



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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I, Adam Fortney herby acknowledge that:
Adam Fortney

During election year 2023, while the incumbent candidate for re-election of Snohomish County Sheriff, my Campaign, the 2023 Adam Fortney for Snohomish County Sheriff campaign (the Campaign), violated RCW 42.17A.235 and .240 by failing to timely and correctly file campaign reports (C-3 and C-4) between December 1, 2022, and July 31, 2023, disclosing contributions and expenditures undertaken by the Campaign. The Campaign also violated RCW 42.17A.405 by accepting over-limit contributions from donors to the Campaign.

The facts are as follows:

- On May 15, 2023, Public Disclosure Commission (PDC) Staff received a complaint against Adam Fortney alleging failure to timely and accurately file C-4 reports. Staff conducted a case review (see case #137892), and on August 9, 2023, staff issued a formal written warning concerning the Campaign's failure to timely disclose contributions, in-kind contributions, and expenditures made to the Campaign during the period of January 1, 2023, to July 31, 2023.
- On August 17, 2023, PDC Staff received a second complaint against the Campaign alleging inaccurate filing of C-3 and C-4 reports and accepting over the limit contributions.
- As alleged in the complaint, the investigation determined the Campaign accepted over-limit contributions. After being notified of the complaint, the campaign refunded \$4,600 on August 29, 2023, to the contributors named in the complaint and an additional \$4,300 was discovered when the Campaign conducted an audit. The \$4,300 was reported as paid on October 6, 2023, to Billy Dunn, Jantz Gregory, Mark Richardson, Debra Richardson and Ardor Printing. .
- The Campaign filed thirteen amended C-3 reports and seven amended C-4 reports on October 11, 2023. Many of the amended reports were the same reports that the Campaign had previously received the warning about and required further amending to make correct. Also on that date, the Campaign filed two new C-3 reports from July 2023, which were untimely. Information in the new and amended reports included:
 - o Reporting of missing in-kind contributions and description details specific to campaign signs acquired in January – March 2023.
 - o Reporting of refunds to contributors who donated over the allowed

contribution limit of \$1,200.

- o Correction of donor address.
- o Correction of contributions attributed to businesses rather than individual donors.
- o Corrections of contributions attributed to the wrong donor.
- o Reporting of new contributions.
- o Reporting of auction fundraiser.

I would like to avoid the time and expense resulting from a Brief Adjudicative Proceeding (Brief Enforcement Hearing). Therefore, in lieu of a hearing, I acknowledge that the Campaign violated Washington law as described above and agree to enter this Statement of Understanding to resolve this case with the PDC. Further, per the Penalty Schedule in WAC 390-37-143, I agree to pay a \$450 combined civil penalty for violations of RCW 42.17A.235, RCW 42.17A.240, and RCW 42.17A.405 (\$150 for late or inaccurate filed C-3 reports, \$150 for late or inaccurate filed C-4 reports, and \$150 for accepting over-limit contributions).

By signing this Statement of Understanding, I acknowledge that the Campaign violated RCW 42.17A.235, RCW 42.17A.240, and RCW 42.17A.405 as described above and waive my right to a hearing in this matter. I further understand that by signing this Statement of Understanding and paying the \$450 civil penalty, PDC Case no. 141451 is resolved.



Signature



Date

Please make your check or money order payable to the "Washington State Treasurer" and be sure to include PDC Case number 141451 in the memorandum field, and mail or deliver this Statement of Understanding along with your payment/check, by November 3, 2023, to the PDC at the following address:

Public Disclosure
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Olympia, WA 98504-0908