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](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

**Memorandum**

To: Public Disclosure Commission

From: Kurt Young, Compliance Officer

Date: February 9, 2016

Subject: February 25, 2016 Enforcement Hearing:  
Robert Jesse Hill: PDC Case No. 16-113 and PDC Case No. 16-267

**Allegations:**

PDC staff alleges that Robert Jesse Hill, as a candidate for Pierce County Charter Review (PDC Case No. 16-113) and Tacoma City Council (PDC Case No. 16-267) in 2015, violated:

1. RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report), and
2. RCW 42.17A.205 on two occasions by failing to file two Candidate Registrations (C-1 reports), one for each office being sought in 2015.

The two C-1 reports and one F-1 report were required to have been filed within two weeks of declaring his 2015 candidacy, or not later than May 31, 2015.

**Background:**

- Mr. Hill has been a candidate for public office on numerous occasions, and has appeared on the ballot almost every year dating back to 2008.
- Mr. Hill failed to file an F-1 report(s) and/or C-1 report as a candidate, within two weeks of declaring his candidacy for the 2013, 2014 and 2015 elections.
- Mr. Hill has four prior PDC violations: PDC Case No. 15-026 in which he was assessed a \$900 penalty; PDC Case No. 13-126 in which he was assessed a \$500 penalty; PDC Case No. 12-044 in which he was assessed a \$300 penalty; and PDC Case No. 08-012 in which he was assessed a \$300 penalty.
- Mr. Hill has three outstanding penalties totaling \$1,700.

Robert Jesse Hill

PDC Case No. 16-113 and PDC Case No. 16-267

February 25, 2016 Enforcement Hearing

Page - 2 -

- Mr. Hill is not eligible for a brief enforcement hearing under the provisions of WAC 390-37-165 because this will be his fifth occasion for an alleged PDC violation.

#### **2015 Reporting Requirements:**

- Candidate filing week was held May 11-15, 2015, and more than 2,500 candidates filed for public office in the 2015 election cycle, including Mr. Hill. All 2015 candidates for public office were required to file a C-1 report and F-1 report no later than May 31, 2015.
- Since Mr. Hill was a candidate for two offices, he was required to file two C-1 reports, and one F-1 report for the 2015 election cycle by May 31, 2015.
- Mr. Hill was issued PDC Case No's 16-113 and 16-267 for a July 30, 2015, Brief Enforcement hearing as part of the 2015 Candidate Group Enforcement hearings for failing to file an F-1 report and two C-1 reports, but the hearing notice was pulled since he was not eligible for a Brief Hearing.

#### **PDC Enforcement History:**

##### PDC Case No. 15-026

- On September 25, 2014, at an Enforcement hearing before the Full Commission, Mr. Hill was found in violation of RCW 42.17A.700 for failing to file an F-1 report within two weeks of declaring his 2014 candidacy for State Representative in the 27<sup>th</sup> Legislative District.
- Mr. Hill was assessed a \$900 penalty. To date, Mr. Hill has failed to file the missing F-1 reports or pay the \$900 outstanding penalty.

##### PDC Case No. 13-126

- On September 26, 2013 at an Enforcement hearing before the Full Commission, Mr. Hill was found in violation of RCW 42.17A.205 for failing to file a C-1 report, and RCW 42.17A.700 for failing to file an F-1 report within two weeks of declaring his candidacy for Tacoma City Council in 2013.
- Mr. Hill was assessed a \$500 penalty. Mr. Hill failed to file the missing C-1 or F-1 reports or pay the \$500 outstanding penalty.

##### PDC Case No. 12-044:

- On August 10, 2011 at a Brief Enforcement hearing, Mr. Hill was found in violation of RCW 42.17.240 for failing to file an F-1 report within two weeks of declaring his 2011 candidacy for Tacoma City Council, or not later than June 25, 2011.
- Mr. Hill was assessed a \$300 penalty in accordance with WAC 390-37-165. Mr. Hill failed to file the missing F-1 report or pay the \$300 outstanding penalty.

