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

November 2, 2018

JEFF JERNIGAN
17745 LITTLEROCK ROAD SW
ROCHERSTER, WA 98579

And delivered electronically to "jjfire54@comcast.net"

Subject: PDC Order, Case 38864

Dear Jeff Jernigan,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the October 25, 2018, Enforcement Hearing, the Commission assessed a total civil penalty of $2,500 in accordance with WAC 390-37-143. The $2,500 penalty is payable within 30 days of the date of this Order.

The $2,500 penalty is payable no later than **December 3, 2018**. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

Department of Enterprise Services
Small Agency Services
PO Box 41465
Olympia, WA 98504-1465

Please do not send the payment to the PDC offices.

Thank you for your prompt attention to this matter.

If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

/s Tabatha Blacksmith
Tabatha Blacksmith
Compliance Coordinator

Enclosure: Initial Order

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In re the Matter of Enforcement Action Against: JEFF JERNIGAN, Respondent.	PDC CASE NO. 38864 FINAL ORDER

I. INTRODUCTION

This matter was heard by the Washington State Public Disclosure Commission (Commission) on October 25, 2018, at the Public Disclosure Commission Office, 711 Capitol Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to Chapter 34.05 RCW, Chapter 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present were Anne Levinson, Commission Chair (presiding); David Ammons, Commission Vice-Chair; and Commissioner William Downing. Also present were Assistant Attorney General John S. Meader representing the Commission; Tabatha Blacksmith and Fox Blackhorn-Delph, Compliance Coordinators on behalf of PDC Staff; and Assistant Attorney General Chad Standifer representing PDC Staff. Respondent Jeff Jernigan did not participate. The proceeding was open to the public and recorded.

The hearing concerned allegations that Respondent Jeff Jernigan violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 Report) for

calendar year 2017, due not later than April 16, 2018.

The Commissioners had before them the following materials:

- Enforcement Hearing Memorandum dated October 16, 2018, prepared by Tabatha Blacksmith, Compliance Coordinator.
- Warning Letter for missing Personal Financial Affairs Statement from PDC staff dated July 16, 2018.
- Brief Enforcement Hearing Notice dated August 16, 2018, for the hearing on September 24, 2018, including information for submitting a Statement of Understanding by September 19, 2018, and a copy of the Brief Enforcement Hearings penalty schedule.
- F-1 Enforcement Hearing Notice dated October 15, 2018, indicating the Brief Enforcement Hearing was converted to an Enforcement Hearing before the full Commission on October 25, 2018.
- Cover letter and Initial Order Imposing Fine dated August 14, 2015, imposing a $150 civil penalty for failing to timely file a Personal Financial Affairs Statement (F-1 report) due April 15, 2015, disclosing financial information for calendar year 2014.
- Cover letter and Initial Order Imposing Fine dated February 3, 2017, imposing a $500 civil penalty for failing to timely file a Personal Financial Affairs Statement (F-1 report) due April 15, 2016, disclosing financial information for calendar year 2015.
- Cover letter and Initial Order Imposing Fine dated September 5, 2017, imposing a $1,000 civil penalty for failing to timely file a Personal Financial Affairs Statement (F-1 report) due April 17, 2017, disclosing financial information for calendar year 2016,

II. FINDINGS OF FACT

1. Jeff Jernigan was elected Fire Commissioner for West Thurston Regional Fire Authority in 2013.

2. Per RCW 42.17A.700, Mr. Jernigan was required to file a Personal Financial Affairs Statement (F-1 report) disclosing personal financial information for calendar year 2017 no later than April 16, 2018.

3. From April to June of 2018, PDC staff sent seven email reminders to Mr. Jernigan concerning the F-1 filing requirement.

4. On July 16, 2018 PDC staff sent a warning letter by U.S. Mail to Mr. Jernigan, concerning his failure to file the F-1 report.

6. On August 16, 2018 PDC staff served Mr. Jernigan by U.S. mail and email, with a hearing notice for a Brief Adjudicative Proceeding to be held on September 24, 2018, concerning the failure to timely file the F-1 report.

7. On September 24, 2018, a Brief Adjudicative Proceeding was held in which the Presiding Officer determined that, in accordance with WAC 390-37-143(5), Mr. Jernigan's case needed to be scheduled before the full Commission for an enforcement action as:

- He was found in violation in the previous reporting period;
- The violation remained in effect following any appeals; and
- He had not filed the disclosure forms that were the subject of prior violations.

8. On October 15, 2018, PDC staff served Mr. Jernigan by U.S. mail and email, with a hearing notice for an Adjudicative Proceeding before the full Public Disclosure Commission, to be held on October 25, 2018, concerning the failure to timely file the F-1 report for calendar year 2017.

9. As of the date of the Review Hearing Jeff Jernigan has not filed the F-1 report for calendar year 2017.

10. Jeff Jernigan failed to file an F-1 report for calendar year 2014, which was due no later than April 15, 2015. Mr. Jernigan was found in violation of RCW 42.17A.700 at a July 30, 2015, Brief Adjudicative Proceeding (PDC Case 16-032) and assessed a $150 penalty for failing to file an F-1 report, which was due no later than April 15, 2015. On December 7, 2017, Mr. Jernigan paid the $150 penalty. To date, the missing F-1 report for calendar year 2014 has not been filed.

11. Jeff Jernigan failed to file an F-1 report for calendar year 2015, which was due no later than April 15, 2016. Mr. Jernigan was found in violation of RCW 42.17A.700 at a January 20, 2017, Brief Adjudicative Proceeding (PDC Case 10055) and assessed a $500 penalty for failing to file an F-1 report, which was due no later than April 15, 2016. To date, Mr. Jernigan has not paid the $500 civil penalty and the missing F-1 report for calendar year 2015 has not been filed.

12. Jeff Jernigan failed to file an F-1 report for calendar year 2016, which was due no later than April 17, 2017. Mr. Jernigan was found in violation of RCW 42.17A.700 at an August 23, 2017, Brief Adjudicative Proceeding (PDC Case 22257) and assessed a $1,000 penalty for failing to file an F-1 report, which was due no later than April 17, 2017. To date, Mr. Jernigan has not paid the $1,000 civil penalty and the missing F-1 report for calendar year 2016 has not been filed.

III. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative

Procedure Act; and Title 390 WAC.

2. The Respondent violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 Report) disclosing personal financial information for calendar year 2017 no later than April 16, 2018.

IV. ORDER

Based upon the Findings and Conclusions, the Commission Orders that:

1. Respondent Jeff Jernigan is assessed a total civil penalty of $2,500 for violation of RCW 42.17A.700, payable within 30 days of the date of this Order.

2. The Respondent shall pay all outstanding civil penalties and file all missing F-1 reports within 30 days of this Order.

3. The Respondent shall remain in compliance with all PDC reporting requirements.

So ORDERED this 1st day of November, 2018.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:

Anne Levinson
Chair, Public Disclosure Commission

Copy of this Order mailed and/or emailed to:

Jeff Jernigan, Respondent
17745 Littlerock Rd. SW
Rochester, WA 98579
(jjfire54@comcast.net)

Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov)
Chad Standifer, Assistant Attorney General, Counsel for PDC Staff (ChadS@atg.wa.gov)

I, Tabatha Blacksmith, certify that I mailed and emailed a copy of this order to the Respondent/ Applicant at his/her respective address postage pre-paid on the date stated herein.

Tabatha Blacksmith 11/2/18
Signed Date

NOTICE: RECONSIDERATION

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

NOTICE: PETITION FOR JUDICIAL REVIEW

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