PDC Case No. 08-012:

- On August 7, 2007, Mr. Hill was found in violation of RCW 42.17.040 by failing to file a C-1 report, and RCW 42.17.240 by failing to timely file an F-1 report, within two weeks of declaring his 2007 candidacy for Tacoma City Council. Mr. Hill was assessed a \$300 penalty in accordance with WAC 390-37-165.
- Mr. Hill filed the missing C-1 and F-1 reports on January 14, 2008, and paid the \$300 outstanding penalty on October 2, 2008.

**Staff Recommendation:**

Staff recommends the find that Robert Jesse Hill violated RCW 42.17A.205 on two occasions by failing to file two C-1 reports; and 42.17A.700 by failing to file an F-1 report, as a candidate for Tacoma City Council and Pierce County Charter Review in 2015, and to:

1. Assess a civil penalty of \$1,500, \$500 each for the two missing C-1 reports and one F-1 report, which is payable within 30 days of the date of the Order.
2. Require Mr. Hill to “cease and desist” from failing to file his required PDC reports in accordance with RCW 42.17A.755(4); and to file the missing F-1 report(s) and C-1 reports for the 2013, 2014 and 2015 elections.

Attachments:

- February 9, 2016 Enforcement Hearing notice for missing F-1 report and two C-1 reports.
- Order for Robert Jesse Hill in PDC Case No. 15-026.
- WAC 390-37-165: C-1/F-1 penalty schedule.



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February 9, 2016

Robert Jesse Hill  
PO Box 5006  
Tacoma WA 98415

Subject: F-1 Enforcement Hearing Notice PDC Case Number 16-113 and 16-267

Dear: Mr. Hill:

PDC records indicate that you were a candidate for Pierce County Charter Review (PDC Case No. 16-113) and Tacoma City Council (PDC Case No. 16-267) in 2015. As a candidate in 2015, you were required to file a Personal Financial Affairs Statement (F-1 report), and two Candidate Registrations (C-1 reports), one for each office being sought in 2015, within two weeks of declaring your 2015 candidacy, or not later than May 31, 2015.

PDC staff sent you a C-1 and F-1 warning letter on June 18, 2015, informing you that as a candidate in 2015, you were required to file a C-1 report for each office being sought, and one F-1 report. To date, the two missing C-1 reports and one F-1 report have not been filed by you. Staff had planned on scheduling you for a Brief Enforcement Hearing in August of 2015. However, after reviewing your filings it was determined you were not eligible for a Brief Enforcement hearing under the provisions of WAC 390-37-165, since this is your fifth occasion.

Therefore, in accordance with RCW 42.17A.110 and RCW 42.17A.755, an Enforcement Hearing before the Full Commission has been scheduled to determine if you violated RCW 42.17A.205 by failing to file two C-1 reports, and RCW 42.17A.700 by failing to file a F-1 report, all required to have been filed within two weeks of declaring your 2015 candidacy, or not later than May 31, 2015.

**Enforcement Hearing Information**

Date and time: **Thursday, February 25, 2016 at 1:00 p.m. (approximate time)**  
Place: Evergreen Plaza Building, Room 206  
711 Capitol Way, Olympia, WA, 98504-0908  
Presiding Officer: Katrina Asay, Chair, Public Disclosure Commission

If you do not plan to be present at the hearing, you may submit evidence in your own behalf or in mitigation no later than noon on Tuesday, February 23, 2016 for distribution to Commission members. You may do so by writing to the Chair, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, or by email at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Robert Jesse Hill  
Enforcement Hearing Notice  
PDC Case No. 16-113 and 16-267  
Page 2

Materials received after the Commission mailing on February 19, 2016, and before the hearing will be given to Commission members at the hearing.

If a hearing proceeds and you fail to attend or provide information on your own behalf, you may be in default and the Commission may assess appropriate penalties. The Commission has the authority to assess a penalty of up to \$10,000, or they can find apparent violations and refer the matter to the Attorney General for higher penalties.

You are not required by law to personally attend. However, the Public Disclosure Commission recommends that respondents personally appear whenever possible. PDC staff will present this matter to the Commission.

If you have questions regarding this matter, please contact PDC staff member Kurt Young at (360) 664-8854 or by e-mail at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

  
Evelyn Fielding Lopez  
Executive Director

Enclosure:

- February 9, 2016 Enforcement Hearing Memorandum to Commissioners



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October 3, 2014

Robert Jesse Hill  
PO Box 5006  
Tacoma, WA 98415

Subject: PDC Case No. 15-026 – Final Order

Dear Mr. Hill

Enclosed is a copy of the Public Disclosure Commission's Final Order that was entered in the above-referenced case. The Order assessed a \$900 civil penalty assessed against you that is payable at this time.

Please make your check or money order payable to the WA State Treasurer, and mail the \$900 the penalty payment to the Public Disclosure Commission, along with the missing F-1 report. Thank you for your attention to this matter.

If you have questions, please contact me at (360) 664-8854; toll free at (877) 601-2828 or by email at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

Kurt Young  
PDC Compliance Officer

Enclosures – Final Order

1 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
2 **OF THE STATE OF WASHINGTON**

3 IN RE THE MATTER OF ENFORCEMENT  
4 ACTION AGAINST

PDC CASE NO. 15-026

**FINAL ORDER**

5 Robert Jesse Hill

6 Respondent.  
7

8 This matter came before the Washington State Public Disclosure Commission (PDC)  
9 on September 25, 2014, at the PDC Office, 711 Capitol Way, Room 206, Olympia,  
10 Washington. Those present included Grant Degginger, Commission Chair; Kathy Turner and  
11 Amit Ranade, Members. Also present were Kurt Young, PDC Compliance Officer on behalf  
12 of the PDC Staff; PDC Executive Director Andrea McNamara Doyle; PDC Acting Assistant  
13 Director Tony Perkins; and PDC staff member Jennifer Hansen as recorder/reporter of the  
14 proceedings. The Respondent, Robert Jesse Hill, was provided notice of the hearing but did  
15 not attend or participate. The proceedings were open to the public and recorded.  
16

17 **I. PROCEDURAL HISTORY**

18 The Respondent is a candidate for State Representative in the 27<sup>th</sup> Legislative District  
19 in 2014. This matter resulted from allegations that the Respondent violated RCW 42.17A.700  
20 by failing to file a Personal Financial Affairs Statement (F-1 report), due within two weeks of  
21 becoming a candidate in the 2014 election, or not later than May 31, 2014.

22 On September 15, 2014, PDC staff sent a hearing notice to Respondent at the address  
23 he provided on his 2014 declaration of candidacy, scheduling the September 25, 2014  
24 enforcement hearing before the Commission.

25 At the hearing, Mr. Young testified on behalf of PDC staff. Mr. Young also presented  
26 to the Commission and summarized his memo dated September 17, 2014, with exhibits.

1 The exhibits included information concerning the Respondent's prior case before the  
2 Full Commission in which he was found in violation of RCW 42.17A and assessed a \$500  
3 penalty.

4 Having considered the testimony and record, the Commission enters the following  
5 Findings of Fact, Conclusions of Law and Order.

## 6 II. FINDINGS OF FACT

- 7 1. Candidate filing week was May 12-16, 2014 for candidates seeking election in 2014.
- 8 2. The Respondent filed as a candidate for State Representative in the 27<sup>th</sup> Legislative  
9 District during filing week in May 2014.
- 10 3. The Commission did not receive a C-1 (Candidate Registration Form) or F-1 report  
11 from the Respondent as of May 31, 2014, the date the reports were due.
- 12 4. The Respondent is not eligible for a brief enforcement hearing under the provisions of  
13 WAC 390-37-165 because: (1) he has three prior PDC violations; (2) he owes a total of  
14 \$800 in outstanding penalties; and (3) he has not filed the F-1 report that was the  
15 subject of the prior violation found in PDC Case No. 13-126.
- 16 5. The Respondent filed a C-1 report on July 24, 2014.
- 17 6. The Respondent did not file an F-1 report as of September 25, 2014, the date of the  
18 hearing.
- 19 7. The F-1 enforcement hearing notice was mailed to the Respondent at the address he  
20 provided on his 2014 Declaration of Candidacy.
- 21 8. The Respondent has two prior outstanding penalties totaling \$800, of which \$300 was  
22 sent to collection for PDC Case No. 12-044.

## 23 III. CONCLUSIONS OF LAW

24 Based upon the record herein, the Commission unanimously concludes:  
25  
26



- 1 1. The Commission has jurisdiction to hear this matter under RCW 42.17A and Title  
2 390 WAC.  
3 2. RCW 42.17A.700 and WAC 390-24-010 required Respondent to file an F-1 within  
4 two weeks of becoming a candidate in 2014, or no later than May 31, 2014.  
5 3. The Respondent violated RCW 42.17A.700 by failing to file an F-1 for his 2014  
6 candidacy.

7  
8 Based upon the findings and conclusions, the Commission orders that:

9 **IV. ORDER**

10 The Respondent is assessed a civil penalty of \$900.

11 The Executive Director is authorized to enter this order on behalf of the Commission.

12 So ORDERED this 3<sup>rd</sup> day of October, 2014

13 WASHINGTON STATE PUBLIC  
14 DISCLOSURE COMMISSION  
15 FOR THE COMMISSION:

16 *Andrea M. Doyle*  
17 ANDREA MCNAMARA DOYLE  
18 Executive Director

19 *ATTACHMENT: Appeals and Enforcement of Final Orders*

20 *Copy of this Final Order to:*

21 Robert Jesse Hill  
22 PO Box 5006  
23 Tacoma, WA 98415

24 I, Jacob Berken, certify that I mailed a copy of this order to the  
25 Respondent/Applicant at his/her respective address postage pre-paid on the date  
26 stated herein.

Signed

Date

**WAC 390-37-165****Candidate registration statement (C-1)/candidate statement of financial affairs (F-1) penalty schedule.**

Status	1st Occasion	2nd Occasion	3rd Occasion	4th Occasion
Failed to file F-1 and/or C-1 by date of enforcement hearing.	\$250 per report	\$500 per report, up to \$1,000	Full commission consideration	Full commission consideration
Filed reports after hearing notice but before enforcement hearing. Did not pay settlement amount.	\$150 per report	\$300 per report	\$600 per report, up to \$1,000	Full commission consideration
Filed report after hearing notice but before enforcement hearing. Provided written explanation or appeared at the hearing to explain mitigating circumstances. Did not pay settlement amount.	\$0 - \$150 per report	\$150 - \$300 per report	\$300 - \$600 per report, up to \$1,000	Full commission consideration

**Provisos:**

(1) The presiding officer has authority to suspend all or a portion of relevant penalty under the conditions to be determined by that officer.

(2) If on the 3rd occasion, a filer has outstanding penalties or judgments, the matter will be taken to the full commission for consideration including, but not limited to, payment of the nonsuspended portion of the penalty within five business days of the date of entry of the order in that case.

(3) The presiding officer may direct a matter to the full commission if the officer believes one thousand dollars would be an insufficient penalty or the matter warrants consideration by the full commission.

(4) If previously imposed penalties remain unpaid and exceed the amount this penalty schedule would otherwise prescribe for the current violation, the presiding officer may impose a penalty not to exceed the amount of the outstanding penalty, up to one thousand dollars.

(5) "Occasion" means established violation. At the 4th occasion, among other factors, the commission may consider if any prior violations and penalties were stipulated to by the respondent, in determining the amount of the penalty.

(6) Cases will automatically be scheduled before the full Commission for an enforcement action when the person:

- (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.

[Statutory Authority: RCW 42.17A.110(1). WSR 16-01-015, § 390-37-165, filed 12/4/15, effective 1/4/16. Statutory Authority: RCW 42.17.370. WSR 05-04-038, § 390-37-165, filed 1/27/05, effective 2/27/05; WSR 03-22-065, § 390-37-165, filed 11/4/03, effective 12/5/03.]